

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 159

99TH GENERAL ASSEMBLY

0438H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 340, RSMo, by adding thereto one new section relating to actions against veterinarians.

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

Section A. Chapter 340, RSMo, is amended by adding thereto one new section, to be
2 known as section 340.285, to read as follows:

**340.285. All actions against veterinarians treating animals and any other entity
2 providing veterinary services for animals, and all employees of any of the foregoing acting
3 in the course and scope of their employment, for damages for malpractice, negligence,
4 error, or mistake related to the veterinary care of animals shall be brought within two
5 years from the date of occurrence of the act of neglect complained of, except that:**

6 **(1) In cases in which the act of neglect complained of is introducing and negligently
7 permitting any foreign object to remain within the body of a living animal, the action shall
8 be brought within two years from the date of the discovery of such alleged negligence or
9 from the date on which the owner of an animal in the exercise of ordinary care should have
10 discovered such alleged negligence, whichever date occurs first; and**

11 **(2) In cases in which the act of neglect complained of is the negligent failure to
12 inform, the action shall be brought within two years from the date of the discovery of such
13 alleged negligent failure to inform or from the date on which the owner of the animal in
14 the exercise of ordinary care should have discovered such alleged negligent failure to
15 inform, whichever date first occurs; except that, no such action shall be brought for any
16 negligent failure to inform about the results of medical tests performed more than two
17 years before August 28, 2017. For purposes of this subdivision, the act of neglect based on**

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.

- 18 **the negligent failure to inform the owner of the animal of the results of medical tests shall**
19 **not include the act of informing the owner of the animal of erroneous test results.**

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