

FIRST REGULAR SESSION

SENATE BILL NO. 138

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHILDERS.

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TERRY L. SPIELER, Secretary.

S0064 011

AN ACT

To amend chapter 376, RSMo, by adding one new section relating to the physicians' and medical departments' duty to inform candidates for breast implants of the advantages and risks of the surgery.

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

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.1208, to read as follows:

376.1208. 1. Pursuant to the provisions of section 376.1209, a physician shall inform a patient of the advantages, disadvantages, and risks associated with breast implantation before operating on a patient to insert breast implants.

2. The department of insurance shall:

(1) Provide a standardized written summary that would be clear to a prudent lay person that:

(a) Contains all general information on breast implantation; and

(b) Discloses dangers and side effects of a breast implantation operation;

(2) Update the standardized written summary as necessary; and

(3) Distribute the standardized written summary to all hospitals, clinics, and physicians' offices that perform breast implantation.

3. A physician satisfies the requirements of subsection 1 of this section if:

(1) The physician provides the breast implantation patient with the standardized written summary described in subsection 2 of this section;

(2) The patient receives the standardized written summary at least five days

before the breast implantation operation; and

(3) The patient signs a statement, provided by the department of insurance, acknowledging the patient's receipt of the standardized written summary.

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