

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 843, Page 53, Section 620.1200, Line 29, by inserting after all of said line the  
3 following:  
4

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

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

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

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

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

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

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

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

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

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

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

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

35 (b) A substantial risk that serious physical harm to a person will result or is occurring  
36 because of an impairment in his capacity to make decisions with respect to his hospitalization and

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

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

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

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

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

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

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

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

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

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

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

1           (20) "Psychiatric physician assistant", a licensed physician assistant under chapter 334 and  
2 who has had at least two years of experience as a physician assistant in providing psychiatric  
3 treatment to individuals suffering from mental health disorders or a graduate of a postgraduate  
4 residency or fellowship for physician assistants 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.