

SENATE BILL NO. 494

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

1936S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 191.305, 192.745, and 194.300, RSMo, and to enact in lieu thereof three new sections relating to health care advisory committees.

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

Section A. Sections 191.305, 192.745, and 194.300, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 191.305, 192.745, and 194.300, to read as follows:

191.305. 1. The "Missouri Genetic Advisory Committee", consisting of fifteen members, is hereby created to advise the department in all genetic programs including metabolic disease screening programs, hemophilia, sickle cell anemia, and cystic fibrosis programs. Members of the committee shall be appointed by the [governor, by and with the advice and consent of the senate] **director of the department of health and senior services**. The first appointments to the committee shall consist of five members to serve three-year terms, five members to serve two-year terms, and five members to serve one-year terms as designated by the [governor] **director**. Each member of the committee shall serve for a term of three years thereafter.

2. The committee shall be composed of persons who reside in the state of Missouri, and a majority shall be licensed physicians. At least one member shall be a specialist in genetics; at least one member shall be a

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 licensed obstetrician/gynecologist; at least one member
19 shall be a licensed pediatrician in private practice; at
20 least one member shall be a consumer, family member of a
21 consumer or representative of a consumer group; at least one
22 member shall be a licensed physician experienced in the
23 study and treatment of hemophilia; at least one member shall
24 be a specialist in sickle cell anemia; and at least one
25 member shall be a specialist in cystic fibrosis.

26 3. Members of the committee shall not receive any
27 compensation for their services, but they shall, subject to
28 appropriations, be reimbursed for actual and necessary
29 expenses incurred in the performance of their duties from
30 funds appropriated for that purpose.

192.745. 1. The "Missouri Brain Injury Advisory
2 Council" is hereby established in the department of health
3 and senior services. The members of the council [that are
4 serving on February 2, 2005, shall continue to fulfill their
5 current terms. Through attrition, the council shall
6 decrease from the present twenty-five members to fifteen
7 members. Thereafter, the successors to each of these
8 members] shall serve a three-year term and until the
9 member's successor is appointed by the [governor with the
10 advice and consent of the senate] **director of the department**
11 **of health and senior services**. The members appointed by the
12 [governor] **director** shall include: four people with brain
13 injuries or relatives of persons with brain injuries, and
14 eleven other individuals from professional groups, health
15 institutions, community groups, and private industry. In
16 addition to the fifteen council members, individuals
17 representing state agencies with services that impact brain
18 injury survivors and their families shall participate on the

19 council in an ex officio nonvoting capacity. These
20 individuals shall be appointed by the respective agency.

21 2. The Missouri brain injury advisory council is
22 assigned to the department of health and senior services.
23 The department shall submit estimates of requirements for
24 appropriations on behalf of the council for the necessary
25 staff and expenses to carry out the duties and
26 responsibilities assigned by the council.

27 3. Meetings of the full council shall be held at least
28 four times a year or at the call of the council chairperson,
29 who shall be elected by the council. Subcommittees may meet
30 on an as-needed basis.

31 4. Members of the council shall not receive any
32 compensation for their services, but they shall, subject to
33 appropriations, be reimbursed for actual and necessary
34 expenses incurred in the performance of their duties from
35 funds appropriated for this purpose.

36 5. The council shall adopt written procedures to
37 govern its activities.

38 6. The council, under the direction of the department,
39 shall make recommendations to the department director for
40 developing and administering a state plan to provide
41 services for brain-injured persons.

42 7. No member of the council may participate in or seek
43 to influence a decision or vote of the council if the member
44 would be directly involved with the matter or if the member
45 would derive income from it. A violation of the prohibition
46 contained herein shall be grounds for a person to be removed
47 as a member of the council by the department director.

48 8. The council shall be advisory and shall:

49 (1) Promote meetings and programs for the discussion
50 of reducing the debilitating effects of brain injuries and

51 disseminate information in cooperation with any other
52 department, agency or entity on the prevention, evaluation,
53 care, treatment and rehabilitation of persons affected by
54 brain injuries;

55 (2) Study and review current prevention, evaluation,
56 care, treatment and rehabilitation technologies and
57 recommend appropriate preparation, training, retraining and
58 distribution of manpower and resources in the provision of
59 services to brain-injured persons through private and public
60 residential facilities, day programs and other specialized
61 services;

62 (3) Recommend specific methods, means and procedures
63 to improve and upgrade the state's service delivery system
64 for brain-injured citizens of this state;

65 (4) Participate in developing and disseminating
66 criteria and standards which may be required for future
67 funding or licensing of facilities, day programs and other
68 specialized services for brain-injured persons in this state;

69 (5) Report annually to the department director on its
70 activities, and on the results of its studies and the
71 recommendations of the council.

72 9. The department may accept on behalf of the council
73 federal funds, gifts and donations from individuals, private
74 organizations and foundations, and any other funds that may
75 become available.

194.300. 1. There is established within the
2 department of health and senior services the "Organ Donation
3 Advisory Committee", which shall consist of the following
4 members appointed by the [governor with the advice and
5 consent of the senate] **director of the department of health
6 and senior services:**

7 (1) Four representatives of organ and tissue
8 procurement organizations;

9 (2) Four members representative of organ recipients,
10 families of organ recipients, organ donors and families of
11 organ donors;

12 (3) One health care representative from a hospital
13 located in Missouri; and

14 (4) One representative of the department of health and
15 senior services.

16 2. Members of the advisory committee shall receive no
17 compensation for their services, but may be reimbursed for
18 the reasonable and necessary expenses incurred in the
19 performance of their duties out of appropriations made for
20 that purpose. Members shall serve for five year terms and
21 shall serve at the pleasure of the [governor] **director**.

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