

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 667

96TH GENERAL ASSEMBLY

1765L.01T

2011

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.950, to read as follows:

191.950. 1. As used in this section, the following terms mean:

- 2 **(1) "Department", the department of health and senior services;**
3 **(2) "Economically challenged men", men who have a gross income up to one-**
4 **hundred and fifty percent of the federal poverty level;**
5 **(3) "Program", the prostate cancer pilot program established in this section;**
6 **(4) "Rural area", a rural area which is in either any county of the third**
7 **classification without a township form of government and with more than twenty thousand**
8 **but fewer than twenty thousand one hundred inhabitants, any county of the second**
9 **classification with more than nineteen thousand seven hundred but fewer than nineteen**
10 **thousand eight hundred inhabitants, or any county of the third classification with a**
11 **township form of government and with more than thirty-three thousand one hundred but**
12 **fewer than thirty-three thousand two hundred inhabitants;**
13 **(5) "Uninsured men", men for whom services provided by the program are not**
14 **covered by private insurance, MO HealthNet or Medicare;**
15 **(6) "Urban area", an urban area which is located in a city not within a county.**
16 **2. Subject to securing a cooperative agreement with a nonprofit entity for funding**
17 **of the program, there is hereby established within the department of health and senior**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 services two "Prostate Cancer Pilot Programs" to fund prostate cancer screening and
19 treatment services and to provide education to men residing in this state. One prostate
20 cancer pilot program shall be located in an urban area and one prostate cancer pilot
21 program shall be located in a rural area. The department may directly contract with the
22 Missouri Foundation for Health, or a successor entity, in the delivery of the pilot program.
23 For purposes of this section, the contracting process of the department with these entities
24 need not be governed by the provisions of chapter 34.

25 **3. The program shall be open to:**

26 (1) Uninsured men or economically challenged men who are at least fifty years old;
27 and

28 (2) On the advice of a physician or at the request of the individual, uninsured men
29 or economically challenged men who are at least thirty-five years of age but less than fifty
30 years of age and who are at high risk for prostate cancer.

31 **4. The program shall provide:**

32 (1) Prostate cancer screening;

33 (2) Referral services, including services necessary for diagnosis;

34 (3) Treatment services for individuals who are diagnosed with prostate cancer after
35 being screened; and

36 (4) Outreach and education activities to ensure awareness and utilization of
37 program services by uninsured men and economically challenged men.

38 **5. Upon appropriation, the department shall distribute grants to administer the
39 program to:**

40 (1) Local health departments; and

41 (2) Federally qualified health centers.

42 **6. Three years from the date on which the grants were first administered under this
43 section, the department shall report to the governor and general assembly:**

44 (1) The number of individuals screened and treated under the program, including
45 racial and ethnic data on the individuals who were screened and treated; and

46 (2) To the extent possible, any cost savings achieved by the program as a result of
47 early detection of prostate cancer.

48 **7. The department shall promulgate rules to establish guidelines regarding
49 eligibility for the program and to implement the provisions of this section. Any rule or
50 portion of a rule, as that term is defined in section 536.010, that is created under the
51 authority delegated in this section shall become effective only if it complies with and is
52 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
53 section and chapter 536 are nonseverable and if any of the powers vested with the general**

54 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
55 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
56 authority and any rule proposed or adopted after August 28, 2011, shall be invalid and
57 void.

58 **8. Under section 23.253 of the Missouri sunset act:**

59 **(1) The provisions of the new program authorized under this section shall**
60 **automatically sunset six years after the effective date of this section unless reauthorized by**
61 **an act of the general assembly; and**

62 **(2) If such program is reauthorized, the program authorized under this section**
63 **shall automatically sunset six years after the effective date of the reauthorization of this**
64 **section; and**

65 **(3) This section shall terminate on September first of the calendar year immediately**
66 **following the calendar year in which the program authorized under this section is sunset.**

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