

FIRST REGULAR SESSION

# SENATE BILL NO. 137

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time January 19, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0873L.03I

## AN ACT

To repeal section 197.705, RSMo, and to enact in lieu thereof one new section relating to health care professional identification badges.

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

Section A. Section 197.705, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 197.705, to read as follows:

197.705. 1. **Except as otherwise provided in subsection 2 of this**  
2 **section**, all hospitals and health care facilities, defined in sections 197.020 and  
3 197.305, shall require all personnel providing services in such facilities to wear  
4 identification badges while acting within the scope of their employment. The  
5 identification badges of all personnel shall prominently display the licensure  
6 status of such personnel **and shall include the following:**

7 (1) **A recent photograph of the employee, the employee's name,**  
8 **the employee's title, and the name of the health care facility or home**  
9 **health agency;**

10 (2) **The title of the employee shall be as large as possible in block**  
11 **type and shall occupy a one-half inch tall strip as close as practicable**  
12 **to the bottom edge of the badge;**

13 (3) **Titles shall be as follows:**

14 (a) **A medical doctor shall have the title "Physician";**

15 (b) **A doctor of osteopathy shall have the title "Physician";**

16 (c) **A registered nurse shall have the title "Registered Nurse";**

17 (d) **A licensed practical nurse shall have the title "Licensed**  
18 **Practical Nurse"; and**

19 (e) **All other titles shall be determined by rule by the department**  
20 **of health and senior services.**

21           2. (1) Personnel shall not be required to wear an identification  
22 badge while delivering direct care to a consumer if not clinically  
23 feasible.

24           (2) The last name of personnel may be omitted or concealed  
25 when delivering direct care to a consumer who exhibits symptoms of  
26 irrationality or violence.

27           3. The department of health and senior services may promulgate  
28 rules to implement the provisions of this section. Any rule or portion  
29 of a rule, as that term is defined in section 536.010, that is created  
30 under the authority delegated in this section shall become effective  
31 only if it complies with and is subject to all of the provisions of chapter  
32 536 and, if applicable, section 536.028. This section and chapter 536 are  
33 nonseverable and if any of the powers vested with the general assembly  
34 pursuant to chapter 536 to review, to delay the effective date, or to  
35 disapprove and annul a rule are subsequently held unconstitutional,  
36 then the grant of rulemaking authority and any rule proposed or  
37 adopted after August 28, 2011, shall be invalid and void.

38           4. (1) For all personnel employed by a hospital or health care  
39 facility after the effective date of the amendments to this section, all  
40 identification badges issued under this section shall comply with the  
41 amendments to this section.

42           (2) For all current personnel required to wear identification  
43 badges under this section, any identification badges issued or replaced  
44 after the effective date of the amendments to this section shall comply  
45 with the amendments to this section. Nothing in this section shall  
46 require the immediate replacement of identification badges worn by  
47 personnel on the effective date of the amendments to this section. Such  
48 identification badges shall be replaced within a reasonable time after  
49 the effective date of the amendments to this section, such as at a  
50 regularly scheduled interval of reissuance; except that, all  
51 identification badges worn by personnel of hospitals and health care  
52 facilities shall comply with the amendments to this section within five  
53 years from the effective date of the amendments to this section.

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