

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SCS/Senate Bill No. 237, Page 1, Section A, Line 2,

2 by inserting after all of said line the following:

3 "198.700. 1. All facilities to which this chapter applies
 4 shall carry liability insurance with limits of no less than one
 5 million dollars per occurrence to compensate for injuries,
 6 damages, or death caused or contributed to by care received at
 7 the facility by a resident, or former resident, of the facility,
 8 and for any violation of the provisions of this chapter. The
 9 insurance shall apply to the facility and to any person or entity
 10 with which the facility contracts for the provision of care to
 11 the residents of the facility.

12 2. A facility may, in lieu of compliance with subsection 1
 13 of this section, be self-insured if the facility posts a bond
 14 with the director of the department of insurance, financial
 15 institutions and professional registration in the amount of one
 16 million five hundred thousand dollars which will satisfy
 17 judgments or settlements against the facility for damages as
 18 described in subsection 1 of this section. The director of the
 19 department of insurance, financial institutions and professional
 20 registration shall promulgate rules and regulations to determine
 21 the information required to satisfy the requirements of this

1 subsection. Any rule or portion of a rule, as that term is
2 defined in section 536.010 that is created under the authority
3 delegated in this section shall become effective only if it
4 complies with and is subject to all of the provisions of chapter
5 536, and, if applicable, section 536.028. This section and
6 chapter 536 are nonseverable and if any of the powers vested with
7 the general assembly pursuant to chapter 536, to review, to delay
8 the effective date, or to disapprove and annul a rule are
9 subsequently held unconstitutional, then the grant of rulemaking
10 authority and any rule proposed or adopted after August 28, 2017,
11 shall be invalid and void."; and

12 Further amend the title and enacting clause accordingly.