

FIRST REGULAR SESSION

HOUSE BILL NO. 393

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAAHR.

1098H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 334.153, RSMo, and to enact in lieu thereof one new section relating to intervention pain management.

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

Section A. Section 334.153, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 334.153, to read as follows:

334.153. 1. No person other than a physician licensed under this chapter shall perform the following interventions in the course of diagnosing or treating pain which is chronic, persistent and intractable, or occurs outside of a surgical, obstetrical, or postoperative course of care:

(1) Ablation of targeted nerves;

(2) Percutaneous precision needle placement within the spinal column with placement of drugs, such as local anesthetics, steroids, and analgesics, in the spinal column under fluoroscopic guidance. The provisions of this subdivision shall not apply to interlaminar lumbar epidural injections performed in a hospital as defined in section 197.020 or an ambulatory surgery center as defined in section 197.200 if the standard of care for Medicare reimbursement for interlaminar or translaminar lumbar epidural injections is changed after August 28, 2012, to allow reimbursement only with the use of image guidance; or

(3) Laser or endoscopic discectomy, or the surgical placement of intrathecal infusion pumps, and or spinal cord stimulators.

2. Nothing in this section shall be construed to prohibit or restrict the performance of surgical or obstetrical anesthesia services or postoperative pain control by a certified registered

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 nurse anesthetist pursuant to subsection 7 of section 334.104 or by an anesthesiologist assistant
18 licensed pursuant to sections 334.400 to [334.434] **334.430**.

19 3. The state board of registration for the healing arts may promulgate rules to implement
20 the provisions of this section, except that such authority shall not apply to rulemaking authority
21 to define or regulate the scope of practice of certified registered nurse anesthetists. Any rule or
22 portion of a rule, as that term is defined in section 536.010, that is created under the authority
23 delegated in this section shall become effective only if it complies with and is subject to all of
24 the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
25 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter
26 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
27 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
28 August 28, 2012, shall be invalid and void.

29 [4. The provisions of this section shall automatically expire four years after August 28,
30 2012, unless reauthorized by an act of the general assembly.]

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