

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/Senate Bill No. 975, Page 14, Section 190.090, Line 226,

2 by inserting after all of said line the following:

3 "190.098. 1. As used in this section, the term

4 "community paramedic services" means services that are:

5 (1) Provided by any entity that:

6 (a) Employs licensed paramedics who are certified as
7 community paramedics by the department; and

8 (b) Has received an endorsement by the department as a
9 community paramedic service entity;

10 (2) Provided in a nonemergent setting, independent of
11 a 911 system or emergency summons;

12 (3) Consistent with the training and education, as
13 well as within the scope of skill and practice, of the
14 personnel and with the supervisory standard approved by the
15 medical director; and

16 (4) Reflected and documented in the entity's patient
17 care plans or protocols approved by the medical director in
18 accordance with section 190.142.

19 2. In order for a person to be eligible for
20 certification by the department as a community paramedic, an
21 individual shall:

22 (1) Be currently [certified] licensed as a paramedic;

23 (2) Successfully complete or have successfully
24 completed a community paramedic certification program from a
25 college, university, or educational institution that has

26 been approved by the department or accredited by a national
27 accreditation organization approved by the department; and

28 (3) Complete an application form approved by the
29 department.

30 [2.] 3. A community paramedic shall practice in
31 accordance with protocols and supervisory standards
32 established by the medical director[. A community paramedic
33 shall provide services of a health care plan if the plan has
34 been developed by the patient's physician or by an advanced
35 practice registered nurse through a collaborative practice
36 arrangement with a physician or a physician assistant
37 through a collaborative practice arrangement with a
38 physician and there is no duplication of services to the
39 patient from another provider] in collaboration with the
40 ambulance service or emergency medical response agency
41 administrator. Patient care plans that are developed by the
42 patient's physician, advanced practice nurse practitioner,
43 or physician assistant shall be implemented through a
44 collaboration with the medical director and emergency
45 response agency or ambulance service.

46 [3.] 4. (1) Any ambulance service [shall enter into a
47 written contract to provide community paramedic services in
48 another ambulance service area, as that term is defined in
49 section 190.100. The contract that is agreed upon may be
50 for an indefinite period of time, as long as it includes at
51 least a sixty-day cancellation notice by either ambulance
52 service] that seeks to provide community paramedic services
53 outside of its ambulance service area, as described in
54 subdivision (5) of section 190.100 and section 190.109, and
55 administered by the department, and in the service area of
56 another ambulance service that currently provides community
57 paramedic services shall be required to have a memorandum of
58 understanding with that ambulance service regarding the

59 provision of such community paramedic services. An
60 ambulance service that provides community paramedic services
61 may provide community paramedic services without a
62 memorandum of understanding in the ambulance service area of
63 an ambulance service that is not providing community
64 paramedic services, but the ambulance service providing
65 community paramedic services shall provide notification,
66 within ninety days, to the ambulance service with emergency
67 service responsibilities in the service area of the general
68 community paramedic activities being performed.

69 (2) An ambulance service that provides community
70 paramedic services and that has executed formal contracts or
71 agreements with health care institutions, hospitals, health
72 clinics, or insurance companies for the provision of
73 community paramedic services shall be permitted to honor
74 those agreements.

75 (3) For sustained services provided outside the county
76 of the ambulance services' primary 911 response territory
77 where another licensed ambulance service also offers
78 community paramedic services, the community paramedic
79 program shall coordinate with the local ambulance service.

80 (4) Any emergency medical response agency seeking to
81 provide community paramedic services within its designated
82 response service area may do so if the ground ambulance
83 service covering the area within which the emergency medical
84 response agency is located does not provide community
85 paramedic services. If such ground ambulance service does
86 provide community paramedic services, the ground ambulance
87 service may establish, at its sole discretion, a memorandum
88 of understanding with the emergency medical response agency
89 planning to offer community paramedic services in order to
90 coordinate programs and avoid service duplication. If an
91 emergency medical response agency is providing community

92 paramedic services in a service area before the ground
93 ambulance service in that service area begins offering
94 community paramedic services, the emergency medical response
95 agency and the ground ambulance service shall establish a
96 memorandum of understanding for the coordination of services.

97 (5) A community paramedic program shall notify the
98 appropriate local ambulance service when providing services
99 within the service area of an ambulance service.

100 (6) The department shall establish regulations for the
101 purpose of recognizing community paramedic service entities
102 that have met the standards necessary to provide community
103 paramedic services, including physician medical oversight,
104 training, patient record keeping, formal relationships with
105 primary care services where necessary, and quality
106 improvement policies. The department shall issue an
107 endorsement to any community paramedic service entity that
108 meets such standards that allow the entity to provide
109 community paramedic services for a period of five years.

110 **[4.]** 5. A community paramedic is subject to the
111 provisions of sections 190.001 to 190.245 and rules
112 promulgated under sections 190.001 to 190.245.

113 **[5.]** 6. No person shall hold himself or herself out as
114 a community paramedic or provide the services of a community
115 paramedic unless such person is certified by the department.

116 **[6.]** 7. The medical director shall approve the
117 implementation of the community paramedic program.

118 **[7.]** 8. Any rule or portion of a rule, as that term is
119 defined in section 536.010, that is created under the
120 authority delegated in this section shall become effective
121 only if it complies with and is subject to all of the
122 provisions of chapter 536 and, if applicable, section
123 536.028. This section and chapter 536 are nonseverable and
124 if any of the powers vested with the general assembly

125 pursuant to chapter 536 to review, to delay the effective
126 date, or to disapprove and annul a rule are subsequently
127 held unconstitutional, then the grant of rulemaking
128 authority and any rule proposed or adopted after August 28,
129 2013, shall be invalid and void.

130 190.165. 1. The department may refuse to issue or
131 deny renewal of any endorsement, certificate, permit or
132 license required pursuant to sections ~~[190.100]~~ 190.098 to
133 190.245 for failure to comply with the provisions of
134 sections ~~[190.100]~~ 190.098 to 190.245 or any lawful
135 regulations promulgated by the department to implement its
136 provisions as described in subsection 2 of this section.
137 The department shall notify the applicant in writing of the
138 reasons for the refusal and shall advise the applicant of
139 his or her right to file a complaint with the administrative
140 hearing commission as provided by chapter 621.

141 2. The department may cause a complaint to be filed
142 with the administrative hearing commission as provided by
143 chapter 621 against any holder of any endorsement,
144 certificate, permit or license required by sections
145 ~~[190.100]~~ 190.098 to 190.245 or any person who has failed to
146 renew or has surrendered his or her certificate, permit or
147 license for failure to comply with the provisions of
148 sections ~~[190.100]~~ 190.098 to 190.245 or any lawful
149 regulations promulgated by the department to implement such
150 sections. Those regulations shall be limited to the
151 following:

152 (1) Use or unlawful possession of any controlled
153 substance, as defined in chapter 195, or alcoholic beverage
154 to an extent that such use impairs a person's ability to
155 perform the work of any activity licensed or regulated by
156 sections ~~[190.100]~~ 190.098 to 190.245;

157 (2) Being finally adjudicated and found guilty, or
158 having entered a plea of guilty or nolo contendere, in a
159 criminal prosecution under the laws of any state or of the
160 United States, for any offense reasonably related to the
161 qualifications, functions or duties of any activity licensed
162 or regulated pursuant to sections [190.100] 190.098 to
163 190.245, for any offense an essential element of which is
164 fraud, dishonesty or an act of violence, or for any offense
165 involving moral turpitude, whether or not sentence is
166 imposed;

167 (3) Use of fraud, deception, misrepresentation or
168 bribery in securing any endorsement, certificate, permit or
169 license issued pursuant to sections [190.100] 190.098 to
170 190.245 or in obtaining permission to take any examination
171 given or required pursuant to sections [190.100] 190.098 to
172 190.245;

173 (4) Obtaining or attempting to obtain any fee, charge,
174 tuition or other compensation by fraud, deception or
175 misrepresentation;

176 (5) Incompetency, misconduct, gross negligence, fraud,
177 misrepresentation or dishonesty in the performance of the
178 functions or duties of any activity licensed or regulated by
179 sections [190.100] 190.098 to 190.245;

180 (6) Violation of, or assisting or enabling any person
181 to violate, any provision of sections [190.100] 190.098 to
182 190.245, or of any lawful rule or regulation adopted by the
183 department pursuant to sections [190.100] 190.098 to 190.245;

184 (7) Impersonation of any person holding [a] an
185 endorsement, certificate, permit or license or allowing any
186 person to use his or her endorsement, certificate, permit,
187 license or diploma from any school;

188 (8) Disciplinary action against the holder of a
189 license or other right to practice any activity regulated by

190 sections [190.100] 190.098 to 190.245 granted by another
191 state, territory, federal agency or country upon grounds for
192 which revocation or suspension is authorized in this state;

193 (9) For an individual being finally adjudged insane or
194 incompetent by a court of competent jurisdiction;

195 (10) Assisting or enabling any person to practice or
196 offer to practice any activity licensed or regulated by
197 sections [190.100] 190.098 to 190.245 who is not licensed
198 and currently eligible to practice pursuant to sections
199 [190.100] 190.098 to 190.245;

200 (11) Issuance of [a] an endorsement, certificate,
201 permit or license based upon a material mistake of fact;

202 (12) Violation of any professional trust, confidence,
203 or legally protected privacy rights of a patient by means of
204 an unauthorized or unlawful disclosure;

205 (13) Use of any advertisement or solicitation which is
206 false, misleading or deceptive to the general public or
207 persons to whom the advertisement or solicitation is
208 primarily directed;

209 (14) Violation of the drug laws or rules and
210 regulations of this state, any other state or the federal
211 government;

212 (15) Refusal of any applicant or licensee to respond
213 to reasonable department of health and senior services'
214 requests for necessary information to process an application
215 or to determine license status or license eligibility;

216 (16) Any conduct or practice which is or might be
217 harmful or dangerous to the mental or physical health or
218 safety of a patient or the public;

219 (17) Repeated acts of negligence or recklessness in
220 the performance of the functions or duties of any activity
221 licensed or regulated by sections [190.100] 190.098 to
222 190.245.

223 3. If the department conducts investigations, the
224 department, prior to interviewing a licensee who is the
225 subject of the investigation, shall explain to the licensee
226 that he or she has the right to:

227 (1) Consult legal counsel or have legal counsel
228 present;

229 (2) Have anyone present whom he or she deems to be
230 necessary or desirable; and

231 (3) Refuse to answer any question or refuse to provide
232 or sign any written statement.

233 The assertion of any right listed in this subsection shall
234 not be deemed by the department to be a failure to cooperate
235 with any department investigation.

236 4. After the filing of such complaint, the proceedings
237 shall be conducted in accordance with the provisions of
238 chapter 621. Upon a finding by the administrative hearing
239 commission that the grounds, provided in subsection 2 of
240 this section, for disciplinary action are met, the
241 department may, singly or in combination, censure or place
242 the person named in the complaint on probation on such terms
243 and conditions as the department deems appropriate for a
244 period not to exceed five years, or may suspend, for a
245 period not to exceed three years, or revoke the license,
246 certificate endorsement, or permit. Notwithstanding any
247 provision of law to the contrary, the department shall be
248 authorized to impose a suspension or revocation as a
249 disciplinary action only if it first files the requisite
250 complaint with the administrative hearing commission. The
251 administrative hearing commission shall hear all relevant
252 evidence on remediation activities of the licensee and shall
253 make a recommendation to the department of health and senior
254 services as to licensure disposition based on such evidence.

255 5. An individual whose license has been revoked shall
256 wait one year from the date of revocation to apply for
257 relicensure. Relicensure shall be at the discretion of the
258 department after compliance with all the requirements of
259 sections [190.100] 190.098 to 190.245 relative to the
260 licensing of an applicant for the first time. Any
261 individual whose license has been revoked twice within a ten-
262 year period shall not be eligible for relicensure.

263 6. The department may notify the proper licensing
264 authority of any other state in which the person whose
265 license was suspended or revoked was also licensed of the
266 suspension or revocation.

267 7. Any person, organization, association or
268 corporation who reports or provides information to the
269 department pursuant to the provisions of sections [190.100]
270 190.098 to 190.245 and who does so in good faith shall not
271 be subject to an action for civil damages as a result
272 thereof.

273 8. The department of health and senior services may
274 suspend any endorsement, certificate, permit or license
275 required pursuant to sections [190.100] 190.098 to 190.245
276 simultaneously with the filing of the complaint with the
277 administrative hearing commission as set forth in subsection
278 2 of this section, if the department finds that there is an
279 imminent threat to the public health. The notice of
280 suspension shall include the basis of the suspension and
281 notice of the right to appeal such suspension. The licensee
282 may appeal the decision to suspend the license, certificate
283 endorsement, or permit to the department. The appeal shall
284 be filed within ten days from the date of the filing of the
285 complaint. A hearing shall be conducted by the department
286 within ten days from the date the appeal is filed. The
287 suspension shall continue in effect until the conclusion of

288 the proceedings, including review thereof, unless sooner
289 withdrawn by the department, dissolved by a court of
290 competent jurisdiction or stayed by the administrative
291 hearing commission.

292 590.192. 1. There is hereby established the "Critical
293 Incident Stress Management Program" within the department of
294 public safety. The program shall provide services for peace
295 officers and first responders to assist in coping with
296 stress and potential psychological trauma resulting from a
297 response to a critical incident or emotionally difficult
298 event. Such services may include consultation, risk
299 assessment, education, intervention, and other crisis
300 intervention services provided by the department to peace
301 officers and first responders affected by a critical
302 incident. For purposes of this section, a "critical
303 incident" shall mean any event outside the usual realm of
304 human experience that is markedly distressing or evokes
305 reactions of intense fear, helplessness, or horror and
306 involves the perceived threat to a person's physical
307 integrity or the physical integrity of someone else. For
308 purposes of this section, the term "first responder" shall
309 have the same meaning as first responder in section 190.1010.

310 2. All peace officers and first responders shall be
311 required to meet with a program service provider once every
312 three to five years for a mental health check-in, or a
313 department established behavioral health or mental health
314 program that meets the requirements of subsection 1 which
315 shall satisfy this requirement. The program service
316 provider shall send a notification to the peace officer's
317 commanding officer, or first responder's commanding officer,
318 or first responder's director or supervisor that he or she
319 completed such check-in.

320 3. Any information disclosed by a peace officer or
321 first responder shall be privileged and shall not be used as
322 evidence in criminal, administrative, or civil proceedings
323 against the peace officer or first responder unless:

324 (1) A program representative reasonably believes the
325 disclosure is necessary to prevent harm to a person who
326 received services or to prevent harm to another person;

327 (2) The person who received the services provides
328 written consent to the disclosure; or

329 (3) The person receiving services discloses
330 information that is required to be reported under mandatory
331 reporting laws.

332 4. (1) There is hereby created in the state treasury
333 the "988 Public Safety Fund", which shall consist of moneys
334 appropriated by the general assembly. The state treasurer
335 shall be custodian of the fund. In accordance with sections
336 30.170 and 30.180, the state treasurer may approve
337 disbursements. The fund shall be a dedicated fund and
338 moneys in the fund shall be used solely by the department of
339 public safety for the purposes of providing services for
340 peace officers and first responders to assist in coping with
341 stress and potential psychological trauma resulting from a
342 response to a critical incident or emotionally difficult
343 event pursuant to subsection 1 of this section. Such
344 services may include consultation, risk assessment,
345 education, intervention, and other crisis intervention
346 services provided by the department to peace officers or
347 first responders affected by a critical incident. The
348 director of public safety may prescribe rules and
349 regulations necessary to carry out the provisions of this
350 section. Any rule or portion of a rule, as that term is
351 defined in section 536.010, that is created under the
352 authority delegated in this section shall become effective

353 only if it complies with and is subject to all of the
354 provisions of chapter 536 and, if applicable, section
355 536.028. This section and chapter 536 are nonseverable and
356 if any of the powers vested with the general assembly
357 pursuant to chapter 536 to review, to delay the effective
358 date, or to disapprove and annul a rule are subsequently
359 held unconstitutional, then the grant of rulemaking
360 authority and any rule proposed or adopted after August 28,
361 2021, shall be invalid and void.

362 (2) Notwithstanding the provisions of section 33.080
363 to the contrary, any moneys remaining in the fund at the end
364 of the biennium shall not revert to the credit of the
365 general revenue fund.

366 (3) The state treasurer shall invest moneys in the
367 fund in the same manner as other funds are invested. Any
368 interest and moneys earned on such investments shall be
369 credited to the fund."; and

370 Further amend the title and enacting clause accordingly.