

SECOND REGULAR SESSION

HOUSE BILL NO. 2183

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BONDON.

6009H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 197.052 and 536.031, RSMo, and to enact in lieu thereof two new sections relating to streamlining hospital regulations.

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

Section A. Sections 197.052 and 536.031, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 197.052 and 536.031, to read as follows:

197.052. An applicant for or holder of a hospital license may define or revise the
2 premises of a hospital campus to include tracts of property which are adjacent but for a common
3 street, **single intersection**, or highway, as **such terms are** defined in section 300.010, and its
4 accompanying public right-of-way.

536.031. 1. There is established a publication to be known as the “Code of State
2 Regulations”, which shall be published in a format and medium as prescribed and in writing
3 upon request by the secretary of state as soon as practicable after ninety days following January
4 1, 1976, and may be republished from time to time thereafter as determined by the secretary of
5 state.

6 2. The code of state regulations shall contain the full text of all rules of state agencies
7 in force and effect upon the effective date of the first publication thereof, and effective
8 September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include
9 all rules of state agencies subsequently made, amended or rescinded. The code may also include
10 citations, references, or annotations, prepared by the state agency adopting the rule or by the
11 secretary of state, to any intraagency ruling, attorney general’s opinion, determination, decisions,
12 order, or other action of the administrative hearing commission, or any determination, decision,

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.

13 order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise
14 affecting any rule published in the code.

15 3. The code of state regulations shall be published in looseleaf form in one or more
16 volumes upon request and a format and medium as prescribed by the secretary of state with an
17 appropriate index, and revisions in the text and index may be made by the secretary of state as
18 necessary and provided in written format upon request.

19 4. An agency may incorporate by reference rules, regulations, standards, and guidelines
20 of an agency of the United States or a nationally or state-recognized organization or association
21 without publishing the material in full. The reference in the agency rules shall fully identify the
22 incorporated material by publisher, address, and date in order to specify how a copy of the
23 material may be obtained, and shall state that the referenced rule, regulation, standard, or
24 guideline does not include any later amendments or additions[;] , except that[;] :

25 **(1) Hospital licensure regulations promulgated under this chapter and chapter 197**
26 **may incorporate by reference Medicare conditions of participation, as defined in section**
27 **197.005, and later additions or amendments to such conditions of participation; and**

28 **(2) Hospital licensure regulations governing life safety code standards promulgated**
29 **under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference,**
30 **later additions or amendments to such rules, regulations, standards, or guidelines as needed to**
31 **consistently apply current standards of safety and practice.**

32 **5.** The agency adopting a rule, regulation, standard, or guideline under this section shall
33 maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of
34 the agency and shall make it available to the public for inspection and copying at no more than
35 the actual cost of reproduction. The secretary of state may omit from the code of state
36 regulations such material incorporated by reference in any rule the publication of which would
37 be unduly cumbersome or expensive.

38 ~~[5-]~~ **6.** The courts of this state shall take judicial notice, without proof, of the contents
39 of the code of state regulations.

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