

FIRST REGULAR SESSION

HOUSE BILL NO. 867

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FREDERICK.

1441L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to screening of medical school students for risk of depression.

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 known as section 191.595, to read as follows:

- 191.595. 1. Every medical student enrolled in a medical school in this state shall be provided annually with an opportunity to be screened for risk of depression by completing an online survey which uses the screening instrument defined in this section. Each enrolled medical student shall be provided with an opportunity to participate in such screening each year during such student's period of enrollment in medical school. Participation by medical students shall be voluntary.**
- 2. As used in this section, the following terms shall mean:**
- (1) "Department", the department of mental health;**
 - (2) "Online survey organization", the entity or organization providing the annual online surveys for medical students as described in this section;**
 - (3) "Screening instrument", the Center for Epidemiologic Studies (CES) depression scale.**
- 3. The department of mental health, in consultation with the medical schools in this state, shall select and contract with an online survey organization to conduct the annual online surveys described in subsection 1 of this section for all medical schools in this state, with the cost of such contract to be divided on a pro-rata basis between each medical school**

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.

17 **in this state. Such online survey organization shall have expertise and experience in providing:**

18 **(1) A confidential web portal or other electronic mechanism for the collection of**
19 **survey data from survey participants, including but not limited to confidentiality for**
20 **survey participants and individual survey information collected;**

21 **(2) Surveys or similar collection of data for medical schools, residency programs,**
22 **or hospitals; and**

23 **(3) Distribution of survey data that does not identify individual participants.**

24 **4. Each medical school in this state shall:**

25 **(1) Provide the online survey organization with:**

26 **(a) All information required to conduct the online surveys which are delineated in**
27 **the contract and described in this section;**

28 **(b) Information to be included with students who elect to be notified that they are**
29 **at risk for depression under subdivision (1) of subsection 5 of this section. Such**
30 **information shall include mental health professionals and resources available to a medical**
31 **student through the student's medical school or in the community where the medical school**
32 **is located;**

33 **(c) The manner in which to notify the medical school that a medical student has**
34 **requested services under subdivision (2) of subsection 5 of this section. The medical school**
35 **shall ensure that, upon notification, students who request services from a mental health**
36 **professional or counselor or through the medical school are referred for services;**

37 **(2) Pay the medical school's designated pro-rata share of the contract costs for the**
38 **online survey to the department;**

39 **(3) Provide all enrolled medical students with the information necessary to**
40 **participate in the online survey described in this section; and**

41 **(4) In consultation with the department of mental health and the online survey**
42 **organization, ensure the confidentiality of the information obtained through the online**
43 **survey in accordance with this section.**

44 **5. The online survey organization shall include two checkoff boxes in the online**
45 **survey which allow the medical student to:**

46 **(1) Elect to be notified if the results of the student's online survey indicate that the**
47 **student received an at-risk score for depression. If a medical student elects to be so**
48 **notified, the online survey organization shall notify the student that he or she received an**
49 **at-risk score for depression and include the materials provided by the student's medical**
50 **school under paragraph (b) of subdivision (1) of subsection 4 of this section with such**
51 **notification;**

52 **(2) Elect to request services from a mental health professional or counselor**
53 **available through the student's medical school if the results of the student's online survey**
54 **indicate that the student received an at-risk score for depression. If a medical student so**
55 **requests, the online survey organization shall notify the student's medical school in**
56 **accordance with paragraph (c) of subdivision (1) of subsection 4 of this section that the**
57 **student received an at-risk score for depression and requested services from a mental**
58 **health professional or counselor through the medical school.**

59 **6. (1) On or before October first of each year, Missouri medical schools shall**
60 **provide necessary information to conduct the survey of the students enrolled in the medical**
61 **school to the online survey organization, including the number of students enrolled in each**
62 **class.**

63 **(2) On or before October fifteenth of each year, the online survey organization shall**
64 **electronically distribute surveys to medical students with the following statement:**

65 **"This online survey is being provided to you as a medical student in the State of**
66 **Missouri by your medical school in accordance with state law (Section 191.595, RSMo).**
67 **The information gained by these online surveys shall be held in strict confidence and your**
68 **responses shall not be known to the faculty or administration of your medical school.**
69 **However, you may elect to be notified and/or have an opportunity to request assistance**
70 **from a mental health professional or counselor through your medical school if the results**
71 **of your online survey indicate that you are at risk for depression.**

72 **The responses to the online surveys shall be aggregated by an independent**
73 **organization and reported to your medical school in the aggregate by year in school.**

74 **The purpose of this online survey is to use the principles of evidence-based medicine**
75 **to encourage programs focused on the well-being of students like you who are in a learning**
76 **environment that many find stressful.**

77 **After a phase-in period of two years, this data, in aggregate form only and reported**
78 **as a relative score among Missouri's medical schools, shall be made available to applicants**
79 **to the medical school and the public.**

80 **Your participation is voluntary, however, you are encouraged to participate to help**
81 **the effort to reduce the burden and stress of medical school where possible, using evidence-**
82 **based medicine principles."**

83 **(3) (a) On or before November fifteenth of each year, the online survey**
84 **organization shall transmit anonymous scores of surveys to the department, identifying**
85 **scores that are twenty-two or greater for each class at each school, the total number of**
86 **scores obtained for each class at each school, and the total number of students enrolled in**
87 **each class at each school.**

88 **(b) When the department certifies that the anonymous data described in paragraph**
89 **(a) of this subdivision has been received from the online survey organization, the**
90 **department shall instruct the online survey organization to destroy or otherwise delete all**
91 **data from such survey in a manner that the only data remaining is aggregated anonymous**
92 **data; except that, any survey data for which a student has made an election under**
93 **subsection 5 of this section may be retained for a period of time not to exceed ninety days**
94 **in order to provide the notifications required under subsection 5 of this section.**

95 **(4) On or before December fifteenth of each year, the department shall assess the**
96 **raw anonymous data and shall count any survey with a score of twenty-two or greater as**
97 **an at-risk student. The department shall calculate a relative score for the prevalence of at-**
98 **risk students by class for each medical school, rounded to two decimal points for the first-,**
99 **second-, third-, and fourth-year classes of Missouri medical schools by comparing the**
100 **results by class among all Missouri medical schools and applying a value of "1.00" to the**
101 **medical school class of each year in school with the lowest prevalence of scores twenty-two**
102 **or greater on the screening instrument. A medical school class of the same year at another**
103 **school with a prevalence of such scores twice the lowest prevalence shall be assigned a**
104 **relative score of "2.0". Among the first-year classes of all Missouri medical schools, there**
105 **shall be at least one class with a relative score of "1.0", representing the lowest prevalence**
106 **of scores of twenty-two or greater, with the same for second-, third-, and fourth-year**
107 **classes.**

108 **(5) On or before January fifteenth of each year, the department shall transmit to**
109 **each Missouri medical school the scores described in subdivision (4) of this subsection. The**
110 **scores of each class of each Missouri medical school shall be made available on every**
111 **medical school's website in an easily accessible location on the site and in the format**
112 **provided by the department which allows for easy comparison of the scores. The scores**
113 **shall also be made available on the department's website.**

114 **7. (1) The online surveys described in this section shall be offered by the online**
115 **survey organization beginning October 1, 2015, and annually thereafter. Aggregate survey**
116 **data shall not be required to be made available to the public until the 2017-18 school year.**

117 **(2) The survey data made available by January 15, 2018, shall include the survey**
118 **data obtained from the 2015-16, 2016-17, and 2017-18 classes. Subsequent disclosures of**
119 **data shall include the survey data for the current classes.**

120 **8. The department of mental health shall, in consultation with the online survey**
121 **organization and the Missouri medical schools, establish protocols to ensure the**
122 **confidentiality of survey data in accordance with this section.**

123 **9. For the 2015-16 classes only, if the department is unable to select and contract**
124 **with an online survey organization in order to conduct the online survey in accordance**
125 **with the dates established in subsection 6 of this section, the dates designated in subsection**
126 **6 of this section may be delayed. The date contained in subdivision (1) of subsection 6 of**
127 **this section shall not be delayed for not more than thirty days after contracting with an**
128 **online survey organization. The number of calendar days between all other dates listed in**
129 **subsection 6 shall be maintained, but such dates shall be adjusted based on the delayed**
130 **date provided for under this subsection.**

131 **10. The department of mental health may promulgate rules to implement the**
132 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
133 **536.010, that is created under the authority delegated in this section shall become effective**
134 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**
135 **applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
136 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
137 **the effective date, or to disapprove and annul a rule are subsequently held**
138 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
139 **after August 28, 2015, shall be invalid and void.**

✓