

SECOND REGULAR SESSION

SENATE BILL NO. 611

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JOHNSON.

Pre-filed December 18, 1997, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S2752.011

AN ACT

To repeal section 334.010, RSMo 1994, and to enact in lieu thereof one new section relating to practice of medicine across state lines.

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

Section A. Section 334.010, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 334.010, to read as follows:

334.010. **1.** It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, **to engage in the practice of medicine across state lines** or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, or engage in the practice of midwifery in this state, except as herein provided.

2. For the purposes of this chapter, the practice of medicine across state lines shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; or

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent.

3. A physician located outside of this state shall not be required to obtain a license when:

(1) In consultation with a physician licensed to practice medicine in this state;

and

(2) When the physician licensed in this state retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located within this state.

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