

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1077, Page 1, Section 334.290, Line 1, by deleting the number "334.290."
2 and inserting in lieu thereof the number "197.600."; and

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4 Further amend said bill, page, and section, Lines 2 through 3, by deleting all of said lines and
5 inserting in lieu thereof the following:

6
7 "mean a privately owned clinic, facility, or office in which health care providers provide
8 chronic nonmalignant pain treatment through pharmacotherapy to a majority of its"; and

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10 Further amend said bill, page, and section, Lines 5 through 6, by deleting all of said lines and
11 inserting in lieu thereof the following:

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13 "facility, or office which advertises in any medium for chronic pain management services
14 through pharmacotherapy. Chronic nonmalignant pain treatment through pharmacotherapy shall not
15 include, and shall not be construed to include, surgical or obstetrical anesthesia services,
16 postoperative pain control, or interventional pain management procedures and techniques. For
17 purposes of determining if a clinic, facility, or office qualifies as a pain"; and

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19 Further amend said bill, page, and section, Line 8, by deleting the words "medical doctors,
20 osteopathic"; and

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22 Further amend said bill, page, and section, Line 9, by inserting immediately after the words
23 "registered nurses," the words "assistant physicians,"; and

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25 Further amend said bill, page, and section, Lines 11 through 12, by deleting all of said lines and
26 inserting in lieu thereof the following:

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28 "2. No owner or employee of a pain management clinic shall have previously been denied or
29 had a restricted license to prescribe, dispense, administer, supply, or sell a controlled substance or
30 been subject to disciplinary action by any licensing entity for conduct that was a result of
31 inappropriately prescribing, dispensing, administering, supplying, or selling a controlled substance.

32 "3. No pain management clinic as defined in this section shall operate in the state unless it has
33 been issued a pain management clinic certificate by the department of health and senior services after
34 a determination that the clinic meets the requirements of this section and any other requirements the
35 department may require by regulation. Any pain management clinic operating on the effective date
36 of this section shall have ninety days to obtain a certificate from the department.

Action Taken _____ Date _____

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1 4. The department of health and senior services shall promulgate rules and regulations to
2 implement the provisions of this section pertaining to the operation and licensure of pain
3 management clinics. Such rules and regulations shall include, but not be limited to:

- 4 (1) The certification process and any required fees;
5 (2) Required hours of operation;
6 (3) Required licenses and certifications of staff and staffing levels;
7 (4) Record keeping and patient chart requirements;
8 (5) A requirement to participate in any prescription drug monitoring program in Missouri.

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10 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
11 the authority delegated in this section shall become effective only if it complies with and is subject to
12 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
13 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
14 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
15 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
16 August 28, 2015, shall be invalid and void."; and

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18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.
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