

# SENATE BILL NO. 1151

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

3827S.011

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the boarding of certain individuals at hospitals.

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

Section A. Chapter 191, RSMo, is amended by adding thereto  
2 one new section, to be known as section 191.1900, to read as  
3 follows:

191.1900. 1. The provisions of this section shall be  
2 known and may be cited as the "End Hospital  
3 Institutionalization Act".

4 2. As used in this section, the following terms mean:

5 (1) "Boarding" or "boarded", any continued stay of a  
6 medically stable patient in a hospital or emergency room  
7 that occurs without medical justification because the  
8 patient's caretaker is unable or unwilling to ensure:

9 (a) The safety, well-being, and necessary ongoing  
10 medical, behavioral, or psychological care of the patient  
11 outside the hospital; or

12 (b) The safety of the public with respect to the  
13 patient's behaviors in the community outside the hospital;

14 (2) "Hospital", the same meaning given to the term in  
15 section 197.020.

16 3. Upon notification by a hospital that a child under  
17 the jurisdiction of a juvenile court is being boarded, the

18 juvenile court shall immediately intervene to ensure that  
19 such child is placed in an appropriate setting and afforded  
20 proper treatment.

21 4. Upon notification by a hospital that a child who is  
22 not under the jurisdiction of a juvenile court is being  
23 boarded, the juvenile court of the county in which the  
24 hospital is located shall immediately take custody of the  
25 child to ensure that such child is placed in an appropriate  
26 setting and afforded proper treatment.

27 5. Upon notification by a hospital that an individual  
28 who has been diagnosed with a developmental disability,  
29 serious mental illness, or substance use disorder is being  
30 boarded, the department of mental health shall provide case  
31 management and treatment, including residential or inpatient  
32 treatment as appropriate, without delay and in the least  
33 restrictive environment possible.

34 6. The state shall reimburse the hospital the actual  
35 costs for boarding, or the hospital's full allowable costs  
36 under MO HealthNet rules, whichever is greater, for each day  
37 an individual is boarded after the juvenile court or the  
38 department of mental health has been notified of the  
39 boarding of such individual.

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