

FIRST REGULAR SESSION

SENATE BILL NO. 342

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

1530S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 197.256 and 197.258, RSMo, and to enact in lieu thereof two new sections relating to hospice inspections.

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

Section A. Sections 197.256 and 197.258, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 197.256 and 197.258, to read as follows:

197.256. 1. A hospice shall apply for renewal of its
2 certificate not less than once every twelve months. In
3 addition, such hospice shall apply for renewal not less than
4 thirty days before any change in ownership or management of
5 the hospice. Such application shall be accompanied by the
6 appropriate fee as set forth in subsection 1 of section
7 197.254. Application shall be made upon a form prescribed
8 by the department.

9 2. Upon receipt of the application and fee, if a fee
10 is required, the department shall, **to the extent required by**
11 **and in accordance with Title XVIII of the Social Security**
12 **Act,** conduct a survey to evaluate the quality of services
13 rendered by an applicant for renewal. The department shall
14 approve the application and renew the certificate of any
15 applicant which is in compliance with sections 197.250 to
16 197.280 and the rules made pursuant thereto and which passes
17 the department's survey, **if required.**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 3. The certificate of any hospice which has not been
19 renewed as required by this section shall be void.

20 4. The department shall require all certificated
21 hospices to submit statistical reports. The content,
22 format, and frequency of such reports shall be prescribed by
23 the department.

 197.258. 1. In addition to any survey pursuant to
2 sections 197.250 to 197.280, the department may make such
3 surveys as it deems necessary during normal business hours.
4 The department shall survey every hospice [not less than
5 once annually] **in accordance with Title XVIII of the Social**
6 **Security Act.** The hospice shall permit the department's
7 representatives to enter upon any of its business premises
8 during normal business hours for the purpose of a survey.

9 2. As a part of its survey of a hospice, the
10 department may visit the home of any client of such hospice
11 with such client's consent.

12 3. In lieu of any survey required by sections 197.250
13 to 197.280, the department may accept in whole or in part
14 the survey of any state or federal agency, or of any
15 professional accrediting agency, if such survey:

16 (1) Is comparable in scope and method to the
17 department's surveys; and

18 (2) Is conducted [within one year of initial
19 application] **in accordance with Title XVIII of the Social**
20 **Security Act** for the initial application or renewal of the
21 hospice's certificate.

22 4. The department shall not be required to survey any
23 hospice providing service to Missouri residents through an
24 office located in a state bordering Missouri if such
25 bordering state has a reciprocal agreement with Missouri on
26 hospice certification and the area served in Missouri by the

27 agency is contiguous to the area served in the bordering
28 state.

29 5. Any hospice which has its parent office in a state
30 which does not have a reciprocal agreement with Missouri on
31 hospice certification shall maintain a branch office in
32 Missouri. Such branch office shall maintain all records
33 required by the department for survey and shall be
34 certificated as a hospice.

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