

FIRST REGULAR SESSION

SENATE BILL NO. 357

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Read 1st time January 23, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1635S.01I

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to emergency services.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new
2 section, to be known as section 197.123, to read as follows:

197.123. 1. This section may be referred to as the "Marie Van
2 Dillen Act".

3 2. The department of health and senior services shall require
4 that each hospital providing emergency services have in place a policy
5 for emergency treating physicians to contact the patient's primary care
6 physician upon the patient's request and as soon as practically possible
7 within a twelve hour period. The purpose of the consultation shall be
8 to seek advice regarding the patient's medical history and needs that
9 may be relevant to the medical treatment and screening of the
10 patient. Such policy shall take into account that the consultation shall
11 not inappropriately delay services and that it shall occur once the
12 emergency treating physician has stabilized the patient.

13 3. The department shall promulgate rules to enforce the
14 provisions of this section. Any rule or portion of a rule, as that term is
15 defined in section 536.010, RSMo, that is created under the authority
16 delegated in this section shall become effective only if it complies with
17 and is subject to all of the provisions of chapter 536, RSMo, and, if
18 applicable, section 536.028, RSMo. This section and chapter 536, RSMo,
19 are nonseverable and if any of the powers vested with the general
20 assembly pursuant to chapter 536, RSMo, to review, to delay the
21 effective date, or to disapprove and annul a rule are subsequently held

22 **unconstitutional, then the grant of rulemaking authority and any rule**
23 **proposed or adopted after August 28, 2007, shall be invalid and void.**

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Unofficial

Bill

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