

SECOND REGULAR SESSION

SENATE BILL NO. 850

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCOTT.

Read 1st time January 18, 2000, and 1,000 copies ordered printed.

3811S.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 334.128, RSMo 1994, relating to the state board of registration for the healing arts, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 334.128, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 334.128, to read as follows:

334.128. Any person who reports or provides information to the board, or any person who assists the board, including, but not limited to, applicants or licensees who are the subject of an investigation, physicians serving on competency panels, medical record custodians, consultants, **physician health programs operated in this state and approved by the board for impaired physicians, and individuals working, consulting or participating in the physician health program**, attorneys, board members, agents, employees or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the board, **or based upon voluntary participation by an individual in the physician health program, or upon any stipulation or order of the board mandating the individual to participate in the physician health program**, pursuant to the provisions of this chapter and who does so in good faith and without malice shall not be subject to an action for civil damages as a result thereof, and no cause of action of any nature shall arise against him **or her**. The attorney general shall defend such persons in any such action or proceeding.

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