

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1719, Page 22, Section 374.784, Line 25, by inserting after all of said line
2 the following:

3
4 "632.005. As used in chapter 631 and this chapter, unless the context clearly requires
5 otherwise, the following terms shall mean:

6 (1) "Comprehensive psychiatric services", any one, or any combination of two or more, of
7 the following services to persons affected by mental disorders other than intellectual disabilities or
8 developmental disabilities: inpatient, outpatient, day program or other partial hospitalization,
9 emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation,
10 prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and
11 medical prevention and treatment for drug abuse;

12 (2) "Council", the Missouri advisory council for comprehensive psychiatric services;

13 (3) "Court", the court which has jurisdiction over the respondent or patient;

14 (4) "Division", the division of comprehensive psychiatric services of the department of
15 mental health;

16 (5) "Division director", director of the division of comprehensive psychiatric services of the
17 department of mental health, or his designee;

18 (6) "Head of mental health facility", superintendent or other chief administrative officer of a
19 mental health facility, or his designee;

20 (7) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the court is
21 open for business, but excluding Saturdays, Sundays and legal holidays;

22 (8) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334 or a
23 person authorized to practice medicine in this state pursuant to the provisions of section 334.150;

24 (9) "Licensed professional counselor", a person licensed as a professional counselor under
25 chapter 337 and with a minimum of one year training or experience in providing psychiatric care,
26 treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;

27 (10) "Likelihood of serious harm" means any one or more of the following but does not
28 require actual physical injury to have occurred:

29 (a) A substantial risk that serious physical harm will be inflicted by a person upon his own
30 person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or
31 inflict physical harm on himself. Evidence of substantial risk may also include information about
32 patterns of behavior that historically have resulted in serious harm previously being inflicted by a
33 person upon himself;

34 (b) A substantial risk that serious physical harm to a person will result or is occurring
35 because of an impairment in his capacity to make decisions with respect to his hospitalization and
36 need for treatment as evidenced by his current mental disorder or mental illness which results in an

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1 inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or
2 his inability to provide for his own mental health care which may result in a substantial risk of
3 serious physical harm. Evidence of that substantial risk may also include information about patterns
4 of behavior that historically have resulted in serious harm to the person previously taking place
5 because of a mental disorder or mental illness which resulted in his inability to provide for his basic
6 necessities of food, clothing, shelter, safety or medical or mental health care; or

7 (c) A substantial risk that serious physical harm will be inflicted by a person upon another
8 as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused
9 such harm or which would place a reasonable person in reasonable fear of sustaining such harm.
10 Evidence of that substantial risk may also include information about patterns of behavior that
11 historically have resulted in physical harm previously being inflicted by a person upon another
12 person;

13 (11) "Mental health coordinator", a mental health professional who has knowledge of the
14 laws relating to hospital admissions and civil commitment and who is authorized by the director of
15 the department, or his designee, to serve a designated geographic area or mental health facility and
16 who has the powers, duties and responsibilities provided in this chapter;

17 (12) "Mental health facility", any residential facility, public or private, or any public or
18 private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering
19 from a mental disorder or mental illness and which is recognized as such by the department or any
20 outpatient treatment program certified by the department of mental health. No correctional
21 institution or facility, jail, regional center or developmental disability facility shall be a mental
22 health facility within the meaning of this chapter;

23 (13) "Mental health professional", a psychiatrist, resident in psychiatry, psychiatric
24 physician assistant, psychiatric assistant physician, psychiatric advanced practice registered nurse,
25 psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;

26 (14) "Mental health program", any public or private residential facility, public or private
27 hospital, public or private specialized service or public or private day program that can provide care,
28 treatment, rehabilitation or services, either through its own staff or through contracted providers, in
29 an inpatient or outpatient setting to persons with a mental disorder or mental illness or with a
30 diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No
31 correctional institution or facility or jail may be a mental health program within the meaning of this
32 chapter;

33 (15) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays and
34 legal holidays which are observed either by the court or by the mental health facility where the
35 respondent is detained;

36 (16) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or highway
37 patrolman;

38 (17) "Psychiatric advanced practice registered nurse", a registered nurse who is currently
39 recognized by the board of nursing as an advanced practice registered nurse, who has at least two
40 years of experience in providing psychiatric treatment to individuals suffering from mental
41 disorders;

42 (18) "Psychiatric assistant physician", a licensed assistant physician under chapter 334 and
43 who has had at least two years of experience as an assistant physician in providing psychiatric
44 treatment to individuals suffering from mental health disorders;

45 (19) "Psychiatric nurse", a registered professional nurse who is licensed under chapter 335
46 and who has had at least two years of experience as a registered professional nurse in providing
47 psychiatric nursing treatment to individuals suffering from mental disorders;

48 (20) "Psychiatric physician assistant", a licensed physician assistant under chapter 334 and

1 who has had at least two years of experience as a physician assistant in providing psychiatric
2 treatment to individuals suffering from mental health disorders or a graduate of a postgraduate
3 residency or fellowship for physician assistants in psychiatry or is currently in a postgraduate
4 physician assistant residency or fellowship in psychiatry;

5 ~~[(18)]~~ (21) "Psychiatric social worker", a person with a master's or further advanced degree
6 from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum
7 of one year training or experience in providing psychiatric care, treatment or services in a
8 psychiatric setting to individuals suffering from a mental disorder;

9 ~~[(19)]~~ (22) "Psychiatrist", a licensed physician who in addition has successfully completed a
10 training program in psychiatry approved by the American Medical Association, the American
11 Osteopathic Association or other training program certified as equivalent by the department;

12 ~~[(20)]~~ (23) "Psychologist", a person licensed to practice psychology under chapter 337 with
13 a minimum of one year training or experience in providing treatment or services to mentally
14 disordered or mentally ill individuals;

15 ~~[(21)]~~ (24) "Resident in psychiatry", a licensed physician who is in a training program in
16 psychiatry approved by the American Medical Association, the American Osteopathic Association
17 or other training program certified as equivalent by the department;

18 ~~[(22)]~~ (25) "Respondent", an individual against whom involuntary civil detention
19 proceedings are instituted pursuant to this chapter;

20 ~~[(23)]~~ (26) "Treatment", any effort to accomplish a significant change in the mental or
21 emotional conditions or the behavior of the patient consistent with generally recognized principles
22 or standards in the mental health professions."; and
23

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