***This Week in the Missouri Senate* Script: SBs 237 and 45**

This week in the Missouri Senate, we review more priority legislation for Missouri senators…

**Nat Snd 1 / Runs :03 / OC: senator from Boone.**

*“Senate Bill 237, senator from Boone….”*

The week began with lengthy discussion of [Senate Bill 237](http://www.senate.mo.gov/17info/bts_web/Bill.aspx?SessionType=R&BillID=57577412), a measure that would change the definitions of "employee" and "physician employee" in actions against health care providers for personal injury or death.

Sponsor — Sen. Caleb Rowden of Columbia — tells his colleagues the term “physician employee” was defined, but not used, in the 2005 law. He says a judge picked up on this in a 2014 court decision…

**Rowden 1 / Runs :12 / OC: actions of non-employees.**

*“And, the court decided to use that definitional discrepancy to apply a significantly broader standard for imposing liability for the actions of non-employees.”*

During discussion, Sen. Jill Schupp of Creve Coeur mentioned she disagrees with the sponsor’s assessment of the bill…

**Schupp 2 / Runs :07 / OC: of that hospital.**

*“I think you go in with a presumption that the people who are working are employees of that hospital.”*

Missouri senators gave preliminary approval to Senate Bill 237 on Monday night. On Thursday morning, a 25-seven vote sent the proposal to the Missouri House of Representatives…

**Nat Snd 2 / Runs :03 / OC: of the opinion.**

*“Forty-five be taken up for perfection. As many are of the opinion….”*

Tuesday afternoon saw discussion begin on [Senate Bill 45](http://www.senate.mo.gov/17info/bts_web/Bill.aspx?SessionType=R&BillID=57095376), legislation that would modify laws regarding arbitration agreements between employers and at-will employees.

Senator Gary Romine of Farmington is the sponsor. He tells his colleagues Missouri adopted the federal version of arbitration in 1980…

**Romine 3 / Runs :10 / OC: an arbitration process.**

*“What this allows is for the business and the employee to come to an agreement that any employment resolution, or any employment controversies, be dealt with during an arbitration process.”*

Senator Scott Sifton of Affton adds he understands why this bill was drafted…

**Sifton 4 / Runs :10 / OC: of their bargain.**

*“And, I think that’s part of the concern that motivates the bill, senator. The concern is that you might have arbitration agreements — but if a trial judge is not willing to enforce them, arguably, the employer doesn’t have the benefit of their bargain.”*

On Wednesday evening…

**Nat Snd 3 / Runs :03 / OC: Senate Bill 45.**

*“Further discussion on Senate Bill 45.”*

Senator Romine closed on his measure…

**Romine 5 / Runs :08 / OC: day in court.**

*“The arbitration process is a very serious process to make sure it does give the employee and the employer their day in court.”*

During the final minutes of discussion, Sen. Jason Holsman of Kansas City said he believes in the right to a trial by jury…

**Holsman 6 / Runs :12 / OC: a constitutional right.**

*“At the same time, we also can’t just blindly accept all things that are good for them, when it takes away what I believe to be a fundamental right — a constitutional right.”*

Senate Bill 45 then received preliminary Missouri Senate approval. It still needs another vote before it could go to the Missouri House of Representatives for its consideration.

And, remember, you can follow these and other issues facing the Missouri Senate by visiting our website: [senate.mo.gov](http://www.senate.mo.gov).

Reporting from the State Capitol, I’m Dean Morgan.