

HOUSE AMENDMENT NO. \_\_\_\_\_  
TO  
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Offered By

1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for Senate Committee  
2 Substitute for Senate Bill No. 139, Page 1, Line 1, by deleting said line and inserting in lieu thereof  
3 the following:

4  
5 "AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139,  
6 Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

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8 "191.1100. 1. Sections 191.1100 to [~~191.1112~~] 191.1116 shall be known and may be cited  
9 as the "Volunteer Health Services Act".

10 2. As used in [~~sections 191.1100 to 191.1112~~] the volunteer health services act, the  
11 following terms shall mean:

12 (1) "Gross deviation", a conscious disregard of the safety of others;

13 (2) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental health  
14 professional licensed under chapter 337, veterinarian, or other practitioner of a health care  
15 discipline, the professional practice of which requires licensure or certification under state law or  
16 under comparable laws of another state, territory, district, or possession of the United States;

17 (3) "Licensed health care provider", any health care provider holding a current license or  
18 certificate issued under:

19 (a) Missouri state law;

20 (b) Comparable laws of another state, territory, district, or possession of the United States;

21 (4) "Regularly practice", to practice more than sixty days within any ninety-day period;

22 (5) "Sponsoring organization", any organization that organizes or arranges for the voluntary  
23 provision of health care services and registers with the department of health and senior services as a  
24 sponsoring organization in accordance with section 191.1106;

25 (6) "Voluntary provision of health care services", the providing of professional health care  
26 services by a health care provider without charge to a recipient of the services or a third party. The  
27 provision of such health care services under sections 191.1100 to 191.1112 shall be the provider's  
28 professional practice area in which the provider is licensed or certified.

29 191.1110. 1. (1) No licensed health care provider working on behalf of a sponsoring  
30 organization or registered with the appropriate licensing body pursuant to section 191.1114 who  
31 engages in the voluntary provision of health care services within the limits of the person's license,  
32 certificate, or authorization to [~~any~~] a patient [~~of a sponsoring organization~~] shall be liable for any  
33 civil damages for any act or omission resulting from the rendering of such services, unless the act or

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1 omission was the result of such person's gross deviation from the ordinary standard of care or  
2 willful misconduct.

3 (2) The volunteer licensee who is providing free care shall not receive compensation of any  
4 type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any  
5 nature, from any person for the free care. Nor shall such service be a part of the provider's training  
6 or assignment.

7 (3) The volunteer licensee shall be acting within the scope of such license, certification, or  
8 authority.

9 (4) A health care licensee providing free health care shall not engage in activities at a clinic,  
10 or at the health care licensee's office, if the activities are performed on behalf of the sponsoring  
11 organization, unless such activities are authorized by the appropriate authorities to be performed at  
12 the clinic or office and the clinic or office is in compliance with all applicable regulations.

13 2. For purposes of this section, any commissioned or contract medical officer or dentist  
14 serving on active duty in the United States Armed Forces and assigned to duty as a practicing,  
15 commissioned, or contract medical officer or dentist at any military hospital or medical facility  
16 owned and operated by the United States government shall be deemed to be licensed.

17 191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of  
18 section 191.1110, a health care provider who provides volunteer health care services without  
19 working on behalf of a sponsoring organization shall register with the appropriate licensing body  
20 before providing such services by submitting a registration fee of fifty dollars and filing a  
21 registration form. The registration and fee shall be submitted annually to the appropriate licensing  
22 body with the fee to be used for the administration of sections 191.1100 to 191.1116. Such  
23 registration form shall contain:

24 (1) The name of the health care provider;

25 (2) The address, including street, city, zip code, and county, of the health care provider's  
26 principal office address;

27 (3) Telephone numbers for the principal office listed under subdivision (2) of this  
28 subsection; and

29 (4) Such additional information as the appropriate licensing body shall require.

30  
31 Upon any change in the information required under this subsection, the health care provider shall  
32 notify the appropriate licensing body in writing of such change within thirty days of its occurrence.

33 2. The health care provider shall maintain on file for five years following the date of service  
34 the date, place, and type of services provided and shall furnish such records upon request to any  
35 regulatory board of any healing arts profession established under state law.

36 3. Adverse incidents and information on treatment outcomes shall be reported by any  
37 provider to the appropriate licensing body if the incidents and information pertain to a patient  
38 treated under the volunteer health services act. The appropriate licensing body shall review the  
39 incident to determine whether it involves conduct by the licensee that is subject to disciplinary  
40 action. All patient medical records and any identifying information contained in adverse incident  
41 reports and treatment outcomes which are obtained by governmental entities or licensing bodies  
42 under this subsection are confidential.

43 4. The appropriate licensing body may revoke the registration of any health care provider  
44 that fails to comply with the requirements of this section.

45 5. Nothing in the volunteer health services act shall prohibit a health care provider from  
46 providing health care services without charge or shall require a health care provider to register with  
47 an appropriate licensing body. However, a health care provider who does not register or who does  
48 not work on behalf of a sponsoring organization shall not be entitled to liability protection under

1 subdivision (1) subsection 1 of section 191.1110 or to continuing education credits under section  
2 191.1116.

3 191.1116. For every hour of volunteer service performed by a health care provider, the  
4 appropriate licensing body shall credit such health care professional one hour of continuing  
5 education credit, up to a maximum of eight credit hours per licensure period. The health care  
6 provider shall submit to the appropriate licensing body a voluntary services report that lists the dates  
7 of voluntary service provided, the type of service provided, and the amount of time spent with each  
8 patient."; and

9  
10 Further amend said bill,"; and

11  
12 Further amend said bill by amending the title, enacting clause, and intersectional references  
13 accordingly.

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15 THIS AMENDS AMENDMENT 0471H04.14H.  
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