

FIRST REGULAR SESSION

# HOUSE BILL NO. 900

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KUESSNER (Sponsor), HARRIS (110), MEADOWS,  
WILDBERGER, SWINGER, OXFORD, ROORDA, WHORTON AND YOUNG (Co-sponsors).

Read 1st time February 19, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0517L.01I

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### AN ACT

To amend chapter 383, RSMo, by adding thereto one new section relating to medical malpractice insurance.

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

Section A. Chapter 383, RSMo, is amended by adding thereto one new section, to be  
2 known as section 383.510, to read as follows:

3 **383.510. 1. Notwithstanding any other provision of law to the contrary, beginning**  
4 **January 1, 2009, every insurer providing medical malpractice insurance in this state shall**  
5 **establish a premium rate for insurance purchased by health care providers based on the**  
6 **average of all judgments awarded in medical malpractice cases during the immediately**  
7 **preceding calendar year in the county in which the provider practices. For providers who**  
8 **practice in more than one county of this state, such premium rate shall be adjusted based**  
9 **on the percentage of the provider's practice conducted in each county.**

10 **2. For purposes of this section, the following terms mean:**

11 **(1) "Health care provider" includes physicians, dentists, clinical psychologists,**  
12 **pharmacists, optometrists, podiatrists, registered nurses, physicians' assistants,**  
13 **chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical**  
**technicians, hospitals, nursing homes and extended care facilities; but shall not include any**  
**nursing service or nursing facility conducted by and for those who rely upon treatment by**

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.

14 **spiritual means alone in accordance with the creed or tenets of any well-recognized church**  
15 **or religious denomination;**

16 **(2) "Medical malpractice insurance", insurance coverage against the legal liability**  
17 **of the insured and against loss, damage, or expense incident to a claim arising out of the**  
18 **death or injury of any person as a result of the negligence or malpractice in rendering**  
19 **professional service by any health care provider.**

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