

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 7

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

0565S.02P

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 190.053, 190.109, and 197.135, RSMo, and to enact in lieu thereof seven new sections relating to emergency medical services.

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

Section A. Sections 190.053, 190.109, and 197.135, RSMo,
2 are repealed and seven new sections enacted in lieu thereof, to
3 be known as sections 190.053, 190.076, 190.109, 190.112,
4 190.166, 197.135, and 537.038, to read as follows:

190.053. 1. All members of the board of directors of
2 an ambulance district first elected on or after January 1,
3 2008, shall attend and complete an educational seminar or
4 conference or other suitable training on the role and duties
5 of a board member of an ambulance district. The training
6 required under this section shall be offered by a statewide
7 association organized for the benefit of ambulance districts
8 or be approved by the state advisory council on emergency
9 medical services. Such training shall include, at a minimum:

- 10 (1) Information relating to the roles and duties of an
11 ambulance district director;
12 (2) A review of all state statutes and regulations
13 relevant to ambulance districts;
14 (3) State ethics laws;

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

- 15 (4) State sunshine laws, chapter 610;
16 (5) Financial and fiduciary responsibility;
17 (6) State laws relating to the setting of tax rates;
18 and
19 (7) State laws relating to revenue limitations.

20 2. [If any ambulance district board member fails to
21 attend a training session within twelve months after taking
22 office, the board member shall not be compensated for
23 attendance at meetings thereafter until the board member has
24 completed such training session. If any ambulance district
25 board member fails to attend a training session within
26 twelve months of taking office regardless of whether the
27 board member received an attendance fee for a training
28 session, the board member shall be ineligible to run for
29 reelection for another term of office until the board member
30 satisfies the training requirement of this section; however,
31 this requirement shall only apply to board members elected
32 after August 28, 2022] **All members of the board of directors
33 of an ambulance district shall complete three hours of
34 continuing education for each term of office. The
35 continuing education shall be offered by a statewide
36 association organized for the benefit of ambulance districts
37 or be approved by the state advisory council on emergency
38 medical services.**

39 3. **Any ambulance district board member who fails to
40 complete the initial training and continuing education
41 requirements on or before the anniversary date of his or her
42 election or appointment shall immediately be disqualified
43 from office and his or her position shall be vacant without
44 further process or declaration. The vacancy shall be filled
45 in the manner provided for pursuant to section 190.052.**

190.076. Each ambulance district shall arrange for an
2 audit of the records and accounts of the district at least
3 every three years by a certified public accountant or firm
4 of certified public accountants. The audit shall be made
5 available to the public on the district's website or
6 otherwise freely available by other electronic means.

190.109. 1. The department shall, within a reasonable
2 time after receipt of an application, cause such
3 investigation as the department deems necessary to be made
4 of the applicant for a ground ambulance license.

5 2. Any person that owned and operated a licensed
6 ambulance on December 31, 1997, shall receive an ambulance
7 service license from the department, unless suspended,
8 revoked or terminated, for that ambulance service area which
9 was, on December 31, 1997, described and filed with the
10 department as the primary service area for its licensed
11 ambulances on August 28, 1998, provided that the person
12 makes application and adheres to the rules and regulations
13 promulgated by the department pursuant to sections 190.001
14 to 190.245.

15 3. The department shall issue a new ground ambulance
16 service license to an ambulance service that is not
17 currently licensed by the department, or is currently
18 licensed by the department and is seeking to expand its
19 ambulance service area, except as provided in subsection 4
20 of this section, to be valid for a period of five years,
21 unless suspended, revoked or terminated, when the director
22 finds that the applicant meets the requirements of ambulance
23 service licensure established pursuant to sections 190.100
24 to 190.245 and the rules adopted by the department pursuant
25 to sections 190.001 to 190.245. In order to be considered
26 for a new ambulance service license, an ambulance service

27 shall submit to the department a letter of endorsement from
28 each ambulance district or fire protection district that is
29 authorized to provide ambulance service, or from each
30 municipality not within an ambulance district or fire
31 protection district that is authorized to provide ambulance
32 service, in which the ambulance service proposes to
33 operate. If an ambulance service proposes to operate in
34 unincorporated portions of a county not within an ambulance
35 district or fire protection district that is authorized to
36 provide ambulance service, in order to be considered for a
37 new ambulance service license, the ambulance service shall
38 submit to the department a letter of endorsement from the
39 county. Any letter of endorsement required pursuant to this
40 section shall verify that the political subdivision has
41 conducted a public hearing regarding the endorsement and
42 that the governing body of the political subdivision has
43 adopted a resolution approving the endorsement. The letter
44 of endorsement shall affirmatively state that the proposed
45 ambulance service:

- 46 (1) Will provide a benefit to public health that
47 outweighs the associated costs;
- 48 (2) Will maintain or enhance the public's access to
49 ambulance services;
- 50 (3) Will maintain or improve the public health and
51 promote the continued development of the regional emergency
52 medical service system;
- 53 (4) Has demonstrated the appropriate expertise in the
54 operation of ambulance services; and
- 55 (5) Has demonstrated the financial resources necessary
56 for the operation of the proposed ambulance service.

57 4. A contract between a political subdivision and a
58 licensed ambulance service for the provision of ambulance

59 services for that political subdivision shall expand,
60 without further action by the department, the ambulance
61 service area of the licensed ambulance service to include
62 the jurisdictional boundaries of the political subdivision.
63 The termination of the aforementioned contract shall result
64 in a reduction of the licensed ambulance service's ambulance
65 service area by removing the geographic area of the
66 political subdivision from its ambulance service area,
67 except that licensed ambulance service providers may provide
68 ambulance services as are needed at and around the state
69 fair grounds for protection of attendees at the state fair.

70 5. The department shall renew a ground ambulance
71 service license if the applicant meets the requirements
72 established pursuant to sections 190.001 to 190.245, and the
73 rules adopted by the department pursuant to sections 190.001
74 to 190.245.

75 6. The department shall promulgate rules relating to
76 the requirements for a ground ambulance service license
77 including, but not limited to:

- 78 (1) Vehicle design, specification, operation and
79 maintenance standards;
- 80 (2) Equipment requirements;
- 81 (3) Staffing requirements;
- 82 (4) Five-year license renewal;
- 83 (5) Records and forms;
- 84 (6) Medical control plans;
- 85 (7) Medical director qualifications;
- 86 (8) Standards for medical communications;
- 87 (9) Memorandums of understanding with emergency
88 medical response agencies that provide advanced life support;
- 89 (10) Quality improvement committees; [and]

90 (11) Response time, patient care and transportation
91 standards;

92 (12) Participation with regional emergency medical
93 services advisory committees; and

94 (13) Ambulance service administrator qualifications.

95 7. Application for a ground ambulance service license
96 shall be made upon such forms as prescribed by the
97 department in rules adopted pursuant to sections 190.001 to
98 190.245. The application form shall contain such
99 information as the department deems necessary to make a
100 determination as to whether the ground ambulance service
101 meets all the requirements of sections 190.001 to 190.245
102 and rules promulgated pursuant to sections 190.001 to
103 190.245.

190.112. 1. Each ambulance service licensed under
2 this chapter shall identify to the department the individual
3 serving as the ambulance service administrator who is
4 responsible for the operations and staffing of the ambulance
5 service. The ambulance service administrator shall be
6 required to have achieved basic training of at least forty
7 hours regarding the operations of an ambulance service and
8 two hours of annual continuing education. The training
9 required under this section shall be offered by a statewide
10 association organized for the benefit of ambulance districts
11 or be approved by the state advisory council on emergency
12 medical services and shall include the following:

13 (1) Basic principles of accounting and economics;

14 (2) State and federal laws applicable to ambulance
15 services;

16 (3) Regulatory requirements applicable to ambulance
17 services;

18 (4) Human resources management and laws;

- 19 (5) Grant writing, contracts, and fundraising;
20 (6) State sunshine laws in chapter 610, as well as
21 applicable ethics requirements; and
22 (7) Volunteer and community involvement.

23 2. Ambulance service administrators serving in this
24 capacity as of August 28, 2025, shall have until January 1,
25 2026, to demonstrate compliance with the provisions of this
26 section.

 190.166. 1. In addition to the provisions of section
2 190.165, the department of health and senior services may
3 refuse to issue, deny renewal of, or suspend a license
4 required pursuant to section 190.109, or take other
5 corrective actions as described in this section, based on
6 the following considerations:

7 (1) The license holder is determined to be financially
8 insolvent;

9 (2) The ambulance service has inadequate personnel to
10 operate the ambulance service to provide basic emergency
11 operations. The ambulance service shall not be deemed to
12 have such inadequate personnel as long as the ambulance
13 service staffs to meet the needs of its emergency call
14 volume. Smaller ambulance services shall have the ability
15 to staff a minimum of one ambulance unit twenty-four hours
16 each day, seven days each week, with at least two licensed
17 emergency medical technicians, and have a reasonable plan
18 and schedule for the services of a second ambulance unit;

19 (3) The ambulance service requires an inordinate
20 amount of mutual aid from neighboring services, such as more
21 than ten percent of the total runs in the service area in
22 any given month, or than would be considered prudent and
23 thus cannot provide an appropriate level of emergency

24 response for the service area as would be considered prudent
25 by the typical ground ambulance services operator;

26 (4) The principal manager, board members, or other
27 executives are determined to be criminally liable for
28 actions related to the license or service provided;

29 (5) The license holder or principal manager, board
30 members, or other executives are determined by the Centers
31 for Medicare and Medicaid Services to be ineligible for
32 participation in Medicare;

33 (6) The license holder or principal manager, board
34 members, or other executives are determined by the MO
35 HealthNet division to be ineligible for participation in MO
36 HealthNet;

37 (7) The ambulance service administrator has failed to
38 meet the required qualifications or failed to complete the
39 training required pursuant to section 190.112; and

40 (8) Three or more board members have failed to
41 complete required training pursuant to section 190.053 if
42 the ambulance service is an ambulance district.

43 2. If the department makes a determination of
44 insolvency or insufficiency of operations of a license
45 holder under subsection 1 of this section, then the
46 department may require the license holder to submit a
47 corrective plan within fifteen days and require
48 implementation of the corrective plan within thirty days.

49 3. The department shall be required to provide notice
50 of any determination by the department of insolvency or
51 insufficiency of operations of a license holder to other
52 license holders operating in the license holder's vicinity,
53 members of the general assembly who represent the license
54 holder's service area, the governing officials of any county
55 or municipal entity in the license holder's service area,

56 the appropriate regional emergency medical services advisory
57 committee, and the state advisory council on emergency
58 medical services.

59 4. The department shall immediately engage with other
60 license holders in the area to determine the extent to which
61 ground ambulance service may be provided to the affected
62 service area during the time in which the license holder is
63 unable to provide adequate services, including any long-term
64 service arrangements. The nature of the agreement between
65 the license holder and other license holders providing
66 services to the affected area may include an agreement to
67 provide services, a joint powers agreement, formal
68 consideration, or some payment for services rendered.

69 5. Any license holder who provides assistance in the
70 service area of another license holder whose license has
71 been suspended under this section shall have the right to
72 seek reasonable compensation from the license holder whose
73 license to operate has been suspended for all calls, stand-
74 by time, and responses to medical emergencies during such
75 time as the license remains suspended. The reasonable
76 compensation shall not be limited to those expenses incurred
77 in actual responses, but may also include reasonable
78 expenses to maintain ambulance service, including, but not
79 limited to, the daily operation costs of maintaining the
80 service, personnel wages and benefits, equipment purchases
81 and maintenance, and other costs incurred in the operation
82 of a ground ambulance service. The license holder providing
83 assistance shall be entitled to an award of costs and
84 reasonable attorney fees in any action to enforce the
85 provisions of this subsection.

197.135. 1. Beginning January 1, 2023, or no later
2 than six months after the establishment of the statewide

3 telehealth network under section 192.2520, whichever is
4 later, any hospital licensed under this chapter shall
5 perform a forensic examination using an evidentiary
6 collection kit upon the request and consent of the victim of
7 a sexual offense, or the victim's guardian, when the victim
8 is at least fourteen years of age. In the case of minor
9 consent, the provisions of subsection 2 of section 595.220
10 shall apply. Victims under fourteen years of age shall be
11 referred, and victims fourteen years of age or older but
12 less than eighteen years of age may be referred, to a SAFE
13 CARE provider, as such term is defined in section 334.950,
14 for medical or forensic evaluation and case review. Nothing
15 in this section shall be interpreted to preclude a hospital
16 from performing a forensic examination for a victim under
17 fourteen years of age upon the request and consent of the
18 victim or victim's guardian, subject to the provisions of
19 section 595.220 and the rules promulgated by the department
20 of public safety.

21 2. (1) An appropriate medical provider, as such term
22 is defined in section 595.220, shall perform the forensic
23 examination of a victim of a sexual offense. The hospital
24 shall ensure that any provider performing the examination
25 has received training conducting such examinations that is,
26 at a minimum, equivalent to the training offered by the
27 statewide telehealth network under subsection 4 of section
28 192.2520. Nothing in this section shall require providers
29 to utilize the training offered by the statewide telehealth
30 network, as long as the training utilized is, at a minimum,
31 equivalent to the training offered by the statewide
32 telehealth network.

33 (2) If the provider is not a sexual assault nurse
34 examiner (SANE), or another similarly trained physician or

35 nurse, then the hospital shall utilize telehealth services
36 during the examination, such as those provided by the
37 statewide telehealth network, to provide guidance and
38 support through a SANE, or other similarly trained physician
39 or nurse, who may observe the live forensic examination and
40 who shall communicate with and support the onsite provider
41 with the examination, forensic evidence collection, and
42 proper transmission and storage of the examination evidence.

43 3. The department of health and senior services may
44 issue a waiver of the telehealth requirements of subsection
45 2 of this section if the hospital demonstrates to the
46 department, in writing, a technological hardship in
47 accessing telehealth services or a lack of access to
48 adequate broadband services sufficient to access telehealth
49 services. Such waivers shall be granted sparingly and for
50 no more than a year in length at a time, with the
51 opportunity for renewal at the department's discretion.

52 4. The department shall waive the requirements of this
53 section if the statewide telehealth network established
54 under section 192.2520 ceases operation, the director of the
55 department of health and senior services has provided
56 written notice to hospitals licensed under this chapter that
57 the network has ceased operation, and the hospital cannot,
58 in good faith, comply with the requirements of this section
59 without assistance or resources of the statewide telehealth
60 network. Such waiver shall remain in effect until such time
61 as the statewide telehealth network resumes operation or
62 until the hospital is able to demonstrate compliance with
63 the provisions of this section without the assistance or
64 resources of the statewide telehealth network.

65 5. The provisions of section 595.220 shall apply to
66 the reimbursement of the reasonable costs of the

67 examinations and the provision of the evidentiary collection
68 kits.

69 6. No individual hospital shall be required to comply
70 with the provisions of this section and section 192.2520
71 unless and until the department provides such hospital with
72 access to the statewide telehealth network for the purposes
73 of mentoring and training services required under section
74 192.2520 without charge to the hospital.

75 **7. A specialty hospital shall be considered exempt**
76 **from the provisions of this section and section 192.2520 if**
77 **such hospital has a policy for the transfer of a victim of a**
78 **sexual offense to an appropriate hospital with an emergency**
79 **department. As used in this section, "specialty hospital"**
80 **shall mean a hospital licensed under this chapter and**
81 **designated by the department as something other than a**
82 **general acute care hospital.**

 537.038. Any person may, without compensation, render
2 emergency care or assistance at the scene of an emergency or
3 accident and shall not be liable for any civil damages for
4 acts or omissions other than damages occasioned by gross
5 negligence or by willful or wanton acts or omissions by such
6 person in rendering such emergency care.

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