

# SENATE BILL NO. 685

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (16).

2706S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 197.400, RSMo, and to enact in lieu thereof one new section relating to home health agencies.

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

Section A. Section 197.400, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 197.400,  
3 to read as follows:

197.400. As used in sections 197.400 to 197.475,  
2 unless the context otherwise requires, the following terms  
3 mean:

4 (1) "Council", the home health services advisory  
5 council created by sections 197.400 to 197.475;

6 (2) "Department", the department of health and senior  
7 services;

8 (3) "Home health agency", a public agency or private  
9 organization or a subdivision or subunit of an agency or  
10 organization that provides two or more home health services  
11 at the residence of a patient according to a written plan of  
12 treatment signed by a physician, nurse practitioner,  
13 clinical nurse specialist, or physician assistant;

14 (4) "Home health services", any of the following items  
15 and services provided at the residence of the patient on a  
16 part-time or intermittent basis: nursing, physical therapy,  
17 speech therapy, occupational therapy, home health aid, or  
18 medical social service;

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

19           (5) "Nurse practitioner, clinical nurse specialist", a  
20 person recognized by the state board of nursing pursuant to  
21 the provisions of chapter 335 to practice in this state as a  
22 nurse practitioner or clinical nurse specialist;

23           (6) "Part-time or intermittent basis", the providing  
24 of home health services in an interrupted interval sequence  
25 on the average of not to exceed three hours in any twenty-  
26 four-hour period;

27           (7) "Patient's residence", the actual place of  
28 residence of the person receiving home health services,  
29 including institutional residences as well as individual  
30 dwelling units;

31           (8) "Physician", a person licensed by the state board  
32 of registration for the healing arts pursuant to the  
33 provisions of chapter 334 to practice in this state as a  
34 physician and surgeon;

35           (9) "Physician assistant", a person licensed by the  
36 state board of registration for the healing arts pursuant to  
37 the provisions of chapter 334 to practice in this state as a  
38 physician assistant;

39           (10) "Plan of treatment", a plan reviewed and signed  
40 as often as necessary by a physician, podiatrist, nurse  
41 practitioner, clinical nurse specialist, or a physician  
42 assistant, not to exceed sixty days in duration, [and  
43 reviewed by a physician at least once every six months,]  
44 prescribing items and services for an individual patient's  
45 condition;

46           (11) "Podiatrist", a person licensed by the state  
47 board of podiatry pursuant to the provisions of chapter 330  
48 to practice in this state as a podiatrist;

49           (12) "Subunit" or "subdivision", any organizational  
50 unit of a larger organization which can be clearly defined

51 as a separate entity within the larger structure, which can  
52 meet all of the requirements of sections 197.400 to 197.475  
53 independent of the larger organization, which can be held  
54 accountable for the care of patients it is serving, and  
55 which provides to all patients care and services meeting the  
56 standards and requirements of sections 197.400 to 197.475.

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