

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE NO. 2 FOR

HOUSE BILL NO. 1118

93RD GENERAL ASSEMBLY

Reported from the Committee on Aging, Families, Mental and Public Health, May 2, 2006, with recommendation that the Senate Committee Substitute No. 2 do pass.

3724S.05C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 44.045 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58, ninety-third general assembly, first regular session and section 44.045 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344, ninety-third general assembly, first regular session, and to enact in lieu thereof one new section relating to civil defense.

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

Section A. Section 44.045 as enacted by conference committee substitute
2 for senate substitute for senate committee substitute for house committee
3 substitute for house bill no. 58, ninety-third general assembly, first regular
4 session and section 44.045 as enacted by conference committee substitute for
5 house committee substitute for senate committee substitute for senate bills nos.
6 420 & 344, ninety-third general assembly, first regular session, are repealed and
7 one new section enacted in lieu thereof, to be known as section 44.045, to read as
8 follows:

44.045. 1. Subject to approval by the state emergency management
2 agency during an emergency declared by the governor [or general assembly], any
3 health care professional licensed, registered, or certified in this state **or any**
4 **state who volunteers to be so deployed as provided herein** may be
5 deployed to provide care as necessitated by the emergency, including care
6 necessitated by mutual aid agreements between political subdivisions and other
7 public and private entities under section 44.090. **During an emergency**

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

8 **declared by the governor, volunteer health care providers deployed by**
9 **the governor or any state agency shall not be liable for any civil**
10 **damages for any failure, in the delivery of healthcare necessitated by**
11 **the emergency during deployment, to exercise the skill and learning of**
12 **an ordinarily careful health care provider in similar circumstances, but**
13 **shall be liable for damages due to willful or wanton acts or omissions**
14 **in rendering such care.**

15 2. In a declared state of emergency, the department of health and senior
16 services and the division of professional registration within the department of
17 economic development may release otherwise confidential contact and licensure,
18 registration, or certification information relating to health care professionals to
19 state, local, and private agencies to facilitate deployment.

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