

**SENATE AMENDMENT NO. \_\_\_\_\_**

**TO**

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Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SA# \_\_\_\_\_ to SS/Senate Bill No. 999, Page 3, Section \_\_\_\_\_, Line 71,

2 by inserting immediately after the quote "" on said line  
3 the following:

4 "191.3000. 1. As used in sections 191.3000 to  
5 191.3018, the following terms mean:

6 (1) "Erectile dysfunction", the inability in a man to  
7 have a penile erection due to psychological or organ  
8 dysfunction;

9 (2) "Oligospermia", a condition of suboptimal  
10 concentration of spermatozoa in ejaculated seminal fluid to  
11 ensure successful fertilization of an ovum that can be  
12 caused by hormonal imbalances, genetic issues, lifestyle  
13 factors, and other underlying medical conditions. A sperm  
14 count in a man below twenty million per milliliter of  
15 seminal fluid is considered suboptimal;

16 (3) "Peyronie's disease", a condition characterized by  
17 the hardening of the penis due to the formation of fibrous  
18 plaques on the dorsolateral aspect of the penis, usually  
19 involving the membrane surrounding erectile tissue that may  
20 cause a painful deformity of the shaft or constriction of

21 the urethra, or both. May also be known as "crooked penis  
22 syndrome" or "penile induration";

23 (4) "Varicocele", a condition characterized by dilated  
24 tortuous veins of the spermatic cord with a marked left-  
25 sided predominance, which may lead to adverse effects on  
26 male fertility that occurs when varicocele leads to an  
27 increased scrotal and testicular temperature and reduced  
28 testicular volume;

29 (5) "Vasectomy", a surgical procedure performed on men  
30 in which the vas deferens are cut, tied, cauterized, or  
31 otherwise interrupted in such a manner that the seminal  
32 fluid no longer contains sperm and conception cannot occur.

33 2. No medical treatment or procedure for Peyronie's  
34 disease, varicocele, a vasectomy, erectile dysfunction, or  
35 oligospermia shall be performed on a man without his  
36 voluntary and informed consent, given freely and without  
37 coercion. Consent to such treatment or procedure is  
38 voluntary and informed and given freely and without coercion  
39 if, and only if, at least seventy-two hours prior to the  
40 treatment or procedure:

41 (1) The physician who is to perform the treatment or  
42 procedure has informed the man orally, reduced to writing,  
43 and in person, of the following:

44 (a) The name of the physician who will perform the  
45 treatment or procedure;

46 (b) Medically accurate information that a reasonable  
47 patient would consider material to the decision of whether  
48 or not to undergo the treatment or procedure, including:

49 a. A description of the proposed treatment or  
50 procedure;

51 b. The immediate and long-term medical risks to the  
52 man associated with the proposed treatment or procedure,  
53 including, but not limited to, infection, erectile

54 dysfunction, testicular atrophy, fluid buildup, recurrence,  
55 sperm granuloma, hemotomas, chronic pain, hemorrhage,  
56 sensation loss, penile shortening, loss of fertility, and  
57 possible adverse psychological effects associated with the  
58 treatment or procedure; and

59 c. The immediate and long-term medical risks to the  
60 man, in light of the anesthesia and medication that is to be  
61 administered and the man's medical history and medical  
62 condition;

63 (c) A statement that the physician performing the  
64 procedure or treatment is available for any questions  
65 concerning the procedure or treatment, together with the  
66 telephone number that the physician may be later reached to  
67 answer any questions that the man may have; and

68 (d) The location of the hospital that offers  
69 reproductive health care for men located within thirty miles  
70 of the location where the treatment or procedure is  
71 performed and at which the physician performing the  
72 treatment or procedure has clinical privileges and where the  
73 man may receive follow-up care by the physician if  
74 complications arise;

75 (2) The physician who is to perform the treatment or  
76 procedure has presented the man, in person, printed  
77 materials provided by the department of health and senior  
78 services, which describe the various surgical and drug-  
79 induced methods of treatment for the condition for which he  
80 is seeking care, as well as the immediate and long-term  
81 medical risks commonly associated with each treatment or  
82 procedure, including, but not limited to, infection,  
83 erectile dysfunction, testicular atrophy, fluid buildup,  
84 recurrence, sperm granuloma, hemotomas, chronic pain,  
85 hemorrhage, sensation loss, penile shortening, loss of

86 fertility, and possible adverse psychological effects  
87 associated with the treatment or procedure;

88 (3) The physician who is to perform the treatment or  
89 procedure shall provide the man with the opportunity to  
90 view, at least seventy-two hours prior to the treatment or  
91 procedure, an active ultrasound of the affected area for  
92 which he is seeking care. The man shall be provided with a  
93 geographically indexed list maintained by the department of  
94 health care providers, facilities, and clinics that perform  
95 ultrasounds, including those that offer ultrasound services  
96 free of charge. Such materials shall provide contact  
97 information for each provider, facility, or clinic including  
98 telephone numbers and, if available, website addresses.  
99 Should the man decide to obtain an ultrasound from a  
100 provider, facility, or clinic other than the facility  
101 providing the treatment or procedure, the man shall be  
102 offered a reasonable time to obtain the ultrasound  
103 examination before the date and time set for performing the  
104 treatment or procedure. The person conducting the  
105 ultrasound shall ensure that the active ultrasound image is  
106 of a quality consistent with standard medical practice in  
107 the community and accurately portrays the affected region of  
108 the man's body for which care is being sought;

109 (4) The printed materials provided by the department  
110 shall include information on the possibility of the  
111 treatment or procedure causing pain in the affected region.  
112 This information shall include, but need not be limited to,  
113 a description of the actual steps in the treatment or  
114 procedure to be performed and at which steps the treatment  
115 or procedure could be painful to the man; and

116 (5) The physician who is to perform the treatment or  
117 procedure shall inform the man that he is free to withhold  
118 or withdraw his consent to the treatment or procedure at any

119 time without affecting his right to future care or treatment  
120 and without the loss of any state or federally funded  
121 benefits to which he might otherwise be entitled.

122 3. All information required to be provided to a man  
123 considering treatment or a procedure for Peyronie's disease,  
124 varicocele, a vasectomy, erectile dysfunction, or  
125 oligospermia by subsection 2 of this section shall be  
126 presented by the treating physician to the man individually,  
127 in the physical presence of the man and in a private room,  
128 to protect his privacy, to maintain the confidentiality of  
129 his decision, to ensure that the information focuses on his  
130 individual circumstances, to ensure he has an adequate  
131 opportunity to ask questions, and to ensure that he is not a  
132 victim of a coerced treatment or procedure. Should a man be  
133 unable to read materials provided to him, they shall be read  
134 to him. Should a man need an interpreter to understand the  
135 information presented in the written materials, an  
136 interpreter shall be provided to him. Should a man ask  
137 questions concerning any of the information or materials,  
138 answers shall be provided in a language he can understand.

139 4. No treatment or procedure for Peyronie's disease,  
140 varicocele, a vasectomy, erectile dysfunction, or  
141 oligospermia shall be performed unless and until the man  
142 upon whom the treatment or procedure is to be performed  
143 certifies in writing on a checklist form provided by the  
144 department that he has been presented all the information  
145 required in subsection 2 of this section, that he has been  
146 provided the opportunity to view an active ultrasound image  
147 of the affected area, and that he further certifies that he  
148 gives his voluntary and informed consent, freely and without  
149 coercion, to the treatment or procedure.

150 5. No treatment or procedure for Peyronie's disease,  
151 varicocele, a vasectomy, erectile dysfunction, or

152 oligospermia shall be performed unless it is performed by a  
153 physician and unless and until the physician has obtained  
154 from the man his voluntary and informed consent given freely  
155 and without coercion. If the physician has reason to  
156 believe that the man is being coerced into having the  
157 treatment or procedure, the physician shall inform the man  
158 that services are available for him and shall provide him  
159 with private access to a telephone and information about  
160 such services, including, but not limited to, the following:  
161 (1) Rape crisis centers, as defined in section 455.003;  
162 (2) Shelters for victims of domestic violence, as  
163 defined in section 455.200; and  
164 (3) Orders of protection, pursuant to chapter 455.  
165 6. The physician who is to perform the treatment or  
166 procedure shall, at least seventy-two hours prior to such  
167 treatment or procedure, inform the man orally and in person  
168 of:  
169 (1) The immediate and long-term medical risks to the  
170 man associated with the proposed treatment or procedure  
171 method, including, but not limited to, infection, erectile  
172 dysfunction, testicular atrophy, fluid buildup, recurrence,  
173 sperm granuloma, hemotomas, chronic pain, hemorrhage,  
174 sensation loss, penile shortening, loss of fertility, and  
175 possible adverse psychological effects associated with the  
176 treatment or procedure; and  
177 (2) The immediate and long-term medical risks to the  
178 man, in light of the anesthesia and medication that is to be  
179 administered and the man's medical history and medical  
180 condition.  
181 7. No physician shall perform any treatment or  
182 procedure for Peyronie's disease, varicocele, a vasectomy,  
183 erectile dysfunction, or oligospermia unless and until the  
184 physician has received and signed a copy of the form

185 prescribed in subsection 4 of this section. The physician  
186 shall retain a copy of the form in the patient's medical  
187 record.

188 8. No person or entity shall require, obtain, or  
189 accept payment for any treatment or procedure for Peyronie's  
190 disease, varicocele, a vasectomy, erectile dysfunction, or  
191 oligospermia from or on behalf of a patient until at least  
192 seventy-two hours have passed since the time that the  
193 information required by subsection 2 of this section has  
194 been provided to the patient. Nothing in this subsection  
195 shall prohibit a person or entity from notifying the patient  
196 that payment for the treatment or procedure will be required  
197 after the seventy-two-hour period has expired if he  
198 voluntarily chooses to have the treatment or procedure.

199 9. By November 30, 2026, the department shall produce  
200 the written materials and forms described in this section.  
201 Any written materials produced shall be printed in a  
202 typeface large enough to be clearly legible. All  
203 information shall be presented in an objective, unbiased  
204 manner designed to convey only accurate scientific and  
205 medical information. The department shall furnish the  
206 written materials and forms at no cost and in sufficient  
207 quantity to any person who performs any treatment or  
208 procedure for Peyronie's disease, varicocele, a vasectomy,  
209 erectile dysfunction, or oligospermia, or to any hospital or  
210 facility that provides such treatment or procedures. The  
211 department shall make all information required by subsection  
212 2 of this section available to the public through its  
213 department website. The department shall maintain a toll-  
214 free, twenty-four-hour hotline telephone number where a  
215 caller can obtain information on a regional basis concerning  
216 the agencies and services described in subsection 2 of this  
217 section. No identifying information regarding persons who

218 use the website shall be collected or maintained. The  
219 department shall monitor the website on a regular basis to  
220 prevent tampering and correct any operational deficiencies.

221 10. In order to preserve the compelling interest of  
222 the state to ensure that the choice to consent to any  
223 treatment or procedure for Peyronie's disease, varicocele, a  
224 vasectomy, erectile dysfunction, or oligospermia is  
225 voluntary and informed, and given freely and without  
226 coercion, the department shall use the procedures for  
227 adoption of emergency rules under section 536.025 in order  
228 to promulgate all necessary rules, forms, and other  
229 necessary material to implement this section by November 30,  
230 2026.

231 191.3003. 1. No person shall knowingly perform any  
232 medical treatment or procedure for Peyronie's disease,  
233 varicocele, a vasectomy, erectile dysfunction, or  
234 oligospermia upon a man under the age of eighteen years  
235 unless:

236 (1) The physician performing the treatment or  
237 procedure has secured the informed written consent of the  
238 minor and one parent or guardian, and the consenting parent  
239 or guardian of the minor has notified any other custodial  
240 parent in writing prior to the securing of the informed  
241 written consent of the minor and one parent or guardian.  
242 For purposes of this subdivision, "custodial parent" shall  
243 only mean a parent of a minor who has been awarded joint  
244 legal custody or joint physical custody of such minor by a  
245 court of competent jurisdiction. Notice shall not be  
246 required for any parent:

247 (a) Who has been found guilty of any offense in  
248 violation of chapter 565, relating to offenses against the  
249 person; chapter 566, relating to sexual offenses; chapter  
250 567, relating to prostitution; chapter 568, relating to

251 offenses against the family; or chapter 573, related to  
252 pornography and related offenses, if a child was a victim;

253 (b) Who has been found guilty of any offense in any  
254 other state or foreign country, or under federal, tribal, or  
255 military jurisdiction if a child was a victim, which would  
256 be a violation of chapters 565, 566, 567, 568, or 573 if  
257 committed in this state;

258 (c) Who is listed on the sexual offender registry  
259 under sections 589.400 to 589.425;

260 (d) Against whom an order of protection has been  
261 issued, including a foreign order of protection given full  
262 faith and credit in this state under section 455.067;

263 (e) Whose custodial, parental, or guardianship rights  
264 have been terminated by a court of competent jurisdiction; or

265 (f) Whose whereabouts are unknown after reasonable  
266 inquiry, who is a fugitive from justice, who is habitually  
267 in an intoxicated or drugged condition, or who has been  
268 declared mentally incompetent or incapacitated by a court of  
269 competent jurisdiction;

270 (2) The minor is emancipated and the physician has  
271 received the informed written consent of the minor;

272 (3) The minor has been granted the right to self-  
273 consent to the treatment or procedure by court order  
274 pursuant to subsection 2 of this section, and the physician  
275 has received the informed written consent of the minor; or

276 (4) The minor has been granted consent to the  
277 treatment or procedure by court order, and the court has  
278 given its informed written consent in accordance with  
279 subsection 2 of this section, and the minor is having the  
280 treatment or procedure willingly, in compliance with  
281 subsection 3 of this section.

282 2. The right of a minor to self-consent to any  
283 treatment or procedure under subdivision (3) of subsection 1

284 of this section or court consent under subdivision (4) of  
285 subsection 1 of this section may be granted by a court  
286 pursuant to the following procedures:

287 (1) The minor or next friend shall make an application  
288 to the juvenile court which shall assist the minor or next  
289 friend in preparing the petition and notices required  
290 pursuant to this section. The minor or the next friend of  
291 the minor shall thereafter file a petition setting forth the  
292 initials of the minor; the age of the minor; the names and  
293 addresses of each parent, guardian, or, if the minor's  
294 parents are deceased and no guardian has been appointed, any  
295 other person standing in loco parentis of the minor; that  
296 the minor has been fully informed of the risks and  
297 consequences of the treatment or procedure; that the minor  
298 is of sound mind and has sufficient intellectual capacity to  
299 consent to the treatment or procedure; that, if the court  
300 does not grant the minor majority rights for the purpose of  
301 consent to the treatment or procedure, the court should find  
302 that the treatment or procedure is in the best interest of  
303 the minor and give judicial consent to the treatment or  
304 procedure; that the court should appoint a guardian ad litem  
305 of the child; and if the minor does not have private  
306 counsel, that the court should appoint counsel. The  
307 petition shall be signed by the minor or the next friend;

308 (2) A hearing on the merits of the petition, to be  
309 held on the record, shall be held as soon as possible within  
310 five days of the filing of the petition. If any party is  
311 unable to afford counsel, the court shall appoint counsel at  
312 least twenty-four hours before the time of the hearing. At  
313 the hearing, the court shall hear evidence relating to the  
314 emotional development, maturity, intellect and understanding  
315 of the minor; the nature and possible consequences to the  
316 treatment or procedure; and any other evidence that the

317 court may find useful in determining whether the minor  
318 should be granted majority rights for the purpose of  
319 consenting to the treatment or procedure or whether the  
320 treatment or procedure is in the best interests of the minor;

321 (3) In the decree, the court shall for good cause:

322 (a) Grant the petition for majority rights for the  
323 purpose of consenting to the treatment or procedure;

324 (b) Find the treatment or procedure to be in the best  
325 interests of the minor and give judicial consent to the  
326 treatment or procedure, setting forth the grounds for so  
327 finding; or

328 (c) Deny the petition, setting forth the grounds on  
329 which the petition is denied;

330 (4) If the petition is allowed, the informed consent  
331 of the minor, pursuant to a court grant of majority rights,  
332 or the judicial consent, shall bar an action by the parents  
333 or guardian of the minor on the grounds of battery of the  
334 minor by those performing the treatment or procedure. The  
335 immunity granted shall only extend to the performance of the  
336 treatment or procedure in accordance herewith and any  
337 necessary accompanying services that are performed in a  
338 competent manner. The costs of the action shall be borne by  
339 the parties;

340 (5) An appeal from an order issued under the  
341 provisions of this section may be taken to the court of  
342 appeals of this state by the minor or by a parent or  
343 guardian of the minor. The notice of intent to appeal shall  
344 be given within twenty-four hours from the date of issuance  
345 of the order. The record on appeal shall be completed and  
346 the appeal shall be perfected within five days from the  
347 filing of notice to appeal. Because time may be of the  
348 essence regarding the performance of the treatment or  
349 procedure, the supreme court of this state shall, by court

350 rule, provide for expedited appellate review of cases  
351 appealed under this section.

352 3. If a minor desires any treatment or procedure for  
353 Peyronie's disease, varicocele, a vasectomy, erectile  
354 dysfunction, or oligospermia, then he shall be orally  
355 informed of and, if possible, sign the written consent  
356 required under this section in the same manner as an adult  
357 person. No treatment or procedure shall be performed or  
358 induced on any minor against his will.

359 191.3006. 1. No person shall perform any treatment or  
360 procedure for Peyronie's disease, varicocele, a vasectomy,  
361 erectile dysfunction, or oligospermia on another unless such  
362 person has medical malpractice insurance with coverage  
363 amounts of at least one million dollars per occurrence and  
364 three million dollars in the annual aggregate.

365 2. For the purpose of this section, "medical  
366 malpractice insurance" means insurance coverage against the  
367 legal liability of the insured and against loss, damage, or  
368 expense incident to a claim arising out of the death or  
369 injury of any person as a result of the negligence or  
370 malpractice in rendering professional service by any health  
371 care provider.

372 3. No health care facility or hospital shall employ or  
373 engage the services of a person to perform any treatment or  
374 procedure for Peyronie's disease, varicocele, a vasectomy,  
375 erectile dysfunction, or oligospermia on another if the  
376 person does not have medical malpractice insurance pursuant  
377 to this section, except that the facility or hospital may  
378 provide medical malpractice insurance for the services of  
379 persons employed or engaged by such facility or hospital  
380 that is no less than the coverage amounts set forth in this  
381 section.

382           4. Notwithstanding the provisions of section 334.100  
383 to the contrary, failure of a person to maintain the medical  
384 malpractice insurance required by this section shall be an  
385 additional ground for sanctioning of a person's license,  
386 certificate, or permit.

387           191.3009. 1. All tissue, except that tissue needed  
388 for purposes described in subsection 2 of this section,  
389 removed at the time of any treatment or procedure for  
390 Peyronie's disease, varicocele, a vasectomy, erectile  
391 dysfunction, or oligospermia shall be submitted within five  
392 days to a board-eligible or certified pathologist for gross  
393 and histopathological examination. The pathologist shall  
394 file a copy of the tissue report with the department of  
395 health and senior services, and shall provide within seventy-  
396 two hours a copy of the report to the health care facility  
397 or hospital in which the treatment or procedure was  
398 performed. The pathologist's report shall be made a part of  
399 the patient's permanent record.

400           2. Nothing in this section shall prohibit the  
401 utilization of organs or tissue resulting from any treatment  
402 or procedure for Peyronie's disease, varicocele, vasectomy,  
403 erectile dysfunction, or oligospermia for medical or  
404 scientific purposes to determine the cause or causes of any  
405 anomaly or illness.

406           3. The department may adopt rules, regulations, and  
407 standards governing the reports required under this  
408 section. In doing so, the department shall ensure that  
409 these reports contain all information necessary to ensure  
410 compliance with all applicable laws and regulations. Any  
411 rule or portion of a rule, as that term is defined in  
412 section 536.010, that is created under the authority  
413 delegated in this section shall become effective only if it  
414 complies with and is subject to all of the provisions of

415 chapter 536 and, if applicable, section 536.028. This  
416 section and chapter 536 are nonseverable and if any of the  
417 powers vested with the general assembly pursuant to chapter  
418 536 to review, to delay the effective date, or to disapprove  
419 and annul a rule are subsequently held unconstitutional,  
420 then the grant of rulemaking authority and any rule proposed  
421 or adopted after August 28, 2026, shall be invalid and void.

422 191.3012. 1. It shall be unlawful for any public  
423 funds to be expended for the purpose of performing or  
424 assisting any treatment or procedure for Peyronie's disease,  
425 varicocele, a vasectomy, erectile dysfunction, or  
426 oligospermia or for the purpose of encouraging or counseling  
427 a man to have any such treatment or procedure.

428 2. As used in this section, "public funds" shall mean  
429 any funds received or controlled by this state or any agency  
430 or political subdivision thereof, including, but not limited  
431 to, funds derived from federal, state or local taxes, gifts  
432 or grants from any source, public or private, federal grants  
433 or payments, or intergovernmental transfers.

434 191.3015. 1. Any person who, contrary to the  
435 provisions of sections 191.3000 to 191.3018, knowingly  
436 performs or aids in the performance of any treatment or  
437 procedure for Peyronie's disease, varicocele, a vasectomy,  
438 erectile dysfunction, or oligospermia or knowingly fails to  
439 perform any action required by sections 191.3000 to 191.3018  
440 shall be guilty of a class A misdemeanor, unless a different  
441 penalty is provided for in state law, and, upon conviction,  
442 shall be punished as provided by law.

443 2. The attorney general shall have concurrent original  
444 jurisdiction throughout the state, along with each  
445 prosecuting attorney and circuit attorney within their  
446 respective jurisdictions, to commence actions for a  
447 violation of any provision of sections 191.3000 to

448 191.3018. The attorney general, or prosecuting attorney or  
449 circuit attorney within their respective jurisdictions, may  
450 seek injunctive or other relief against any person who, or  
451 entity which, is in violation of any provision of sections  
452 191.3000 to 191.3018.

453 191.3018. Any person who is not a physician who  
454 performs or attempts to perform any treatment or procedure  
455 for Peyronie's disease, varicocele, a vasectomy, erectile  
456 dysfunction, or oligospermia on another is guilty of a class  
457 B felony, and, upon conviction, shall be punished as  
458 provided by law. Any physician performing any treatment or  
459 procedure for Peyronie's disease, varicocele, a vasectomy,  
460 erectile dysfunction, or oligospermia who does not have  
461 clinical privileges at a hospital which offers reproductive  
462 health care for men located within thirty miles of the  
463 location at which the treatment or procedure is performed or  
464 induced shall be guilty of a class A misdemeanor, and, upon  
465 conviction shall be punished as provided by law."