

FIRST REGULAR SESSION

SENATE BILL NO. 480

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SINGLETON.

Read 1st time February 23, 1999, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S1690.011

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to public hospital records.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.195, to read as follows:

197.195. 1. Notwithstanding the provisions of chapter 610, RSMo, the governing body, subsidiary, or lessee of a hospital established pursuant to chapters 96, 205 and 206, RSMo, may close portions of records and meetings of the entity that it manages or controls, if those portions of records and meetings pertain exclusively to:

(1) Private information about strategic planning and marketing; or
(2) The terms and conditions of contracts that stipulate to their confidentiality, including but not limited to physician contracts.

2. For purposes of this section, subsidiary includes entities created by a hospital established pursuant to chapters 96, 205 and 206, RSMo, regardless of the degree of common control or governance with said hospital.

3. Any individual denied access to records or meetings pursuant to this section may challenge the decision to close such records and meetings by petitioning the circuit court, pursuant to the provisions of section 610.027, RSMo, in the county in which the hospital is located. In addition to the procedures outlined in section 610.027, RSMo, the court shall conduct an in-camera review of the closed records or meetings in question and determine whether such records or meetings were appropriately closed pursuant

to this section.

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