



MISSOURI SENATE  
JEFFERSON CITY

John Cauthorn  
18<sup>th</sup> Senate District

CAPITOL BUILDING, ROOM 426  
JEFFERSON CITY, MO 65101  
PHONE (573) 751-6858  
TDD (573) 751-3969  
FAX (573) 751-6900  
EMAIL  
john\_cauthorn@senate.state.mo.us

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**Contact: Jerry Dowell**  
**(573) 751-6858**

## The Cauthorn Report

JEFFERSON CITY, MO – Medical malpractice insurance reform legislation drafted and advanced by Senator Cauthorn this week was incorporated into an overarching bill approved by the Senate as HB 1305. Cauthorn’s provision, originally drafted as SB 908, allows for the creation of “malpractice stock companies” in an effort to make malpractice insurance premiums more affordable.

“This will allow doctors to invest in a company that will provide affordable insurance while limiting their liability,” said Cauthorn. The insurance reform act also requires that companies notify the insurance department of significant rate increases and limits annual premium increases to 20 percent. While the malpractice insurance reforms moved forward, Senate and House delegates worked this week on differences in HB 1304, a measure reforming various aspects of Missouri’s civil liability, or tort laws. The bill requires lawsuits be filed in the jurisdiction in which the injury occurred to prevent “venue shopping,” the practice of attempting to move cases to jurisdictions known for large awards for plaintiffs. The bill also re-establishes limits on jury awards for non-economic damages, such as suffering or mental anguish, which are often sought in addition to compensation for actual costs sustained by the injured party.

“Doctors are restricting, quitting or moving their practices out of the state in response to skyrocketing insurance rates and many cite unreasonable civil jury awards as the catalyst hiking malpractice insurance costs,” Cauthorn said. “This year’s legislation addresses both elements of the equation by considering the judicial system and the insurance industry.”

Two other Cauthorn-sponsored bills already cleared by the Senate received hearings before House committees this week.

Heard by the House Job Creation and Economic Development Committee was SB 1155, a measure modifying provisions in the Missouri Rural Economic Stimulus Authority to further expand and promote agribusiness opportunities.

“This bill will expand MORESA to allow more agriculture entities to participate in this program such as beef, pork and other commodity processing plants,” Cauthorn said.

A House transportation panel heard SB 992, a measure changing the definition of approved anhydrous ammonia transport containers.

“Widely used in agriculture, anhydrous ammonia is also a key element in meth production,” Cauthorn said. “Clamping down on how anhydrous can be legally transported clamps down on a base component of a powerfully addictive and highly illegal drug.”

Committee approval moves Cauthorn’s bills to the full House. Passage there sends them to the governor’s desk.

In other action, the Missouri Senate approved and sent to the House this week a revenue-generating measure stopping the practice where a resident of another state deducts the tax liability on property owned outside of Missouri from his or her Missouri income tax liability. Joint passage moves SB 888 to the House.

Also traveling to the House is SB 1116 allowing the addition of cell phone numbers to the state’s “No Call” list.

“The last thing I need is a telemarketer’s call, especially if my cell phone service is charging me for the air time!” Cauthorn said.

Cauthorn noted that lawmaker support for a constitutional definition of marriage continues to build. Should SJR 29 clear the General Assembly, voters would have the final say as to whether the current statutory definition for marriage as between a man and a woman should also be in the state’s constitution.

The Senate Appropriations Committee spent much of this week reviewing the 12 bills making up the state budget (HBs 1101-1112). As received by the House, the \$18.6 billion spending plan is \$180 million less than the governor’s plan and some \$300 million less than the amount slated for the current budget year ending June 30. The House budget draft provided public schools with \$40 million more than the governor slated for elementary and secondary education.

“After review and reworking, the Senate panel approved a budget which now moves to the chamber for debate, amending and approval by the full body,” Cauthorn said. “The Senate plan includes a \$20 million increase in higher education funding and a \$16 million increase in Medicaid payments to nursing homes with provisions for added funding in subsequent years.”

Any and all differences between the House and Senate versions must then be worked out in joint conference committees and then agreed to by both chambers on or before 6 p.m., May 7– a deadline set by the state’s constitution. The year’s regular session adjourns May 14.

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