

FIRST REGULAR SESSION

SENATE BILL NO. 715

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

2734S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to health advocates.

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

Section A. Chapter 192, RSMo, is amended by adding thereto
2 one new section, to be known as section 192.378, to read as
3 follows:

192.378. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Department", the department of health and senior
4 services;

5 (2) "Health advocate", an employee or contractor of
6 the department who works with pregnant patients on their
7 behalf by assisting the patients in navigating the health
8 care system and communicating with the health care
9 professionals providing care for the patients;

10 (3) "Program", the health advocate program established
11 in subsection 2 of this section.

12 2. Subject to appropriation, the department shall
13 establish a health advocate program in which the department
14 provides a health advocate to any eligible pregnant patient
15 who requests a health advocate.

16 3. Any resident of this state who is pregnant may
17 request a health advocate through the program. The
18 department shall assign a health advocate to the resident

19 within twenty days of any such request. The assignment
20 shall continue for the duration of the pregnancy.

21 4. A health advocate for the program may be licensed
22 or certified as a health care professional or patient
23 advocate, but licensure or certification shall not be
24 required to serve as a health advocate in the program.

25 5. The department shall determine the duties the
26 health advocate shall perform for the patients in the
27 program during their pregnancy. The duties shall include,
28 but not be limited to, the following:

29 (1) Assessing the needs, culture, and medical
30 background of the patient and the patient's family;

31 (2) Preparing a birthing plan for the family;

32 (3) Being present in the birthing room with the family
33 or on call during the birthing process;

34 (4) Advocating for the patient if any conflict occurs
35 between or among the patient, the health care professionals
36 caring for the patient, and the family members of the
37 patient; and

38 (5) Documenting any conflict described in subdivision
39 (4) of this subsection and monitoring and documenting the
40 outcome of the conflict.

41 6. Every licensed physician who provides obstetrical
42 or gynecological care to a pregnant patient in this state
43 shall inform the patient about the availability of the
44 program.

45 7. To raise awareness and to educate the public, the
46 department shall:

47 (1) Collect and distribute resource materials to
48 educate the public about the program;

49 (2) Develop and distribute educational materials,
50 including, but not limited to, videos, brochures, and other

51 media, as part of a comprehensive public awareness campaign
52 about the program;

53 (3) Make such educational materials available through
54 state and local public health clinics, public hospitals, and
55 private physicians for distribution to their patients. Such
56 materials shall also be available to the public on the
57 department's website; and

58 (4) Establish a toll-free telephone number to provide
59 information on the program and receive requests from
60 patients for health advocates.

61 8. (1) There is hereby created in the state treasury
62 the "Health Advocate Program Fund", which shall consist of
63 moneys appropriated to it by the general assembly and any
64 gifts, contributions, grants, or bequests received from
65 federal, private, or other sources. The state treasurer
66 shall be custodian of the fund. In accordance with sections
67 30.170 and 30.180, the state treasurer may approve
68 disbursements. The fund shall be a dedicated fund and, upon
69 appropriation, moneys in this fund shall be used solely as
70 provided in this section.

71 (2) Notwithstanding the provisions of section 33.080
72 to the contrary, any moneys remaining in the fund at the end
73 of the biennium shall not revert to the credit of the
74 general revenue fund.

75 (3) The state treasurer shall invest moneys in the
76 fund in the same manner as other funds are invested. Any
77 interest and moneys earned on such investments shall be
78 credited to the fund.

79 9. The department shall promulgate all necessary rules
80 and regulations for the administration of this section. Any
81 rule or portion of a rule, as that term is defined in
82 section 536.010, that is created under the authority

83 delegated in this section shall become effective only if it
84 complies with and is subject to all of the provisions of
85 chapter 536 and, if applicable, section 536.028. This
86 section and chapter 536 are nonseverable and if any of the
87 powers vested with the general assembly pursuant to chapter
88 536 to review, to delay the effective date, or to disapprove
89 and annul a rule are subsequently held unconstitutional,
90 then the grant of rulemaking authority and any rule proposed
91 or adopted after August 28, 2023, shall be invalid and void.

92 10. The provisions of sections 23.250 to 23.298 shall
93 not apply to the provisions of this section.

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