

# SENATE BILL NO. 178

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

0560S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 191.648, 192.769, and 210.030, RSMo, and to enact in lieu thereof four new sections relating to health care.

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

Section A. Sections 191.648, 192.769, and 210.030, RSMo,  
2 are repealed and four new sections enacted in lieu thereof, to  
3 be known as sections 191.648, 192.2521, 210.030, and 376.1240,  
4 to read as follows:

191.648. 1. As used in this section, **the following**  
2 **terms mean:**

3 (1) "Designated sexually transmitted infection",  
4 chlamydia, gonorrhea, trichomoniasis, or any other sexually  
5 transmitted infection designated as appropriate for  
6 expedited partner therapy by the department of health and  
7 senior services or for which expedited partner therapy was  
8 recommended in the most recent Centers for Disease Control  
9 and Prevention guidelines for the prevention or treatment of  
10 sexually transmitted infections;

11 (2) "Expedited partner therapy" [means], the practice  
12 of treating the sex partners of persons with [chlamydia or  
13 gonorrhea] **designated sexually transmitted infections**  
14 without an intervening medical evaluation or professional  
15 prevention counseling;

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

16           (3) **"Health care professional", a member of any**  
17 **profession regulated by chapter 334 or 335 authorized to**  
18 **prescribe medications.**

19           2. Any licensed [physician] **health care professional**  
20 may, but shall not be required to, utilize expedited partner  
21 therapy for the management of the partners of persons with  
22 [chlamydia or gonorrhea] **designated sexually transmitted**  
23 **infections.** Notwithstanding the requirements of 20 CSR  
24 2150- 5.020 (5) or any other law to the contrary, a licensed  
25 [physician] **health care professional** utilizing expedited  
26 partner therapy may prescribe and dispense medications for  
27 the treatment of [chlamydia or gonorrhea] **a designated**  
28 **sexually transmitted infection** for an individual who is the  
29 partner of a person with [chlamydia or gonorrhea] **a**  
30 **designated sexually transmitted infection** and who does not  
31 have an established [physician/patient] relationship with  
32 such [physician. Any antibiotic medications prescribed and  
33 dispensed for the treatment of chlamydia or gonorrhea under  
34 this section shall be in pill form] **health care professional.**

35           3. Any licensed [physician] **health care professional**  
36 utilizing expedited partner therapy for the management of  
37 the partners with [chlamydia or gonorrhea] **designated**  
38 **sexually transmitted infections** shall provide explanation  
39 and guidance to [a] **each** patient [diagnosed with chlamydia  
40 or gonorrhea] of the preventative measures that can be taken  
41 by the patient to stop the [spread] **transmission** of such  
42 [diagnosis] **infection.**

43           4. Any licensed [physician] **health care professional**  
44 utilizing expedited partner therapy for the management of  
45 partners of persons with [chlamydia or gonorrhea] **designated**  
46 **sexually transmitted infections** under this section shall  
47 have immunity from any civil liability that may otherwise

48 result by reason of such actions, unless such [physician]  
49 **health care professional** acts negligently, recklessly, in  
50 bad faith, or with malicious purpose.

51 5. The department of health and senior services and  
52 the division of professional registration within the  
53 department of commerce and insurance shall by rule develop  
54 guidelines for the implementation of subsection 2 of this  
55 section. Any rule or portion of a rule, as that term is  
56 defined in section 536.010, that is created under the  
57 authority delegated in this section shall become effective  
58 only if it complies with and is subject to all of the  
59 provisions of chapter 536 and, if applicable, section  
60 536.028. This section and chapter 536 are nonseverable and  
61 if any of the powers vested with the general assembly  
62 pursuant to chapter 536 to review, to delay the effective  
63 date, or to disapprove and annul a rule are subsequently  
64 held unconstitutional, then the grant of rulemaking  
65 authority and any rule proposed or adopted after August 28,  
66 2010, shall be invalid and void.

**192.2521. A specialty hospital is exempt from the  
2 provisions of sections 192.2520 and 197.135 if such hospital  
3 has a policy for transfer of a victim of a sexual assault to  
4 an appropriate hospital with an emergency department. As  
5 used in this section, "specialty hospital" means a hospital  
6 that has been designated by the department of health and  
7 senior services as something other than a general acute care  
8 hospital.**

210.030. 1. Every licensed physician, midwife,  
2 registered nurse and all persons who may undertake, in a  
3 professional way, the obstetrical and gynecological care of  
4 a pregnant woman in the state of Missouri shall, if the  
5 woman consents, take or cause to be taken a sample of venous

6 blood of such woman at the time of the first prenatal  
7 examination, or not later than twenty days after the first  
8 prenatal examination, **and another sample at twenty-eight**  
9 **weeks of pregnancy** and subject such [sample] samples to an  
10 approved and standard serological test for syphilis[, an]  
11 **and** approved serological [test] tests for hepatitis B,  
12 **hepatitis C, human immunodeficiency virus (HIV)**, and such  
13 other treatable diseases and metabolic disorders as are  
14 prescribed by the department of health and senior services.  
15 [In any area of the state designated as a syphilis outbreak  
16 area by the department of health and senior services, if the  
17 mother consents, a sample of her venous blood shall be taken  
18 later in the course of pregnancy and at delivery for  
19 additional testing for syphilis as may be prescribed by the  
20 department] **If a mother tests positive for syphilis,**  
21 **hepatitis B, hepatitis C, or HIV, or any combination of such**  
22 **diseases, the physician or person providing care shall**  
23 **administer treatment in accordance with the most recent**  
24 **accepted medical practice.** If a mother tests positive for  
25 hepatitis B, the physician or person who professionally  
26 undertakes the pediatric care of a newborn shall also  
27 administer the appropriate doses of hepatitis B vaccine and  
28 hepatitis B immune globulin (HBIG) in accordance with the  
29 current recommendations of the Advisory Committee on  
30 Immunization Practices (ACIP). If the mother's hepatitis B  
31 status is unknown, the appropriate dose of hepatitis B  
32 vaccine shall be administered to the newborn in accordance  
33 with the current ACIP recommendations. If the mother  
34 consents, a sample of her venous blood shall be taken. If  
35 she tests positive for hepatitis B, hepatitis B immune  
36 globulin (HBIG) shall be administered to the newborn in  
37 accordance with the current ACIP recommendations.

38           2. The department of health and senior services  
39 shall[, in consultation with the Missouri genetic disease  
40 advisory committee,] make such rules pertaining to such  
41 tests as shall be dictated by accepted medical practice, and  
42 tests shall be of the types approved **or accepted** by the  
43 [department of health and senior services. An approved and  
44 standard test for syphilis, hepatitis B, and other treatable  
45 diseases and metabolic disorders shall mean a test made in a  
46 laboratory approved by the department of health and senior  
47 services] **United States Food and Drug Administration**. No  
48 individual shall be denied testing by the department of  
49 health and senior services because of inability to pay.

**376.1240. 1. For purposes of this section, terms**  
2 **shall have the same meanings as ascribed to them in section**  
3 **376.1350, and the term "self-administered hormonal**  
4 **contraceptive" shall mean a drug that is composed of one or**  
5 **more hormones and that is approved by the Food and Drug**  
6 **Administration to prevent pregnancy, excluding emergency**  
7 **contraception. Nothing in this section shall be construed**  
8 **to apply to medications approved by the Food and Drug**  
9 **Administration to terminate an existing pregnancy.**

10           **2. Any health benefit plan delivered, issued for**  
11 **delivery, continued, or renewed in this state on or after**  
12 **January 1, 2026, that provides coverage for self-**  
13 **administered hormonal contraceptives shall provide coverage**  
14 **to reimburse a health care provider or dispensing entity for**  
15 **the dispensing of a supply of self-administered hormonal**  
16 **contraceptives intended to last up to one year.**

17           **3. The coverage required under this section shall not**  
18 **be subject to any greater deductible or co-payment than**  
19 **other similar health care services provided by the health**  
20 **benefit plan.**

2 [192.769. 1. On completion of a  
3 mammogram, a mammography facility certified by  
4 the United States Food and Drug Administration  
5 (FDA) or by a certification agency approved by  
6 the FDA shall provide to the patient the  
7 following notice:

8 "If your mammogram demonstrates  
9 that you have dense breast  
10 tissue, which could hide  
11 abnormalities, and you have other  
12 risk factors for breast cancer  
13 that have been identified, you  
14 might benefit from supplemental  
15 screening tests that may be  
16 suggested by your ordering  
17 physician. Dense breast tissue,  
18 in and of itself, is a relatively  
19 common condition. Therefore,  
20 this information is not provided  
21 to cause undue concern, but  
22 rather to raise your awareness  
23 and to promote discussion with  
24 your physician regarding the  
25 presence of other risk factors,  
26 in addition to dense breast  
27 tissue. A report of your  
28 mammography results will be sent  
29 to you and your physician. You  
30 should contact your physician if  
31 you have any questions or  
32 concerns regarding this report."

33 2. Nothing in this section shall be  
34 construed to create a duty of care beyond the  
35 duty to provide notice as set forth in this  
36 section.

37 3. The information required by this  
38 section or evidence that a person violated this  
39 section is not admissible in a civil, judicial,  
40 or administrative proceeding.

41 4. A mammography facility is not required  
42 to comply with the requirements of this section  
until January 1, 2015.]

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