

FIRST REGULAR SESSION

HOUSE BILL NO. 712

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOLON.

1570H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to hospital patient status notice requirements.

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
2 known as section 197.130, to read as follows:

**197.130. 1. All hospitals licensed under this chapter shall provide oral and written
2 notice to each patient regarding whether the patient is admitted to the hospital under
3 inpatient status or observational status:**

- 4 **(1) During the intake process;**
- 5 **(2) At any time the patient's status changes; and**
- 6 **(3) Upon discharge.**

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8 **Upon discharge the hospital shall provide oral and written notice to the patient regarding**
9 **the duration of the patient's inpatient status, observational status, or both.**

10 **2. Each oral and written notice shall include:**

11 **(1) A statement regarding whether the patient is being admitted to the hospital**
12 **under inpatient status or observational status;**

13 **(2) A statement that observation status may affect the patient's Medicare, MO**
14 **HealthNet, or private insurance coverage for hospital services including medications and**
15 **pharmaceutical supplies and for home- and community-based care or rehabilitative**
16 **services at a skilled nursing facility if needed upon discharge from the hospital; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(3) A recommendation that the patient contact his or her health insurance provider**
18 **to better understand the implications of a patient’s placement in observation status.**

19 **3. Each written notice shall include the name and title of the hospital representative**
20 **who gave oral notice, the date and time oral notice was given, and the signature of the**
21 **hospital representative. Each written notice shall be signed and dated by the patient or his**
22 **or her legal guardian or authorized representative, if applicable, to verify receipt and**
23 **understanding of the oral and written notice.**

24 **4. Oral and written notice shall be provided in a manner that is understood by the**
25 **patient. If the patient lacks the capacity to understand the medical or financial**
26 **implications of his or her patient status, the oral and written notice shall be provided to his**
27 **or her legal guardian or authorized representative.**

28 **5. The department of health and senior services shall promulgate rules to**
29 **implement the provisions of this section and shall develop an acknowledgment form to**
30 **meet the written notice requirements of this section. Any rule or portion of a rule, as that**
31 **term is defined in section 536.010, that is created under the authority delegated in this**
32 **section shall become effective only if it complies with and is subject to all of the provisions**
33 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
34 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
35 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
36 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
37 **proposed or adopted after August 28, 2015, shall be invalid and void.**

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