

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 24

102ND GENERAL ASSEMBLY
2023

1080H.08T

AN ACT

To repeal sections 67.145, 70.631, 105.500, 135.327, 135.331, 135.333, 170.310, 190.091, 190.100, 190.103, 190.134, 190.142, 190.147, 190.255, 190.327, 190.460, 192.2405, 195.206, 197.020, 208.1032, 285.040, 287.067, 287.245, 287.715, 320.336, 320.400, 321.225, 321.620, 537.037, 595.209, 650.320, 650.330, 650.335, and 650.340, RSMo, and section 192.530 as truly agreed to and finally passed by senate substitute for house bill no. 402, one hundred second general assembly, first regular session, and to enact in lieu thereof thirty-seven new sections relating to vulnerable persons.

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

Section A. Sections 67.145, 70.631, 105.500, 135.327,
2 135.331, 135.333, 170.310, 190.091, 190.100, 190.103, 190.134,
3 190.142, 190.147, 190.255, 190.327, 190.460, 192.2405, 195.206,
4 197.020, 208.1032, 285.040, 287.067, 287.245, 287.715, 320.336,
5 320.400, 321.225, 321.620, 537.037, 595.209, 650.320, 650.330,
6 650.335, and 650.340, RSMo, and section 192.530 as truly agreed
7 to and finally passed by senate substitute for house bill no.
8 402, one hundred second general assembly, first regular
9 session, are repealed and thirty-seven new sections enacted in
10 lieu thereof, to be known as sections 67.145, 70.631, 105.500,
11 135.327, 135.331, 135.333, 161.244, 170.310, 190.091, 190.100,
12 190.103, 190.142, 190.147, 190.255, 190.327, 190.460, 190.1010,
13 192.2405, 195.206, 197.020, 208.1032, 285.040, 287.067,

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 287.245, 287.715, 320.336, 320.400, 321.225, 321.620, 537.037,
15 579.088, 595.209, 650.320, 650.330, 650.335, 650.340, and 1, to
16 read as follows:

67.145. 1. No political subdivision of this state
2 shall prohibit any first responder from engaging in any
3 political activity while off duty and not in uniform, being
4 a candidate for elected or appointed public office, or
5 holding such office unless such political activity or
6 candidacy is otherwise prohibited by state or federal law.

7 2. As used in this section, "first responder" means
8 any person trained and authorized by law or rule to render
9 emergency medical assistance or treatment. Such persons may
10 include, but shall not be limited to, emergency first
11 responders, **telecommunicator first responders**, police
12 officers, sheriffs, deputy sheriffs, firefighters,
13 [ambulance attendants and attendant drivers,] emergency
14 medical technicians, [mobile emergency medical technicians,
15 emergency medical technician-paramedics,] registered nurses,
16 or physicians.

70.631. 1. Each political subdivision may, by
2 majority vote of its governing body, elect to cover
3 [emergency telecommunicators] **telecommunicator first**
4 **responders**, jailors, and emergency medical service personnel
5 as public safety personnel members of the system. The clerk
6 or secretary of the political subdivision shall certify an
7 election concerning the coverage of [emergency
8 telecommunicators] **telecommunicator first responders**,
9 jailors, and emergency medical service personnel as public
10 safety personnel members of the system to the board within
11 ten days after such vote. The date in which the political
12 subdivision's election becomes effective shall be the first
13 day of the calendar month specified by such governing body,

14 the first day of the calendar month next following receipt
15 by the board of the certification of the election, or the
16 effective date of the political subdivision's becoming an
17 employer, whichever is the latest date. Such election shall
18 not be changed after the effective date. If the election is
19 made, the coverage provisions shall be applicable to all
20 past and future employment with the employer by present and
21 future employees. If a political subdivision makes no
22 election under this section, no [emergency] telecommunicator
23 **first responder**, jailor, or emergency medical service
24 personnel of the political subdivision shall be considered
25 public safety personnel for purposes determining a minimum
26 service retirement age as defined in section 70.600.

27 2. If an employer elects to cover [emergency
28 telecommunicators] **telecommunicator first responders**,
29 jailors, and emergency medical service personnel as public
30 safety personnel members of the system, the employer's
31 contributions shall be correspondingly changed effective the
32 same date as the effective date of the political
33 subdivision's election.

34 3. The limitation on increases in an employer's
35 contributions provided by subsection 6 of section 70.730
36 shall not apply to any contribution increase resulting from
37 an employer making an election under the provisions of this
38 section.

105.500. For purposes of sections 105.500 to 105.598,
2 unless the context otherwise requires, the following words
3 and phrases mean:

4 (1) "Bargaining unit", a unit of public employees at
5 any plant or installation or in a craft or in a function of
6 a public body that establishes a clear and identifiable
7 community of interest among the public employees concerned;

8 (2) "Board", the state board of mediation established
9 under section 295.030;

10 (3) "Department", the department of labor and
11 industrial relations established under section 286.010;

12 (4) "Exclusive bargaining representative", an
13 organization that has been designated or selected, as
14 provided in section 105.575, by a majority of the public
15 employees in a bargaining unit as the representative of such
16 public employees in such unit for purposes of collective
17 bargaining;

18 (5) "Labor organization", any organization, agency, or
19 public employee representation committee or plan, in which
20 public employees participate and that exists for the
21 purpose, in whole or in part, of dealing with a public body
22 or public bodies concerning collective bargaining,
23 grievances, labor disputes, wages, rates of pay, hours of
24 employment, or conditions of work;

25 (6) "Public body", the state of Missouri, or any
26 officer, agency, department, bureau, division, board or
27 commission of the state, or any other political subdivision
28 or special district of or within the state. Public body
29 shall not include the department of corrections;

30 (7) "Public employee", any person employed by a public
31 body;

32 (8) "Public safety labor organization", a labor
33 organization wholly or primarily representing persons
34 trained or authorized by law or rule to render emergency
35 medical assistance or treatment, including, but not limited
36 to, firefighters, [ambulance attendants, attendant drivers,]
37 emergency medical technicians, [emergency medical technician
38 paramedics,] dispatchers, registered nurses and physicians,
39 and persons who are vested with the power of arrest for

40 criminal code violations including, but not limited to,
41 police officers, sheriffs, and deputy sheriffs.

135.327. 1. Any person residing in this state who
2 legally adopts a special needs child on or after January 1,
3 1988, and before January 1, 2000, shall be eligible to
4 receive a tax credit of up to ten thousand dollars for
5 nonrecurring adoption expenses for each child adopted that
6 may be applied to taxes due under chapter 143. Any business
7 entity providing funds to an employee to enable that
8 employee to legally adopt a special needs child shall be
9 eligible to receive a tax credit of up to ten thousand
10 dollars for nonrecurring adoption expenses for each child
11 adopted that may be applied to taxes due under such business
12 entity's state tax liability, except that only one ten
13 thousand dollar credit is available for each special needs
14 child that is adopted.

15 2. Any person residing in this state who proceeds in
16 good faith with the adoption of a special needs child on or
17 after January 1, 2000, and before January 1, 2022, shall be
18 eligible to receive a tax credit of up to ten thousand
19 dollars for nonrecurring adoption expenses for each child
20 that may be applied to taxes due under chapter 143;
21 provided, however, that beginning on March 29, 2013, the tax
22 credits shall only be allocated for the adoption of special
23 needs children who are residents or wards of residents of
24 this state at the time the adoption is initiated. Any
25 business entity providing funds to an employee to enable
26 that employee to proceed in good faith with the adoption of
27 a special needs child shall be eligible to receive a tax
28 credit of up to ten thousand dollars for nonrecurring
29 adoption expenses for each child that may be applied to
30 taxes due under such business entity's state tax liability,

31 except that only one ten thousand dollar credit is available
32 for each special needs child that is adopted.

33 3. Any person residing in this state who proceeds in
34 good faith with the adoption of a child on or after January
35 1, 2022, regardless of whether such child is a special needs
36 child, shall be eligible to receive a tax credit of up to
37 ten thousand dollars for nonrecurring adoption expenses for
38 each child that may be applied to taxes due under chapter
39 143. The tax credit shall be allowed regardless of whether
40 the child adopted is a resident or ward of a resident of
41 this state at the time the adoption is initiated; however,
42 **for all fiscal years ending on or before June 30, 2024,**
43 priority shall be given to applications to claim the tax
44 credit for special needs children who are residents or wards
45 of residents of this state at the time the adoption is
46 initiated. Any business entity providing funds to an
47 employee to enable that employee to proceed in good faith
48 with the adoption of a child shall be eligible to receive a
49 tax credit of up to ten thousand dollars for nonrecurring
50 adoption expenses for each child that may be applied to
51 taxes due under such business entity's state tax liability;
52 except that, only one credit, up to ten thousand dollars,
53 shall be available for each child who is adopted.

54 4. Individuals and business entities may claim a tax
55 credit for their total nonrecurring adoption expenses in
56 each year that the expenses are incurred. A claim for fifty
57 percent of the credit shall be allowed when the child is
58 placed in the home. A claim for the remaining fifty percent
59 shall be allowed when the adoption is final. The total of
60 these tax credits shall not exceed the maximum limit of ten
61 thousand dollars per child. **For all tax years beginning on**
62 **or after January 1, 2024, the total of these tax credits**

63 **allowed per child shall be adjusted annually for increases**
64 **in cost-of-living, if any, as of the preceding July over the**
65 **level of July of the immediately preceding year of the**
66 **Consumer Price Index for All Urban Consumers.** The
67 cumulative amount of tax credits which may be claimed by
68 taxpayers claiming the credit for nonrecurring adoption
69 expenses in any one fiscal year prior to July 1, 2004, shall
70 not exceed two million dollars. The cumulative amount of
71 tax credits that may be claimed by taxpayers claiming the
72 credit for nonrecurring adoption expenses shall not be more
73 than two million dollars but may be increased by
74 appropriation in any fiscal year beginning on or after July
75 1, 2004, and ending on or before June 30, 2021. The
76 cumulative amount of tax credits that may be claimed by
77 taxpayers claiming the credit for nonrecurring adoption
78 expenses shall not exceed six million dollars in any fiscal
79 year beginning on or after July 1, 2021, **and ending on or**
80 **before June 30, 2024. For all fiscal years beginning on or**
81 **after July 1, 2024, there shall be no limit imposed on the**
82 **cumulative amount of tax credits that may be claimed by**
83 **taxpayers claiming the credit for nonrecurring adoption**
84 **expenses.** For all fiscal years beginning on or after July
85 1, 2006, applications to claim the adoption tax credit shall
86 be filed between July first and April fifteenth of each
87 fiscal year.

88 5. Notwithstanding any provision of law to the
89 contrary, any individual or business entity may assign,
90 transfer or sell tax credits allowed in this section. Any
91 sale of tax credits claimed pursuant to this section shall
92 be at a discount rate of seventy-five percent or greater of
93 the amount sold.

135.331. No credit shall be allowable for the adoption
2 of any child who has attained the age of eighteen, unless it
3 has been determined that the child has a medical condition
4 or [handicap] **disability** that would limit the child's
5 ability to live independently of the adoptive parents.

135.333. 1. **(1) For tax years beginning on or before**
2 **December 31, 2023**, any amount of tax credit which exceeds
3 the tax due or which is applied for and otherwise eligible
4 for issuance but not issued shall not be refunded but may be
5 carried over to any subsequent [taxable] **tax** year, not to
6 exceed a total of five years for which a tax credit may be
7 taken for each child adopted.

8 **(2) For all tax years beginning on or after January 1,**
9 **2024**, any amount of tax credit that is issued and which
10 **exceeds the tax due shall be refunded to the taxpayer;**
11 **however, any tax credits carried forward from tax years**
12 **beginning on or before December 31, 2023, shall not be**
13 **refundable.**

14 2. Tax credits that are assigned, transferred or sold
15 as allowed in section 135.327 may be assigned, transferred
16 or sold in their entirety notwithstanding the taxpayer's tax
17 due.

161.244. 1. **As used in this section, the following**
2 **terms mean:**

3 **(1) "Early childhood education services", programming**
4 **or services intended to effect positive developmental**
5 **changes in children prior to their entry into kindergarten;**

6 **(2) "Private entity", an entity that meets the**
7 **definition of a licensed child care provider as defined in**
8 **section 210.201, license exempt as described in section**
9 **210.211, or that is unlicensed but is contracted with the**
10 **department of elementary and secondary education.**

11 **2. Subject to appropriation, the department of**
12 **elementary and secondary education shall provide grants**
13 **directly to private entities for the provision of early**
14 **childhood education services. The standards prescribed in**
15 **section 161.213 shall be applicable to all private entities**
16 **that receive such grant moneys.**

170.310. 1. For school year 2017-18 and each school
2 year thereafter, upon graduation from high school, pupils in
3 public schools and charter schools shall have received
4 thirty minutes of cardiopulmonary resuscitation instruction
5 and training in the proper performance of the Heimlich
6 maneuver or other first aid for choking given any time
7 during a pupil's four years of high school.

8 2. Beginning in school year 2017-18, any public school
9 or charter school serving grades nine through twelve shall
10 provide enrolled students instruction in cardiopulmonary
11 resuscitation. Students with disabilities may participate
12 to the extent appropriate as determined by the provisions of
13 the Individuals with Disabilities Education Act or Section
14 504 of the Rehabilitation Act. Instruction shall be included
15 in the district's existing health or physical education
16 curriculum. Instruction shall be based on a program
17 established by the American Heart Association or the
18 American Red Cross, or through a nationally recognized
19 program based on the most current national evidence-based
20 emergency cardiovascular care guidelines, and psychomotor
21 skills development shall be incorporated into the
22 instruction. For purposes of this section, "psychomotor
23 skills" means the use of hands-on practicing and skills
24 testing to support cognitive learning.

25 3. The teacher of the cardiopulmonary resuscitation
26 course or unit shall not be required to be a certified

27 trainer of cardiopulmonary resuscitation if the instruction
28 is not designed to result in certification of students.
29 Instruction that is designed to result in certification
30 being earned shall be required to be taught by an authorized
31 cardiopulmonary instructor. Schools may develop agreements
32 with any local chapter of a voluntary organization of first
33 responders to provide the required hands-on practice and
34 skills testing. **For purposes of this subsection, "first**
35 **responders" shall include telecommunicator first responders**
36 **as defined in section 650.320.**

37 4. The department of elementary and secondary
38 education may promulgate rules to implement this section.
39 Any rule or portion of a rule, as that term is defined in
40 section 536.010, that is created under the authority
41 delegated in this section shall become effective only if it
42 complies with and is subject to all of the provisions of
43 chapter 536 and, if applicable, section 536.028. This
44 section and chapter 536 are nonseverable and if any of the
45 powers vested with the general assembly pursuant to chapter
46 536 to review, to delay the effective date, or to disapprove
47 and annul a rule are subsequently held unconstitutional,
48 then the grant of rulemaking authority and any rule proposed
49 or adopted after August 28, 2012, shall be invalid and void.

190.091. 1. As used in this section, the following
2 terms mean:

3 (1) "Bioterrorism", the intentional use of any
4 microorganism, virus, infectious substance, or biological
5 product that may be engineered as a result of biotechnology
6 or any naturally occurring or bioengineered component of any
7 microorganism, virus, infectious substance, or biological
8 product to cause death, disease, or other biological
9 malfunction in a human, an animal, a plant, or any other

10 living organism to influence the conduct of government or to
11 intimidate or coerce a civilian population;

12 (2) "Department", the Missouri department of health
13 and senior services;

14 (3) "Director", the director of the department of
15 health and senior services;

16 (4) "Disaster locations", any geographical location
17 where a bioterrorism attack, terrorist attack, catastrophic
18 or natural disaster, or emergency occurs;

19 (5) "First responders", state and local law
20 enforcement personnel, **telecommunicator first responders**,
21 fire department personnel, and emergency medical personnel
22 who will be deployed to bioterrorism attacks, terrorist
23 attacks, catastrophic or natural disasters, and emergencies;

24 (6) **"Missouri state highway patrol telecommunicator",**
25 **any authorized Missouri state highway patrol communications**
26 **division personnel whose primary responsibility includes**
27 **directly responding to emergency communications and who meet**
28 **the training requirements pursuant to section 650.340.**

29 2. The department shall offer a vaccination program
30 for first responders **and Missouri state highway patrol**
31 **telecommunicators** who may be exposed to infectious diseases
32 when deployed to disaster locations as a result of a
33 bioterrorism event or a suspected bioterrorism event. The
34 vaccinations shall include, but are not limited to,
35 smallpox, anthrax, and other vaccinations when recommended
36 by the federal Centers for Disease Control and Prevention's
37 Advisory Committee on Immunization Practices.

38 3. Participation in the vaccination program shall be
39 voluntary by the first responders **and Missouri state highway**
40 **patrol telecommunicators**, except for first responders **or**
41 **Missouri state highway patrol telecommunicators** who, as

42 determined by their employer, cannot safely perform
43 emergency responsibilities when responding to a bioterrorism
44 event or suspected bioterrorism event without being
45 vaccinated. The recommendations of the Centers for Disease
46 Control and Prevention's Advisory Committee on Immunization
47 Practices shall be followed when providing appropriate
48 screening for contraindications to vaccination for first
49 responders **and Missouri state highway patrol**
50 **telecommunicators**. A first responder **and Missouri state**
51 **highway patrol telecommunicator** shall be exempt from
52 vaccinations when a written statement from a licensed
53 physician is presented to their employer indicating that a
54 vaccine is medically contraindicated for such person.

55 4. If a shortage of the vaccines referred to in
56 subsection 2 of this section exists following a bioterrorism
57 event or suspected bioterrorism event, the director, in
58 consultation with the governor and the federal Centers for
59 Disease Control and Prevention, shall give priority for such
60 vaccinations to persons exposed to the disease and to first
61 responders **or Missouri state highway patrol**
62 **telecommunicators** who are deployed to the disaster location.

63 5. The department shall notify first responders **and**
64 **Missouri state highway patrol telecommunicators** concerning
65 the availability of the vaccination program described in
66 subsection 2 of this section and shall provide education to
67 such first responders, [and] their employers, **and Missouri**
68 **state highway patrol telecommunicators** concerning the
69 vaccinations offered and the associated diseases.

70 6. The department may contract for the administration
71 of the vaccination program described in subsection 2 of this
72 section with health care providers, including but not

73 limited to local public health agencies, hospitals,
74 federally qualified health centers, and physicians.

75 7. The provisions of this section shall become
76 effective upon receipt of federal funding or federal grants
77 which designate that the funding is required to implement
78 vaccinations for first responders **and Missouri state highway**
79 **patrol telecommunicators** in accordance with the
80 recommendations of the federal Centers for Disease Control
81 and Prevention's Advisory Committee on Immunization
82 Practices. Upon receipt of such funding, the department
83 shall make available the vaccines to first responders **and**
84 **Missouri state highway patrol telecommunicators** as provided
85 in this section.

190.100. As used in sections 190.001 to 190.245 and
2 section 190.257, the following words and terms mean:

3 (1) "Advanced emergency medical technician" or "AEMT",
4 a person who has successfully completed a course of
5 instruction in certain aspects of advanced life support care
6 as prescribed by the department and is licensed by the
7 department in accordance with sections 190.001 to 190.245
8 and rules and regulations adopted by the department pursuant
9 to sections 190.001 to 190.245;

10 (2) "Advanced life support (ALS)", an advanced level
11 of care as provided to the adult and pediatric patient such
12 as defined by national curricula, and any modifications to
13 that curricula specified in rules adopted by the department
14 pursuant to sections 190.001 to 190.245;

15 (3) "Ambulance", any privately or publicly owned
16 vehicle or craft that is specially designed, constructed or
17 modified, staffed or equipped for, and is intended or used,
18 maintained or operated for the transportation of persons who
19 are sick, injured, wounded or otherwise incapacitated or

20 helpless, or who require the presence of medical equipment
21 being used on such individuals, but the term does not
22 include any motor vehicle specially designed, constructed or
23 converted for the regular transportation of persons who are
24 disabled, handicapped, normally using a wheelchair, or
25 otherwise not acutely ill, or emergency vehicles used within
26 airports;

27 (4) "Ambulance service", a person or entity that
28 provides emergency or nonemergency ambulance transportation
29 and services, or both, in compliance with sections 190.001
30 to 190.245, and the rules promulgated by the department
31 pursuant to sections 190.001 to 190.245;

32 (5) "Ambulance service area", a specific geographic
33 area in which an ambulance service has been authorized to
34 operate;

35 (6) "Basic life support (BLS)", a basic level of care,
36 as provided to the adult and pediatric patient as defined by
37 national curricula, and any modifications to that curricula
38 specified in rules adopted by the department pursuant to
39 sections 190.001 to 190.245;

40 (7) "Council", the state advisory council on emergency
41 medical services;

42 (8) "Department", the department of health and senior
43 services, state of Missouri;

44 (9) "Director", the director of the department of
45 health and senior services or the director's duly authorized
46 representative;

47 (10) "Dispatch agency", any person or organization
48 that receives requests for emergency medical services from
49 the public, by telephone or other means, and is responsible
50 for dispatching emergency medical services;

51 (11) "Emergency", the sudden and, at the time,
52 unexpected onset of a health condition that manifests itself
53 by symptoms of sufficient severity that would lead a prudent
54 layperson, possessing an average knowledge of health and
55 medicine, to believe that the absence of immediate medical
56 care could result in:

57 (a) Placing the person's health, or with respect to a
58 pregnant woman, the health of the woman or her unborn child,
59 in significant jeopardy;

60 (b) Serious impairment to a bodily function;

61 (c) Serious dysfunction of any bodily organ or part;

62 (d) Inadequately controlled pain;

63 (12) "Emergency medical dispatcher", a person who
64 receives emergency calls from the public and has
65 successfully completed an emergency medical dispatcher
66 course[, meeting or exceeding the national curriculum of the
67 United States Department of Transportation and any
68 modifications to such curricula specified by the department
69 through rules adopted pursuant to sections 190.001 to
70 190.245] **and any ongoing training requirements under section**
71 **650.340;**

72 (13) "Emergency medical responder", a person who has
73 successfully completed an emergency first response course
74 meeting or exceeding the national curriculum of the U.S.
75 Department of Transportation and any modifications to such
76 curricula specified by the department through rules adopted
77 under sections 190.001 to 190.245 and who provides emergency
78 medical care through employment by or in association with an
79 emergency medical response agency;

80 (14) "Emergency medical response agency", any person
81 that regularly provides a level of care that includes first

82 response, basic life support or advanced life support,
83 exclusive of patient transportation;

84 (15) "Emergency medical services for children (EMS-C)
85 system", the arrangement of personnel, facilities and
86 equipment for effective and coordinated delivery of
87 pediatric emergency medical services required in prevention
88 and management of incidents which occur as a result of a
89 medical emergency or of an injury event, natural disaster or
90 similar situation;

91 (16) "Emergency medical services (EMS) system", the
92 arrangement of personnel, facilities and equipment for the
93 effective and coordinated delivery of emergency medical
94 services required in prevention and management of incidents
95 occurring as a result of an illness, injury, natural
96 disaster or similar situation;

97 (17) "Emergency medical technician", a person licensed
98 in emergency medical care in accordance with standards
99 prescribed by sections 190.001 to 190.245, and by rules
100 adopted by the department pursuant to sections 190.001 to
101 190.245;

102 (18) ["Emergency medical technician-basic" or "EMT-B",
103 a person who has successfully completed a course of
104 instruction in basic life support as prescribed by the
105 department and is licensed by the department in accordance
106 with standards prescribed by sections 190.001 to 190.245 and
107 rules adopted by the department pursuant to sections 190.001
108 to 190.245;

109 (19)] "Emergency medical technician-community
110 paramedic", "community paramedic", or "EMT-CP", a person who
111 is certified as an emergency medical technician-paramedic
112 and is certified by the department in accordance with
113 standards prescribed in section 190.098;

114 [(20) "Emergency medical technician-paramedic" or "EMT-
115 P", a person who has successfully completed a course of
116 instruction in advanced life support care as prescribed by
117 the department and is licensed by the department in
118 accordance with sections 190.001 to 190.245 and rules
119 adopted by the department pursuant to sections 190.001 to
120 190.245;

121 [(21)] (19) "Emergency services", health care items and
122 services furnished or required to screen and stabilize an
123 emergency which may include, but shall not be limited to,
124 health care services that are provided in a licensed
125 hospital's emergency facility by an appropriate provider or
126 by an ambulance service or emergency medical response agency;

127 [(22)] (20) "Health care facility", a hospital,
128 nursing home, physician's office or other fixed location at
129 which medical and health care services are performed;

130 [(23)] (21) "Hospital", an establishment as defined in
131 the hospital licensing law, subsection 2 of section 197.020,
132 or a hospital operated by the state;

133 [(24)] (22) "Medical control", supervision provided by
134 or under the direction of physicians, or their designated
135 registered nurse, including both online medical control,
136 instructions by radio, telephone, or other means of direct
137 communications, and offline medical control through
138 supervision by treatment protocols, case review, training,
139 and standing orders for treatment;

140 [(25)] (23) "Medical direction", medical guidance and
141 supervision provided by a physician to an emergency services
142 provider or emergency medical services system;

143 [(26)] (24) "Medical director", a physician licensed
144 pursuant to chapter 334 designated by the ambulance service,
145 **dispatch agency**, or emergency medical response agency and

146 who meets criteria specified by the department by rules
147 pursuant to sections 190.001 to 190.245;

148 [(27)] (25) "Memorandum of understanding", an
149 agreement between an emergency medical response agency or
150 dispatch agency and an ambulance service or services within
151 whose territory the agency operates, in order to coordinate
152 emergency medical services;

153 (26) "Paramedic", a person who has successfully
154 completed a course of instruction in advanced life support
155 care as prescribed by the department and is licensed by the
156 department in accordance with sections 190.001 to 190.245
157 and rules adopted by the department pursuant to sections
158 190.001 to 190.245;

159 [(28)] (27) "Patient", an individual who is sick,
160 injured, wounded, diseased, or otherwise incapacitated or
161 helpless, or dead, excluding deceased individuals being
162 transported from or between private or public institutions,
163 homes or cemeteries, and individuals declared dead prior to
164 the time an ambulance is called for assistance;

165 [(29)] (28) "Person", as used in these definitions and
166 elsewhere in sections 190.001 to 190.245, any individual,
167 firm, partnership, copartnership, joint venture,
168 association, cooperative organization, corporation,
169 municipal or private, and whether organized for profit or
170 not, state, county, political subdivision, state department,
171 commission, board, bureau or fraternal organization, estate,
172 public trust, business or common law trust, receiver,
173 assignee for the benefit of creditors, trustee or trustee in
174 bankruptcy, or any other service user or provider;

175 [(30)] (29) "Physician", a person licensed as a
176 physician pursuant to chapter 334;

177 [(31)] (30) "Political subdivision", any municipality,
178 city, county, city not within a county, ambulance district
179 or fire protection district located in this state which
180 provides or has authority to provide ambulance service;

181 [(32)] (31) "Professional organization", any organized
182 group or association with an ongoing interest regarding
183 emergency medical services. Such groups and associations
184 could include those representing volunteers, labor,
185 management, firefighters, [EMT-B's] **EMTs**, nurses, [EMT-P's]
186 **paramedics**, physicians, communications specialists and
187 instructors. Organizations could also represent the
188 interests of ground ambulance services, air ambulance
189 services, fire service organizations, law enforcement,
190 hospitals, trauma centers, communication centers, pediatric
191 services, labor unions and poison control services;

192 [(33)] (32) "Proof of financial responsibility", proof
193 of ability to respond to damages for liability, on account
194 of accidents occurring subsequent to the effective date of
195 such proof, arising out of the ownership, maintenance or use
196 of a motor vehicle in the financial amount set in rules
197 promulgated by the department, but in no event less than the
198 statutory minimum required for motor vehicles. Proof of
199 financial responsibility shall be used as proof of self-
200 insurance;

201 [(34)] (33) "Protocol", a predetermined, written
202 medical care guideline, which may include standing orders;

203 [(35)] (34) "Regional EMS advisory committee", a
204 committee formed within an emergency medical services (EMS)
205 region to advise ambulance services, the state advisory
206 council on EMS and the department;

207 [(36)] (35) "Specialty care transportation", the
208 transportation of a patient requiring the services of an

209 emergency medical technician-paramedic who has received
210 additional training beyond the training prescribed by the
211 department. Specialty care transportation services shall be
212 defined in writing in the appropriate local protocols for
213 ground and air ambulance services and approved by the local
214 physician medical director. The protocols shall be
215 maintained by the local ambulance service and shall define
216 the additional training required of the emergency medical
217 technician-paramedic;

218 [(37)] (36) "Stabilize", with respect to an emergency,
219 the provision of such medical treatment as may be necessary
220 to attempt to assure within reasonable medical probability
221 that no material deterioration of an individual's medical
222 condition is likely to result from or occur during ambulance
223 transportation unless the likely benefits of such
224 transportation outweigh the risks;

225 [(38)] (37) "State advisory council on emergency
226 medical services", a committee formed to advise the
227 department on policy affecting emergency medical service
228 throughout the state;

229 [(39)] (38) "State EMS medical directors advisory
230 committee", a subcommittee of the state advisory council on
231 emergency medical services formed to advise the state
232 advisory council on emergency medical services and the
233 department on medical issues;

234 [(40)] (39) "STEMI" or "ST-elevation myocardial
235 infarction", a type of heart attack in which impaired blood
236 flow to the patient's heart muscle is evidenced by ST-
237 segment elevation in electrocardiogram analysis, and as
238 further defined in rules promulgated by the department under
239 sections 190.001 to 190.250;

240 [(41)] (40) "STEMI care", includes education and
241 prevention, emergency transport, triage, and acute care and
242 rehabilitative services for STEMI that requires immediate
243 medical or surgical intervention or treatment;

244 [(42)] (41) "STEMI center", a hospital that is
245 currently designated as such by the department to care for
246 patients with ST-segment elevation myocardial infarctions;

247 [(43)] (42) "Stroke", a condition of impaired blood
248 flow to a patient's brain as defined by the department;

249 [(44)] (43) "Stroke care", includes emergency
250 transport, triage, and acute intervention and other acute
251 care services for stroke that potentially require immediate
252 medical or surgical intervention or treatment, and may
253 include education, primary prevention, acute intervention,
254 acute and subacute management, prevention of complications,
255 secondary stroke prevention, and rehabilitative services;

256 [(45)] (44) "Stroke center", a hospital that is
257 currently designated as such by the department;

258 [(46)] (45) "Time-critical diagnosis", trauma care,
259 stroke care, and STEMI care occurring either outside of a
260 hospital or in a center designated under section 190.241;

261 [(47)] (46) "Time-critical diagnosis advisory
262 committee", a committee formed under section 190.257 to
263 advise the department on policies impacting trauma, stroke,
264 and STEMI center designations; regulations on trauma care,
265 stroke care, and STEMI care; and the transport of trauma,
266 stroke, and STEMI patients;

267 [(48)] (47) "Trauma", an injury to human tissues and
268 organs resulting from the transfer of energy from the
269 environment;

270 [(49)] (48) "Trauma care" includes injury prevention,
271 triage, acute care and rehabilitative services for major

272 single system or multisystem injuries that potentially
273 require immediate medical or surgical intervention or
274 treatment;

275 [(50)] (49) "Trauma center", a hospital that is
276 currently designated as such by the department.

190.103. 1. One physician with expertise in emergency
2 medical services from each of the EMS regions shall be
3 elected by that region's EMS medical directors to serve as a
4 regional EMS medical director. The regional EMS medical
5 directors shall constitute the state EMS medical director's
6 advisory committee and shall advise the department and their
7 region's ambulance services on matters relating to medical
8 control and medical direction in accordance with sections
9 190.001 to 190.245 and rules adopted by the department
10 pursuant to sections 190.001 to 190.245. The regional EMS
11 medical director shall serve a term of four years. The
12 southwest, northwest, and Kansas City regional EMS medical
13 directors shall be elected to an initial two-year term. The
14 central, east central, and southeast regional EMS medical
15 directors shall be elected to an initial four-year term.
16 All subsequent terms following the initial terms shall be
17 four years. The state EMS medical director shall be the
18 chair of the state EMS medical director's advisory
19 committee, and shall be elected by the members of the
20 regional EMS medical director's advisory committee, shall
21 serve a term of four years, and shall seek to coordinate EMS
22 services between the EMS regions, promote educational
23 efforts for agency medical directors, represent Missouri EMS
24 nationally in the role of the state EMS medical director,
25 and seek to incorporate the EMS system into the health care
26 system serving Missouri.

27 2. A medical director is required for all ambulance
28 services and emergency medical response agencies that
29 provide: advanced life support services; basic life support
30 services utilizing medications or providing assistance with
31 patients' medications; or basic life support services
32 performing invasive procedures including invasive airway
33 procedures. The medical director shall provide medical
34 direction to these services and agencies in these instances.

35 3. The medical director, in cooperation with the
36 ambulance service or emergency medical response agency
37 administrator, shall have the responsibility and the
38 authority to ensure that the personnel working under their
39 supervision are able to provide care meeting established
40 standards of care with consideration for state and national
41 standards as well as local area needs and resources. The
42 medical director, in cooperation with the ambulance service
43 or emergency medical response agency administrator, shall
44 establish and develop triage, treatment and transport
45 protocols, which may include authorization for standing
46 orders. Emergency medical technicians shall only perform
47 those medical procedures as directed by treatment protocols
48 approved by the local medical director or when authorized
49 through direct communication with online medical control.

50 4. All ambulance services and emergency medical
51 response agencies that are required to have a medical
52 director shall establish an agreement between the service or
53 agency and their medical director. The agreement will
54 include the roles, responsibilities and authority of the
55 medical director beyond what is granted in accordance with
56 sections 190.001 to 190.245 and rules adopted by the
57 department pursuant to sections 190.001 to 190.245. The
58 agreement shall also include grievance procedures regarding

59 the emergency medical response agency or ambulance service,
60 personnel and the medical director.

61 5. Regional EMS medical directors and the state EMS
62 medical director elected as provided under subsection 1 of
63 this section shall be considered public officials for
64 purposes of sovereign immunity, official immunity, and the
65 Missouri public duty doctrine defenses.

66 6. The state EMS medical director's advisory committee
67 shall be considered a peer review committee under section
68 537.035.

69 7. Regional EMS medical directors may act to provide
70 online telecommunication medical direction to AEMTs, [EMT-
71 Bs, EMT-Ps] **EMTs, paramedics**, and community paramedics and
72 provide offline medical direction per standardized
73 treatment, triage, and transport protocols when EMS
74 personnel, including AEMTs, [EMT-Bs, EMT-Ps] **EMTs,**
75 **paramedics**, and community paramedics, are providing care to
76 special needs patients or at the request of a local EMS
77 agency or medical director.

78 8. When developing treatment protocols for special
79 needs patients, regional EMS medical directors may
80 promulgate such protocols on a regional basis across
81 multiple political subdivisions' jurisdictional boundaries,
82 and such protocols may be used by multiple agencies
83 including, but not limited to, ambulance services, emergency
84 response agencies, and public health departments. Treatment
85 protocols shall include steps to ensure the receiving
86 hospital is informed of the pending arrival of the special
87 needs patient, the condition of the patient, and the
88 treatment instituted.

89 9. Multiple EMS agencies including, but not limited
90 to, ambulance services, emergency response agencies, and

91 public health departments shall take necessary steps to
92 follow the regional EMS protocols established as provided
93 under subsection 8 of this section in cases of mass casualty
94 or state-declared disaster incidents.

95 10. When regional EMS medical directors develop and
96 implement treatment protocols for patients or provide online
97 medical direction for patients, such activity shall not be
98 construed as having usurped local medical direction
99 authority in any manner.

100 11. The state EMS medical directors advisory committee
101 shall review and make recommendations regarding all proposed
102 community and regional time-critical diagnosis plans.

103 12. Notwithstanding any other provision of law to the
104 contrary, when regional EMS medical directors are providing
105 either online telecommunication medical direction to AEMTs,
106 **[EMT-Bs, EMT-Ps] EMTs, paramedics,** and community paramedics,
107 or offline medical direction per standardized EMS treatment,
108 triage, and transport protocols for patients, those medical
109 directions or treatment protocols may include the
110 administration of the patient's own prescription medications.

190.142. 1. (1) For applications submitted before
2 the recognition of EMS personnel licensure interstate
3 compact under sections 190.900 to 190.939 takes effect, the
4 department shall, within a reasonable time after receipt of
5 an application, cause such investigation as it deems
6 necessary to be made of the applicant for an emergency
7 medical technician's license.

8 (2) For applications submitted after the recognition
9 of EMS personnel licensure interstate compact under sections
10 190.900 to 190.939 takes effect, an applicant for initial
11 licensure as an emergency medical technician in this state
12 shall submit to a background check by the Missouri state

13 highway patrol and the Federal Bureau of Investigation
14 through a process approved by the department of health and
15 senior services. Such processes may include the use of
16 vendors or systems administered by the Missouri state
17 highway patrol. The department may share the results of
18 such a criminal background check with any emergency services
19 licensing agency in any member state, as that term is
20 defined under section 190.900, in recognition of the EMS
21 personnel licensure interstate compact. The department
22 shall not issue a license until the department receives the
23 results of an applicant's criminal background check from the
24 Missouri state highway patrol and the Federal Bureau of
25 Investigation, but, notwithstanding this subsection, the
26 department may issue a temporary license as provided under
27 section 190.143. Any fees due for a criminal background
28 check shall be paid by the applicant.

29 (3) The director may authorize investigations into
30 criminal records in other states for any applicant.

31 2. The department shall issue a license to all levels
32 of emergency medical technicians, for a period of five
33 years, if the applicant meets the requirements established
34 pursuant to sections 190.001 to 190.245 and the rules
35 adopted by the department pursuant to sections 190.001 to
36 190.245. The department may promulgate rules relating to
37 the requirements for an emergency medical technician
38 including but not limited to:

39 (1) Age requirements;

40 (2) Emergency medical technician and paramedic
41 education and training requirements based on respective
42 National Emergency Medical Services Education Standards and
43 any modification to such curricula specified by the

44 department through rules adopted pursuant to sections
45 190.001 to 190.245;

46 (3) Paramedic accreditation requirements. Paramedic
47 training programs shall be accredited [by the Commission on
48 Accreditation of Allied Health Education Programs (CAAHEP)
49 or hold a CAAHEP letter of review] **as required by the**
50 **National Registry of Emergency Medical Technicians;**

51 (4) Initial licensure testing requirements. Initial
52 [EMT-P] **paramedic** licensure testing shall be through the
53 national registry of EMTs;

54 (5) Continuing education and relicensure requirements;
55 and

56 (6) Ability to speak, read and write the English
57 language.

58 3. Application for all levels of emergency medical
59 technician license shall be made upon such forms as
60 prescribed by the department in rules adopted pursuant to
61 sections 190.001 to 190.245. The application form shall
62 contain such information as the department deems necessary
63 to make a determination as to whether the emergency medical
64 technician meets all the requirements of sections 190.001 to
65 190.245 and rules promulgated pursuant to sections 190.001
66 to 190.245.

67 4. All levels of emergency medical technicians may
68 perform only that patient care which is:

69 (1) Consistent with the training, education and
70 experience of the particular emergency medical technician;
71 and

72 (2) Ordered by a physician or set forth in protocols
73 approved by the medical director.

74 5. No person shall hold themselves out as an emergency
75 medical technician or provide the services of an emergency

76 medical technician unless such person is licensed by the
77 department.

78 6. Any rule or portion of a rule, as that term is
79 defined in section 536.010, that is created under the
80 authority delegated in this section shall become effective
81 only if it complies with and is subject to all of the
82 provisions of chapter 536 and, if applicable, section
83 536.028. This section and chapter 536 are nonseverable and
84 if any of the powers vested with the general assembly
85 pursuant to chapter 536 to review, to delay the effective
86 date, or to disapprove and annul a rule are subsequently
87 held unconstitutional, then the grant of rulemaking
88 authority and any rule proposed or adopted after August 28,
89 2002, shall be invalid and void.

190.147. 1. [An emergency medical technician
2 paramedic (EMT-P)] **A paramedic** may make a good faith
3 determination that such behavioral health patients who
4 present a likelihood of serious harm to themselves or
5 others, as the term "likelihood of serious harm" is defined
6 under section 632.005, or who are significantly
7 incapacitated by alcohol or drugs shall be placed into a
8 temporary hold for the sole purpose of transport to the
9 nearest appropriate facility; provided that, such
10 determination shall be made in cooperation with at least one
11 other [EMT-P] **paramedic** or other health care professional
12 involved in the transport. Once in a temporary hold, the
13 patient shall be treated with humane care in a manner that
14 preserves human dignity, consistent with applicable federal
15 regulations and nationally recognized guidelines regarding
16 the appropriate use of temporary holds and restraints in
17 medical transport. Prior to making such a determination:

18 (1) The **[EMT-P] paramedic** shall have completed a
19 standard crisis intervention training course as endorsed and
20 developed by the state EMS medical director's advisory
21 committee;

22 (2) The **[EMT-P] paramedic** shall have been authorized
23 by his or her ground or air ambulance service's
24 administration and medical director under subsection 3 of
25 section 190.103; and

26 (3) The **[EMT-P's] paramedic** ground or air ambulance
27 service has developed and adopted standardized triage,
28 treatment, and transport protocols under subsection 3 of
29 section 190.103, which address the challenge of treating and
30 transporting such patients. Provided:

31 (a) That such protocols shall be reviewed and approved
32 by the state EMS medical director's advisory committee; and

33 (b) That such protocols shall direct the **[EMT-P]**
34 **paramedic** regarding the proper use of patient restraint and
35 coordination with area law enforcement; and

36 (c) Patient restraint protocols shall be based upon
37 current applicable national guidelines.

38 2. In any instance in which a good faith determination
39 for a temporary hold of a patient has been made, such hold
40 shall be made in a clinically appropriate and adequately
41 justified manner, and shall be documented and attested to in
42 writing. The writing shall be retained by the ambulance
43 service and included as part of the patient's medical file.

44 3. **[EMT-Ps] Paramedics** who have made a good faith
45 decision for a temporary hold of a patient as authorized by
46 this section shall no longer have to rely on the common law
47 doctrine of implied consent and therefore shall not be
48 civilly liable for a good faith determination made in
49 accordance with this section and shall not have waived any

50 sovereign immunity defense, official immunity defense, or
51 Missouri public duty doctrine defense if employed at the
52 time of the good faith determination by a government
53 employer.

54 4. Any ground or air ambulance service that adopts the
55 authority and protocols provided for by this section shall
56 have a memorandum of understanding with applicable local law
57 enforcement agencies in order to achieve a collaborative and
58 coordinated response to patients displaying symptoms of
59 either a likelihood of serious harm to themselves or others
60 or significant incapacitation by alcohol or drugs, which
61 require a crisis intervention response. The memorandum of
62 understanding shall include, but not be limited to, the
63 following:

64 (1) Administrative oversight, including coordination
65 between ambulance services and law enforcement agencies;

66 (2) Patient restraint techniques and coordination of
67 agency responses to situations in which patient restraint
68 may be required;

69 (3) Field interaction between paramedics and law
70 enforcement, including patient destination and
71 transportation; and

72 (4) Coordination of program quality assurance.

73 5. The physical restraint of a patient by an emergency
74 medical technician under the authority of this section shall
75 be permitted only in order to provide for the safety of
76 bystanders, the patient, or emergency personnel due to an
77 imminent or immediate danger, or upon approval by local
78 medical control through direct communications. Restraint
79 shall also be permitted through cooperation with on-scene
80 law enforcement officers. All incidents involving patient

81 restraint used under the authority of this section shall be
82 reviewed by the ambulance service physician medical director.

190.255. 1. Any qualified first responder may obtain
2 and administer naloxone, **or any other drug or device**
3 **approved by the United States Food and Drug Administration,**
4 **that blocks the effects of an opioid overdose and is**
5 **administered in a manner approved by the United States Food**
6 **and Drug Administration** to a person suffering from an
7 apparent narcotic or opiate-related overdose in order to
8 revive the person.

9 2. Any licensed drug distributor or pharmacy in
10 Missouri may sell naloxone, **or any other drug or device**
11 **approved by the United States Food and Drug Administration,**
12 **that blocks the effects of an opioid overdose and is**
13 **administered in a manner approved by the United States Food**
14 **and Drug Administration** to qualified first responder
15 agencies to allow the agency to stock naloxone for the
16 administration of such drug to persons suffering from an
17 apparent narcotic or opiate overdose in order to revive the
18 person.

19 3. For the purposes of this section, "qualified first
20 responder" shall mean any [state and local law enforcement
21 agency staff,] fire department personnel, fire district
22 personnel, or licensed emergency medical technician who is
23 acting under the directives and established protocols of a
24 medical director of a local licensed ground ambulance
25 service licensed under section 190.109, **or any state or**
26 **local law enforcement agency staff member,** who comes in
27 contact with a person suffering from an apparent narcotic or
28 opiate-related overdose and who has received training in
29 recognizing and responding to a narcotic or opiate overdose
30 and the administration of naloxone to a person suffering

31 from an apparent narcotic or opiate-related overdose.
32 "Qualified first responder agencies" shall mean any state or
33 local law enforcement agency, fire department, or ambulance
34 service that provides documented training to its staff
35 related to the administration of naloxone in an apparent
36 narcotic or opiate overdose situation.

37 4. A qualified first responder shall only administer
38 naloxone by such means as the qualified first responder has
39 received training for the administration of naloxone.

190.327. 1. Immediately upon the decision by the
2 commission to utilize a portion of the emergency telephone
3 tax for central dispatching and an affirmative vote of the
4 telephone tax, the commission shall appoint the initial
5 members of a board which shall administer the funds and
6 oversee the provision of central dispatching for emergency
7 services in the county and in municipalities and other
8 political subdivisions which have contracted for such
9 service. Beginning with the general election in 1992, all
10 board members shall be elected according to this section and
11 other applicable laws of this state. At the time of the
12 appointment of the initial members of the board, the
13 commission shall relinquish to the board and no longer
14 exercise the duties prescribed in this chapter with regard
15 to the provision of emergency telephone service and in
16 chapter 321, with regard to the provision of central
17 dispatching service, and such duties shall be exercised by
18 the board.

19 2. Elections for board members may be held on general
20 municipal election day, as defined in subsection 3 of
21 section 115.121, after approval by a simple majority of the
22 county commission.

23 3. For the purpose of providing the services described
24 in this section, the board shall have the following powers,
25 authority and privileges:

26 (1) To have and use a corporate seal;

27 (2) To sue and be sued, and be a party to suits,
28 actions and proceedings;

29 (3) To enter into contracts, franchises and agreements
30 with any person, partnership, association or corporation,
31 public or private, affecting the affairs of the board;

32 (4) To acquire, construct, purchase, maintain, dispose
33 of and encumber real and personal property, including leases
34 and easements;

35 (5) To have the management, control and supervision of
36 all the business affairs of the board and the construction,
37 installation, operation and maintenance of any improvements;

38 (6) To hire and retain agents and employees and to
39 provide for their compensation including health and pension
40 benefits;

41 (7) To adopt and amend bylaws and any other rules and
42 regulations;

43 (8) To fix, charge and collect the taxes and fees
44 authorized by law for the purpose of implementing and
45 operating the services described in this section;

46 (9) To pay all expenses connected with the first
47 election and all subsequent elections; and

48 (10) To have and exercise all rights and powers
49 necessary or incidental to or implied from the specific
50 powers granted in this subsection. Such specific powers
51 shall not be considered as a limitation upon any power
52 necessary or appropriate to carry out the purposes and
53 intent of sections 190.300 to 190.329.

54 4. (1) Notwithstanding the provisions of subsections
55 1 and 2 of this section to the contrary, the county
56 commission may elect to appoint the members of the board to
57 administer the funds and oversee the provision of central
58 dispatching for emergency services in the counties,
59 municipalities, and other political subdivisions which have
60 contracted for such service upon the request of the
61 municipalities and other political subdivisions. Upon
62 appointment of the initial members of the board, the
63 commission shall relinquish all powers and duties to the
64 board and no longer exercise the duties prescribed in this
65 chapter with regard to the provision of central dispatching
66 service and such duties shall be exercised by the board.

67 (2) The board shall consist of seven members appointed
68 without regard to political affiliation. The members shall
69 include:

70 (a) Five members who shall serve for so long as they
71 remain in their respective county or municipal positions as
72 follows:

73 a. The county sheriff, or his or her designee;

74 b. The heads of the municipal police department who
75 have contracted for central dispatching service in the two
76 largest municipalities wholly contained within the county,
77 or their designees; or

78 c. The heads of the municipal fire departments or fire
79 divisions who have contracted for central dispatching
80 service in the two largest municipalities wholly contained
81 within the county, or their designees;

82 (b) Two members who shall serve two-year terms
83 appointed from among the following:

84 a. The head of any of the county's fire protection
85 districts who have contracted for central dispatching
86 service, or his or her designee;

87 b. The head of any of the county's ambulance districts
88 who have contracted for central dispatching service, or his
89 or her designee;

90 c. The head of any of the municipal police departments
91 located in the county who have contracted for central
92 dispatching service, or his or her designee, excluding those
93 mentioned in subparagraph b. of paragraph (a) of this
94 subdivision; and

95 d. The head of any of the municipal fire departments
96 in the county who have contracted for central dispatching
97 service, or his or her designee, excluding those mentioned
98 in subparagraph c. of paragraph (a) of this subdivision.

99 (3) Upon the appointment of the board under this
100 subsection, the board shall have the powers provided in
101 subsection 3 of this section and the commission shall
102 relinquish all powers and duties relating to the provision
103 of central dispatching service under this chapter to the
104 board.

105 [5.An emergency services board originally organized
106 under section 190.325 operating within a county with a
107 charter form of government and with more than two hundred
108 thousand but fewer than three hundred fifty thousand
109 inhabitants shall not have a sales tax for emergency
110 services or for providing central dispatching for emergency
111 services greater than one-quarter of one percent. If on
112 July 9, 2019, such tax is greater than one-quarter of one
113 percent, the board shall lower the tax rate.]

190.460. 1. As used in this section, the following
2 terms mean:

3 (1) "Board", the Missouri 911 service board
4 established under section 650.325;

5 (2) "Consumer", a person who purchases prepaid
6 wireless telecommunications service in a retail transaction;

7 (3) "Department", the department of revenue;

8 (4) "Prepaid wireless service provider", a provider
9 that provides prepaid wireless service to an end user;

10 (5) "Prepaid wireless telecommunications service", a
11 wireless telecommunications service that allows a caller to
12 dial 911 to access the 911 system and which service shall be
13 paid for in advance and is sold in predetermined units or
14 dollars of which the number declines with use in a known
15 amount;

16 (6) "Retail transaction", the purchase of prepaid
17 wireless telecommunications service from a seller for any
18 purpose other than resale. The purchase of more than one
19 item that provides prepaid wireless telecommunication
20 service, when such items are sold separately, constitutes
21 more than one retail transaction;

22 (7) "Seller", a person who sells prepaid wireless
23 telecommunications service to another person;

24 (8) "Wireless telecommunications service", commercial
25 mobile radio service as defined by 47 CFR 20.3, as amended.

26 2. (1) Beginning January 1, 2019, there is hereby
27 imposed a prepaid wireless emergency telephone service
28 charge on each retail transaction. The amount of such
29 charge shall be equal to three percent of the amount of each
30 retail transaction. The first fifteen dollars of each
31 retail transaction shall not be subject to the service
32 charge.

33 (2) When prepaid wireless telecommunications service
34 is sold with one or more products or services for a single,

35 nonitemized price, the prepaid wireless emergency telephone
36 service charge set forth in subdivision (1) of this
37 subsection shall apply to the entire nonitemized price
38 unless the seller elects to apply such service charge in the
39 following way:

40 (a) If the amount of the prepaid wireless
41 telecommunications service is disclosed to the consumer as a
42 dollar amount, three percent of such dollar amount; or

43 (b) If the seller can identify the portion of the
44 price that is attributable to the prepaid wireless
45 telecommunications service by reasonable and verifiable
46 standards from the seller's books and records that are kept
47 in the regular course of business for other purposes
48 including, but not limited to, nontax purposes, three
49 percent of such portion;

50 The first fifteen dollars of each transaction under this
51 subdivision shall not be subject to the service charge.

52 (3) The prepaid wireless emergency telephone service
53 charge shall be collected by the seller from the consumer
54 with respect to each retail transaction occurring in this
55 state. The amount of the prepaid wireless emergency
56 telephone service charge shall be either separately stated
57 on an invoice, receipt, or other similar document that is
58 provided to the consumer by the seller or otherwise
59 disclosed to the consumer.

60 (4) For purposes of this subsection, a retail
61 transaction that is effected in person by a consumer at a
62 business location of the seller shall be treated as
63 occurring in this state if that business location is in this
64 state, and any other retail transaction shall be treated as

65 occurring in this state if the retail transaction is treated
66 as occurring under chapter 144.

67 (5) The prepaid wireless emergency telephone service
68 charge is the liability of the consumer and not of the
69 seller or of any provider; except that, the seller shall be
70 liable to remit all charges that the seller collects or is
71 deemed to collect.

72 (6) The amount of the prepaid wireless emergency
73 telephone service charge that is collected by a seller from
74 a consumer, if such amount is separately stated on an
75 invoice, receipt, or other similar document provided to the
76 consumer by the seller, shall not be included in the base
77 for measuring any tax, fee, surcharge, or other charge that
78 is imposed by this state, any political subdivision of this
79 state, or any intergovernmental agency.

80 3. (1) Prepaid wireless emergency telephone service
81 charges collected by sellers shall be remitted to the
82 department at the times and in the manner provided by state
83 law with respect to sales and use taxes. The department
84 shall establish registration and payment procedures that
85 substantially coincide with the registration and payment
86 procedures that apply under state law. On or after the
87 effective date of the service charge imposed under the
88 provisions of this section, the director of the department
89 of revenue shall perform all functions incident to the
90 administration, collection, enforcement, and operation of
91 the service charge, and the director shall collect, in
92 addition to the sales tax for the state of Missouri, all
93 additional service charges imposed in this section. All
94 service charges imposed under this section together with all
95 taxes imposed under the sales tax law of the state of
96 Missouri shall be collected together and reported upon such

97 forms and under such administrative rules and regulations as
98 may be prescribed by the director. All applicable
99 provisions contained in sections 144.010 to 144.525
100 governing the state sales tax and section 32.057 shall apply
101 to the collection of any service charges imposed under this
102 section except as modified.

103 (2) Beginning on January 1, 2019, and ending on
104 January 31, 2019, when a consumer purchases prepaid wireless
105 telecommunications service in a retail transaction from a
106 seller under this section, the seller shall be allowed to
107 retain one hundred percent of the prepaid wireless emergency
108 telephone service charges that are collected by the seller
109 from the consumer. Beginning on February 1, 2019, a seller
110 shall be permitted to deduct and retain three percent of
111 prepaid wireless emergency telephone service charges that
112 are collected by the seller from consumers.

113 (3) The department shall establish procedures by which
114 a seller of prepaid wireless telecommunications service may
115 document that a sale is not a retail transaction, which
116 procedures shall substantially coincide with the procedures
117 for documenting sale for resale transactions for sales and
118 use purposes under state law.

119 (4) The department shall deposit all remitted prepaid
120 wireless emergency telephone service charges into the
121 general revenue fund for the department's use until eight
122 hundred thousand one hundred fifty dollars is collected to
123 reimburse its direct costs of administering the collection
124 and remittance of prepaid wireless emergency telephone
125 service charges. From then onward, the department shall
126 deposit all remitted prepaid wireless emergency telephone
127 service charges into the Missouri 911 service trust fund
128 created under section 190.420 within thirty days of receipt

129 for use by the board. After the initial eight hundred
130 thousand one hundred fifty dollars is collected, the
131 department may deduct an amount not to exceed one percent of
132 collected charges to be retained by the department to
133 reimburse its direct costs of administering the collection
134 and remittance of prepaid wireless emergency telephone
135 service charges.

136 (5) The board shall set a rate between twenty-five and
137 one hundred percent of the prepaid wireless emergency
138 telephone service charges deposited in the Missouri 911
139 service trust fund collected in counties without a charter
140 form of government, less the deductions authorized in
141 subdivision (4) of this subsection, that shall be remitted
142 to such counties in direct proportion to the amount of
143 charges collected in each county. The board shall set a
144 rate between sixty-five and one hundred percent of the
145 prepaid wireless emergency telephone service charges
146 deposited in the Missouri 911 service trust fund collected
147 in counties with a charter form of government and any city
148 not within a county, less the deductions authorized in
149 subdivision (4) of this subsection, that shall be remitted
150 to each such county or city not within a county in direct
151 proportion to the amount of charges collected in each such
152 county or city not within a county. If a county has an
153 elected emergency services board, the Missouri 911 service
154 board shall remit the funds to the elected emergency
155 services board, except for an emergency services board
156 originally organized under section 190.325 operating within
157 a county with a charter form of government and with more
158 than two hundred thousand but fewer than three hundred fifty
159 thousand inhabitants, in which case the funds shall be
160 remitted to the county's general fund for the purpose of

161 public safety infrastructure. The initial percentage rate
162 set by the board for counties with and without a charter
163 form of government and any city not within a county shall be
164 set by June thirtieth of each applicable year and may be
165 adjusted annually for the first three years, and thereafter
166 the rate may be adjusted every three years; however, at no
167 point shall the board set rates that fall below twenty-five
168 percent for counties without a charter form of government
169 and sixty-five percent for counties with a charter form of
170 government and any city not within a county.

171 (6) Any amounts received by a county or city under
172 subdivision (5) of this subsection shall be used only for
173 purposes authorized in sections 190.305, 190.325, and
174 190.335. Any amounts received by any county with a charter
175 form of government and with more than six hundred thousand
176 but fewer than seven hundred thousand inhabitants under this
177 section may be used for emergency service notification
178 systems.

179 4. (1) A seller that is not a provider shall be
180 entitled to the immunity and liability protections under
181 section 190.455, notwithstanding any requirement in state
182 law regarding compliance with Federal Communications
183 Commission Order 05-116.

184 (2) A provider shall be entitled to the immunity and
185 liability protections under section 190.455.

186 (3) In addition to the protection from liability
187 provided in subdivisions (1) and (2) of this subsection,
188 each provider and seller and its officers, employees,
189 assigns, agents, vendors, or anyone acting on behalf of such
190 persons shall be entitled to the further protection from
191 liability, if any, that is provided to providers and sellers

192 of wireless telecommunications service that is not prepaid
193 wireless telecommunications service under section 190.455.

194 5. The prepaid wireless emergency telephone service
195 charge imposed by this section shall be in addition to any
196 other tax, fee, surcharge, or other charge imposed by this
197 state, any political subdivision of this state, or any
198 intergovernmental agency for 911 funding purposes.

199 6. The provisions of this section shall become
200 effective unless the governing body of a county or city
201 adopts an ordinance, order, rule, resolution, or regulation
202 by at least a two-thirds vote prohibiting the charge
203 established under this section from becoming effective in
204 the county or city at least forty-five days prior to the
205 effective date of this section. If the governing body does
206 adopt such ordinance, order, rule, resolution, or regulation
207 by at least a two-thirds vote, the charge shall not be
208 collected and the county or city shall not be allowed to
209 obtain funds from the Missouri 911 service trust fund that
210 are remitted to the fund under the charge established under
211 this section. The Missouri 911 service board shall, by
212 September 1, 2018, notify all counties and cities of the
213 implementation of the charge established under this section,
214 and the procedures set forth under this subsection for
215 prohibiting the charge from becoming effective.

216 7. Any county or city which prohibited the prepaid
217 wireless emergency telephone service charge pursuant to the
218 provisions of subsection 6 of this section may take a vote
219 of the governing body, and notify the department of revenue
220 of the result of such vote[, by November 15, 2019,] to
221 impose such charge [effective January 1, 2020]. A vote of
222 at least two-thirds of the governing body is required in
223 order to impose such charge. The department shall notify

224 the board of notices received by [December 1, 2019] within
225 sixty days of receiving such notice.

190.1010. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Employee", a first responder employed by an
4 employer;

5 (2) "Employer", the state, a unit of local government,
6 or a public hospital or ambulance service that employs first
7 responders;

8 (3) "First responder", a 911 dispatcher, paramedic,
9 emergency medical technician, or a volunteer or full-time
10 paid firefighter;

11 (4) "Peer support advisor", a person approved by the
12 employer who voluntarily provides confidential support and
13 assistance to employees experiencing personal or
14 professional problems. An employer shall provide peer
15 support advisors with an appropriate level of training in
16 counseling to provide emotional and moral support;

17 (5) "Peer support counseling program", a program
18 established by an employer to train employees to serve as
19 peer support advisors in order to conduct peer support
20 counseling sessions;

21 (6) "Peer support counseling session", communication
22 with a peer support advisor designated by an employer. A
23 peer support counseling session is accomplished primarily
24 through listening, assessing, assisting with problem
25 solving, making referrals to a professional when necessary,
26 and conducting follow-up as needed;

27 (7) "Record", any record kept by a therapist or by an
28 agency in the course of providing behavioral health care to
29 a first responder concerning the first responder and the
30 services provided. "Record" includes the personal notes of

31 the therapist or agency, as well as all records maintained
32 by a court that have been created in connection with, in
33 preparation for, or as a result of the filing of any
34 petition. "Record" does not include information that has
35 been de-identified in accordance with the federal Health
36 Insurance Portability and Accountability Act (HIPAA) and
37 does not include a reference to the receipt of behavioral
38 health care noted during a patient history and physical or
39 other summary of care.

40 2. (1) Any communication made by an employee or peer
41 support advisor in a peer support counseling session, as
42 well as any oral or written information conveyed in the peer
43 support counseling session, shall be confidential and shall
44 not be disclosed by any person participating in the peer
45 support counseling session or released to any person or
46 entity. Any communication relating to a peer support
47 counseling session made confidential under this section that
48 is made between peer support advisors and the supervisors or
49 staff of a peer support counseling program, or between the
50 supervisor and staff of a peer support counseling program,
51 shall be confidential and shall not be disclosed. The
52 provisions of this section shall not be construed to
53 prohibit any communications between counselors who conduct
54 peer support counseling sessions or any communications
55 between counselors and the supervisors or staff of a peer
56 support counseling program.

57 (2) Any communication described in subdivision (1) of
58 this subsection may be subject to a subpoena for good cause
59 shown.

60 (3) The provisions of this subsection shall not apply
61 to the following:

62 (a) Any threat of suicide or homicide made by a
63 participant in a peer support counseling session or any
64 information conveyed in a peer support counseling session
65 related to a threat of suicide or homicide;

66 (b) Any information mandated by law or agency policy
67 to be reported, including, but not limited to, domestic
68 violence, child abuse or neglect, or elder abuse or neglect;

69 (c) Any admission of criminal conduct; or

70 (d) Any admission or act of refusal to perform duties
71 to protect others or the employee.

72 (4) All communications, notes, records, and reports
73 arising out of a peer support counseling session shall not
74 be considered public records subject to disclosure under
75 chapter 610.

76 (5) A department or organization that establishes a
77 peer support counseling program shall develop a policy or
78 rule that imposes disciplinary measures against a peer
79 support advisor who violates the confidentiality of the peer
80 support counseling program by sharing information learned in
81 a peer support counseling session with personnel who are not
82 supervisors or staff of the peer support counseling program
83 unless otherwise exempted under the provisions of this
84 subsection.

85 3. Any employer that creates a peer support counseling
86 program shall be subject to the provisions of this section.
87 An employer shall ensure that peer support advisors receive
88 appropriate training in counseling to conduct peer support
89 counseling sessions. An employer may refer any person to a
90 peer support advisor within the employer's organization or,
91 if those services are not available with the employer, to
92 another peer support counseling program that is available
93 and approved by the employer. Notwithstanding any other

94 provision of law to the contrary, an employer shall not
95 mandate that any employee participate in a peer support
96 counseling program.

[192.530. 1. As used in this section, the
2 following terms mean:

3 (1) "Department", the department of health
4 and senior services;

5 (2) "Health care provider", the same
6 meaning given to the term in section 376.1350;

7 (3) "Voluntary nonopioid directive form",
8 a form that may be used by a patient to deny or
9 refuse the administration or prescription of a
10 controlled substance containing an opioid by a
11 health care provider.

12 2. In consultation with the board of
13 registration for the healing arts and the board
14 of pharmacy, the department shall develop and
15 publish a uniform voluntary nonopioid directive
16 form.

17 3. The voluntary nonopioid directive form
18 developed by the department shall indicate to
19 all prescribing health care providers that the
20 named patient shall not be offered, prescribed,
21 supplied with, or otherwise administered a
22 controlled substance containing an opioid.

23 4. The voluntary nonopioid directive form
24 shall be posted in a downloadable format on the
25 department's publicly accessible website.

26 5. (1) A patient may execute and file a
27 voluntary nonopioid directive form with a health
28 care provider. Each health care provider shall
29 sign and date the form in the presence of the
30 patient as evidence of acceptance and shall
31 provide a signed copy of the form to the patient.

32 (2) The patient executing and filing a
33 voluntary nonopioid directive form with a health
34 care provider shall sign and date the form in
35 the presence of the health care provider or a
36 designee of the health care provider. In the
37 case of a patient who is unable to execute and
38 file a voluntary nonopioid directive form, the
39 patient may designate a duly authorized guardian
40 or health care proxy to execute and file the
41 form in accordance with subdivision (1) of this
42 subsection.

43 (3) A patient may revoke the voluntary
44 nonopioid directive form for any reason and may
45 do so by written or oral means.

46 6. The department shall promulgate
47 regulations for the implementation of the
48 voluntary nonopioid directive form that shall
49 include, but not be limited to:

50 (1) A standard method for the recording
51 and transmission of the voluntary nonopioid

52 directive form, which shall include verification
53 by the patient's health care provider and shall
54 comply with the written consent requirements of
55 the Public Health Service Act, 42 U.S.C. Section
56 290dd-2(b), and 42 CFR Part 2, relating to
57 confidentiality of alcohol and drug abuse
58 patient records, provided that the voluntary
59 nonopioid directive form shall also provide the
60 basic procedures necessary to revoke the
61 voluntary nonopioid directive form;

62 (2) Procedures to record the voluntary
63 nonopioid directive form in the patient's
64 medical record or, if available, the patient's
65 interoperable electronic medical record;

66 (3) Requirements and procedures for a
67 patient to appoint a duly authorized guardian or
68 health care proxy to override a previously filed
69 voluntary nonopioid directive form and
70 circumstances under which an attending health
71 care provider may override a previously filed
72 voluntary nonopioid directive form based on
73 documented medical judgment, which shall be
74 recorded in the patient's medical record;

75 (4) Procedures to ensure that any
76 recording, sharing, or distributing of data
77 relative to the voluntary nonopioid directive
78 form complies with all federal and state
79 confidentiality laws; and

80 (5) Appropriate exemptions for health care
81 providers and emergency medical personnel to
82 prescribe or administer a controlled substance
83 containing an opioid when, in their professional
84 medical judgment, a controlled substance
85 containing an opioid is necessary, or the
86 provider and medical personnel are acting in
87 good faith.

88 The department shall develop and publish
89 guidelines on its publicly accessible website
90 that shall address, at a minimum, the content of
91 the regulations promulgated under this
92 subsection. Any rule or portion of a rule, as
93 that term is defined in section 536.010, that is
94 created under the authority delegated in this
95 section shall become effective only if it
96 complies with and is subject to all of the
97 provisions of chapter 536 and, if applicable,
98 section 536.028. This section and chapter 536
99 are nonseverable and if any of the powers vested
100 with the general assembly pursuant to chapter
101 536 to review, to delay the effective date, or
102 to disapprove and annul a rule are subsequently
103 held unconstitutional, then the grant of
104 rulemaking authority and any rule proposed or
105 adopted after August 28, 2023, shall be invalid
106 and void.

107 7. A written prescription that is
108 presented at an outpatient pharmacy or a

109 prescription that is electronically transmitted
110 to an outpatient pharmacy is presumed to be
111 valid for the purposes of this section, and a
112 pharmacist in an outpatient setting shall not be
113 held in violation of this section for dispensing
114 a controlled substance in contradiction to a
115 voluntary nonopioid directive form, except upon
116 evidence that the pharmacist acted knowingly
117 against the voluntary nonopioid directive form.

118 8. (1) A health care provider or an
119 employee of a health care provider acting in
120 good faith shall not be subject to criminal or
121 civil liability and shall not be considered to
122 have engaged in unprofessional conduct for
123 failing to offer or administer a prescription or
124 medication order for a controlled substance
125 containing an opioid under the voluntary
126 nonopioid directive form.

127 (2) A person acting as a representative or
128 an agent pursuant to a health care proxy shall
129 not be subject to criminal or civil liability
130 for making a decision under subdivision (3) of
131 subsection 6 of this section in good faith.

132 (3) Notwithstanding any other provision of
133 law, a professional licensing board, at its
134 discretion, may limit, condition, or suspend the
135 license of, or assess fines against, a health
136 care provider who recklessly or negligently
137 fails to comply with a patient's voluntary
138 nonopioid directive form.]

192.2405. 1. The following persons shall be required
2 to immediately report or cause a report to be made to the
3 department under sections 192.2400 to 192.2470:

4 (1) Any person having reasonable cause to suspect that
5 an eligible adult presents a likelihood of suffering serious
6 physical harm, or bullying as defined in subdivision (2) of
7 section 192.2400, and is in need of protective services; and

8 (2) Any adult day care worker, chiropractor, Christian
9 Science practitioner, coroner, dentist, embalmer, employee
10 of the departments of social services, mental health, or
11 health and senior services, employee of a local area agency
12 on aging or an organized area agency on aging program,
13 emergency medical technician, firefighter, first responder,
14 funeral director, home health agency, home health agency
15 employee, hospital and clinic personnel engaged in the care

16 or treatment of others, in-home services owner or provider,
17 in-home services operator or employee, law enforcement
18 officer, long-term care facility administrator or employee,
19 medical examiner, medical resident or intern, mental health
20 professional, minister, nurse, nurse practitioner,
21 optometrist, other health practitioner, peace officer,
22 pharmacist, physical therapist, physician, physician's
23 assistant, podiatrist, probation or parole officer,
24 psychologist, social worker, or other person with the
25 responsibility for the care of an eligible adult who has
26 reasonable cause to suspect that the eligible adult has been
27 subjected to abuse or neglect or observes the eligible adult
28 being subjected to conditions or circumstances which would
29 reasonably result in abuse or neglect. Notwithstanding any
30 other provision of this section, a duly ordained minister,
31 clergy, religious worker, or Christian Science practitioner
32 while functioning in his or her ministerial capacity shall
33 not be required to report concerning a privileged
34 communication made to him or her in his or her professional
35 capacity.

36 2. Any other person who becomes aware of circumstances
37 that may reasonably be expected to be the result of, or
38 result in, abuse or neglect of an eligible adult may report
39 to the department.

40 3. The penalty for failing to report as required under
41 subdivision (2) of subsection 1 of this section is provided
42 under section 565.188.

43 4. As used in this section, "first responder" means
44 any person trained and authorized by law or rule to render
45 emergency medical assistance or treatment. Such persons may
46 include, but shall not be limited to, emergency first
47 responders, police officers, sheriffs, deputy sheriffs,

48 firefighters, **or** emergency medical technicians[, **or**
49 emergency medical technician-paramedics].

195.206. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Addiction mitigation medication", naltrexone
4 hydrochloride that is administered in a manner approved by
5 the United States Food and Drug Administration or any
6 accepted medical practice method of administering;

7 (2) "Opioid antagonist", naloxone hydrochloride, **or**
8 **any other drug or device approved by the United States Food**
9 **and Drug Administration**, that blocks the effects of an
10 opioid overdose [that] **and** is administered in a manner
11 approved by the United States Food and Drug Administration
12 or any accepted medical practice method of administering;

13 (3) "Opioid-related drug overdose", a condition
14 including, but not limited to, extreme physical illness,
15 decreased level of consciousness, respiratory depression,
16 coma, or death resulting from the consumption or use of an
17 opioid or other substance with which an opioid was combined
18 or a condition that a layperson would reasonably believe to
19 be an opioid-related drug overdose that requires medical
20 assistance.

21 2. Notwithstanding any other law or regulation to the
22 contrary:

23 (1) The director of the department of health and
24 senior services, if a licensed physician, may issue a
25 statewide standing order for an opioid antagonist or an
26 addiction mitigation medication;

27 (2) In the alternative, the department may employ or
28 contract with a licensed physician who may issue a statewide
29 standing order for an opioid antagonist or an addiction

30 mitigation medication with the express written consent of
31 the department director.

32 3. Notwithstanding any other law or regulation to the
33 contrary, any licensed pharmacist in Missouri may sell and
34 dispense an opioid antagonist or an addiction mitigation
35 medication under physician protocol or under a statewide
36 standing order issued under subsection 2 of this section.

37 4. A licensed pharmacist who, acting in good faith and
38 with reasonable care, sells or dispenses an opioid
39 antagonist or an addiction mitigation medication and an
40 appropriate device to administer the drug, and the protocol
41 physician, shall not be subject to any criminal or civil
42 liability or any professional disciplinary action for
43 prescribing or dispensing the opioid antagonist or an
44 addiction mitigation medication or any outcome resulting
45 from the administration of the opioid antagonist or an
46 addiction mitigation medication. A physician issuing a
47 statewide standing order under subsection 2 of this section
48 shall not be subject to any criminal or civil liability or
49 any professional disciplinary action for issuing the
50 standing order or for any outcome related to the order or
51 the administration of the opioid antagonist or an addiction
52 mitigation medication.

53 5. Notwithstanding any other law or regulation to the
54 contrary, it shall be permissible for any person to possess
55 an opioid antagonist or an addiction mitigation medication.

56 6. Any person who administers an opioid antagonist to
57 another person shall, immediately after administering the
58 drug, contact emergency personnel. Any person who, acting
59 in good faith and with reasonable care, administers an
60 opioid antagonist to another person whom the person believes
61 to be suffering an opioid-related **drug** overdose shall be

62 immune from criminal prosecution, disciplinary actions from
63 his or her professional licensing board, and civil liability
64 due to the administration of the opioid antagonist.

197.020. 1. "Governmental unit" means any county,
2 municipality or other political subdivision or any
3 department, division, board or other agency of any of the
4 foregoing.

5 2. "Hospital" means a place devoted primarily to the
6 maintenance and operation of facilities for the diagnosis,
7 treatment or care for not less than twenty-four consecutive
8 hours in any week of three or more nonrelated individuals
9 suffering from illness, disease, injury, deformity or other
10 abnormal physical conditions; or a place devoted primarily
11 to provide for not less than twenty-four consecutive hours
12 in any week medical or nursing care for three or more
13 nonrelated individuals. **The term "hospital" shall include a**
14 **facility designated as a rural emergency hospital by the**
15 **Centers for Medicare and Medicaid Services.** The term
16 "hospital" does not include convalescent, nursing, shelter
17 or boarding homes as defined in chapter 198.

18 3. "Person" means any individual, firm, partnership,
19 corporation, company or association and the legal successors
20 thereof.

208.1032. 1. The department of social services shall
2 be authorized to design and implement in consultation and
3 coordination with eligible providers as described in
4 subsection 2 of this section an intergovernmental transfer
5 program relating to ground emergency medical transport
6 services, including those services provided at the emergency
7 medical responder, emergency medical technician (EMT),
8 advanced EMT, [EMT intermediate,] or paramedic levels in the
9 prestabilization and preparation for transport, in order to

10 increase capitation payments for the purpose of increasing
11 reimbursement to eligible providers.

12 2. A provider shall be eligible for increased
13 reimbursement under this section only if the provider meets
14 the following conditions in an applicable state fiscal year:

15 (1) Provides ground emergency medical transportation
16 services to MO HealthNet participants;

17 (2) Is enrolled as a MO HealthNet provider for the
18 period being claimed; and

19 (3) Is owned, operated, or contracted by the state or
20 a political subdivision.

21 3. (1) To the extent intergovernmental transfers are
22 voluntarily made by and accepted from an eligible provider
23 described in subsection 2 of this section or a governmental
24 entity affiliated with an eligible provider, the department
25 of social services shall make increased capitation payments
26 to applicable MO HealthNet eligible providers for covered
27 ground emergency medical transportation services.

28 (2) The increased capitation payments made under this
29 section shall be in amounts at least actuarially equivalent
30 to the supplemental fee-for-service payments and up to
31 equivalent of commercial reimbursement rates available for
32 eligible providers to the extent permissible under federal
33 law.

34 (3) Except as provided in subsection 6 of this
35 section, all funds associated with intergovernmental
36 transfers made and accepted under this section shall be used
37 to fund additional payments to eligible providers.

38 (4) MO HealthNet managed care plans and coordinated
39 care organizations shall pay one hundred percent of any
40 amount of increased capitation payments made under this
41 section to eligible providers for providing and making

42 available ground emergency medical transportation and
43 prestabilization services pursuant to a contract or other
44 arrangement with a MO HealthNet managed care plan or
45 coordinated care organization.

46 4. The intergovernmental transfer program developed
47 under this section shall be implemented on the date federal
48 approval is obtained, and only to the extent
49 intergovernmental transfers from the eligible provider, or
50 the governmental entity with which it is affiliated, are
51 provided for this purpose. The department of social
52 services shall implement the intergovernmental transfer
53 program and increased capitation payments under this section
54 on a retroactive basis as permitted by federal law.

55 5. Participation in the intergovernmental transfers
56 under this section is voluntary on the part of the
57 transferring entities for purposes of all applicable federal
58 laws.

59 6. As a condition of participation under this section,
60 each eligible provider as described in subsection 2 of this
61 section or the governmental entity affiliated with an
62 eligible provider shall agree to reimburse the department of
63 social services for any costs associated with implementing
64 this section. Intergovernmental transfers described in this
65 section are subject to an administration fee of up to twenty
66 percent of the nonfederal share paid to the department of
67 social services and shall be allowed to count as a cost of
68 providing the services not to exceed one hundred twenty
69 percent of the total amount.

70 7. As a condition of participation under this section,
71 MO HealthNet managed care plans, coordinated care
72 organizations, eligible providers as described in subsection
73 2 of this section, and governmental entities affiliated with

74 eligible providers shall agree to comply with any requests
75 for information or similar data requirements imposed by the
76 department of social services for purposes of obtaining
77 supporting documentation necessary to claim federal funds or
78 to obtain federal approvals.

79 8. This section shall be implemented only if and to
80 the extent federal financial participation is available and
81 is not otherwise jeopardized, and any necessary federal
82 approvals have been obtained.

83 9. To the extent that the director of the department
84 of social services determines that the payments made under
85 this section do not comply with federal Medicaid
86 requirements, the director retains the discretion to return
87 or not accept an intergovernmental transfer, and may adjust
88 payments under this section as necessary to comply with
89 federal Medicaid requirements.

285.040. 1. As used in this section, "public safety
2 employee" shall mean a person trained or authorized by law
3 or rule to render emergency medical assistance or treatment,
4 including, but not limited to, firefighters, [ambulance
5 attendants and attendant drivers,] emergency medical
6 technicians, [emergency medical technician paramedics,]
7 dispatchers, registered nurses, physicians, and sheriffs and
8 deputy sheriffs.

9 2. No public safety employee of a city not within a
10 county who is hired prior to September 1, 2023, shall be
11 subject to a residency requirement of retaining a primary
12 residence in a city not within a county but may be required
13 to maintain a primary residence located within a one-hour
14 response time.

15 3. Public safety employees of a city not within a
16 county who are hired after August 31, 2023, may be subject

17 to a residency rule no more restrictive than a requirement
18 of retaining a primary residence in a city not within a
19 county for a total of seven years and of then allowing the
20 public safety employee to maintain a primary residence
21 outside the city not within a county so long as the primary
22 residence is located within a one-hour response time.

287.067. 1. In this chapter the term "occupational
2 disease" is hereby defined to mean, unless a different
3 meaning is clearly indicated by the context, an identifiable
4 disease arising with or without human fault out of and in
5 the course of the employment. Ordinary diseases of life to
6 which the general public is exposed outside of the
7 employment shall not be compensable, except where the
8 diseases follow as an incident of an occupational disease as
9 defined in this section. The disease need not to have been
10 foreseen or expected but after its contraction it must
11 appear to have had its origin in a risk connected with the
12 employment and to have flowed from that source as a rational
13 consequence.

14 2. An injury or death by occupational disease is
15 compensable only if the occupational exposure was the
16 prevailing factor in causing both the resulting medical
17 condition and disability. The "prevailing factor" is
18 defined to be the primary factor, in relation to any other
19 factor, causing both the resulting medical condition and
20 disability. Ordinary, gradual deterioration, or progressive
21 degeneration of the body caused by aging or by the normal
22 activities of day-to-day living shall not be compensable.

23 3. An injury due to repetitive motion is recognized as
24 an occupational disease for purposes of this chapter. An
25 occupational disease due to repetitive motion is compensable
26 only if the occupational exposure was the prevailing factor

27 in causing both the resulting medical condition and
28 disability. The "prevailing factor" is defined to be the
29 primary factor, in relation to any other factor, causing
30 both the resulting medical condition and disability.
31 Ordinary, gradual deterioration, or progressive degeneration
32 of the body caused by aging or by the normal activities of
33 day-to-day living shall not be compensable.

34 4. "Loss of hearing due to industrial noise" is
35 recognized as an occupational disease for purposes of this
36 chapter and is hereby defined to be a loss of hearing in one
37 or both ears due to prolonged exposure to harmful noise in
38 employment. "Harmful noise" means sound capable of
39 producing occupational deafness.

40 5. "Radiation disability" is recognized as an
41 occupational disease for purposes of this chapter and is
42 hereby defined to be that disability due to radioactive
43 properties or substances or to Roentgen rays (X-rays) or
44 exposure to ionizing radiation caused by any process
45 involving the use of or direct contact with radium or
46 radioactive properties or substances or the use of or direct
47 exposure to Roentgen rays (X-rays) or ionizing radiation.

48 6. Disease of the lungs or respiratory tract,
49 hypotension, hypertension, or disease of the heart or
50 cardiovascular system, including carcinoma, may be
51 recognized as occupational diseases for the purposes of this
52 chapter and are defined to be disability due to exposure to
53 smoke, gases, carcinogens, inadequate oxygen, of paid
54 firefighters of a paid fire department or paid police
55 officers of a paid police department certified under chapter
56 590 if a direct causal relationship is established, or
57 psychological stress of firefighters of a paid fire
58 department or paid peace officers of a police department who

59 are certified under chapter 590 if a direct causal
60 relationship is established.

61 7. Any employee who is exposed to and contracts any
62 contagious or communicable disease arising out of and in the
63 course of his or her employment shall be eligible for
64 benefits under this chapter as an occupational disease.

65 8. With regard to occupational disease due to
66 repetitive motion, if the exposure to the repetitive motion
67 which is found to be the cause of the injury is for a period
68 of less than three months and the evidence demonstrates that
69 the exposure to the repetitive motion with the immediate
70 prior employer was the prevailing factor in causing the
71 injury, the prior employer shall be liable for such
72 occupational disease.

73 9. (1) (a) **Posttraumatic stress disorder (PTSD), as**
74 **described in the Diagnostic and Statistical Manual of Mental**
75 **Health Disorders, Fifth Edition, published by the American**
76 **Psychiatric Association, (DSM-5) is recognized as a**
77 **compensable occupational disease for purposes of this**
78 **chapter when diagnosed in a first responder, as that term is**
79 **defined under section 67.145.**

80 (b) **Benefits payable to a first responder under this**
81 **section shall not require a physical injury to the first**
82 **responder and are not subject to any preexisting PTSD.**

83 (c) **Benefits payable to a first responder under this**
84 **section are compensable only if demonstrated by clear and**
85 **convincing evidence that PTSD has resulted from the course**
86 **and scope of employment, and the first responder is examined**
87 **and diagnosed with PTSD by an authorized treating physician,**
88 **due to the first responder experiencing one of the following**
89 **qualifying events:**

90 a. **Seeing for oneself a deceased minor;**

- 91 b. Witnessing directly the death of a minor;
- 92 c. Witnessing directly the injury to a minor who
93 subsequently died prior to or upon arrival at a hospital
94 emergency department, participating in the physical
95 treatment of, or manually transporting, an injured minor who
96 subsequently died prior to or upon arrival at a hospital
97 emergency department;
- 98 d. Seeing for oneself a person who has suffered
99 serious physical injury of a nature that shocks the
100 conscience;
- 101 e. Witnessing directly a death, including suicide, due
102 to serious physical injury; or homicide, including murder,
103 mass killings, manslaughter, self-defense, misadventure, and
104 negligence;
- 105 f. Witnessing directly an injury that results in
106 death, if the person suffered serious physical injury that
107 shocks the conscience;
- 108 g. Participating in the physical treatment of an
109 injury, including attempted suicide, or manually
110 transporting an injured person who suffered serious physical
111 injury, if the injured person subsequently died prior to or
112 upon arrival at a hospital emergency department; or,
- 113 h. Involvement in an event that caused or may have
114 caused serious injury or harm to the first responder or had
115 the potential to cause the death of the first responder,
116 whether accidental or by an intentional act of another
117 individual.
- 118 (2) The time for notice of injury or death in cases of
119 compensable PTSD under this section is measured from
120 exposure to one of the qualifying stressors listed in the
121 DSM-5 criteria, or the diagnosis of the disorder, whichever
122 is later. Any claim for compensation for such injury shall

123 **be properly noticed within fifty-two weeks after the**
124 **qualifying exposure, or the diagnosis of the disorder,**
125 **whichever is later.**

287.245. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Association", volunteer fire protection
4 associations as defined in section 320.300;

5 (2) "State fire marshal", the state fire marshal
6 selected under the provisions of sections 320.200 to 320.270;

7 (3) "Volunteer firefighter", the same meaning as in
8 section 287.243;

9 (4) "Voluntary [firefighter cancer] **critical illness**
10 benefits pool" or "pool", the same meaning as in section
11 320.400.

12 2. (1) Any association may apply to the state fire
13 marshal for a grant for the purpose of funding such
14 association's costs related to workers' compensation
15 insurance premiums for volunteer firefighters.

16 (2) Any voluntary [firefighter cancer] **critical**
17 **illness** benefits pool may apply to the state fire marshal
18 for a grant for the [purpose of establishing a] voluntary
19 [firefighter cancer] **critical illness** benefits pool. [This
20 subdivision shall expire June 30, 2023.]

21 3. Subject to appropriations, the state fire marshal
22 may disburse grants to any applying volunteer fire
23 protection association subject to the following schedule:

24 (1) Associations which had zero to five volunteer
25 firefighters receive workers' compensation benefits from
26 claims arising out of and in the course of the prevention or
27 control of fire or the underwater recovery of drowning
28 victims in the preceding calendar year shall be eligible for
29 two thousand dollars in grant money;

30 (2) Associations which had six to ten volunteer
31 firefighters receive workers' compensation benefits from
32 claims arising out of and in the course of the prevention or
33 control of fire or the underwater recovery of drowning
34 victims in the preceding calendar year shall be eligible for
35 one thousand five hundred dollars in grant money;

36 (3) Associations which had eleven to fifteen volunteer
37 firefighters receive workers' compensation benefits from
38 claims arising out of and in the course of the prevention or
39 control of fire or the underwater recovery of drowning
40 victims in the preceding calendar year shall be eligible for
41 one thousand dollars in grant money;

42 (4) Associations which had sixteen to twenty volunteer
43 firefighters receive workers' compensation benefits from
44 claims arising out of and in the course of the prevention or
45 control of fire or the underwater recovery of drowning
46 victims in the preceding calendar year shall be eligible for
47 five hundred dollars in grant money.

48 4. Grant money disbursed under this section shall only
49 be used for the purpose of paying for the workers'
50 compensation insurance premiums of volunteer firefighters or
51 **[establishing] for the benefit of** a voluntary **[firefighter**
52 **cancer] critical illness** benefits pool.

287.715. 1. For the purpose of providing for revenue
2 for the second injury fund, every authorized self-insurer,
3 and every workers' compensation policyholder insured
4 pursuant to the provisions of this chapter, shall be liable
5 for payment of an annual surcharge in accordance with the
6 provisions of this section. The annual surcharge imposed
7 under this section shall apply to all workers' compensation
8 insurance policies and self-insurance coverages which are
9 written or renewed on or after April 26, 1988, including the

10 state of Missouri, including any of its departments,
11 divisions, agencies, commissions, and boards or any
12 political subdivisions of the state who self-insure or hold
13 themselves out to be any part self-insured. Notwithstanding
14 any law to the contrary, the surcharge imposed pursuant to
15 this section shall not apply to any reinsurance or
16 retrocessional transaction.

17 2. Beginning October 31, 2005, and each year
18 thereafter, the director of the division of workers'
19 compensation shall estimate the amount of benefits payable
20 from the second injury fund during the following calendar
21 year and shall calculate the total amount of the annual
22 surcharge to be imposed during the following calendar year
23 upon all workers' compensation policyholders and authorized
24 self-insurers. The amount of the annual surcharge
25 percentage to be imposed upon each policyholder and self-
26 insured for the following calendar year commencing with the
27 calendar year beginning on January 1, 2006, shall be set at
28 and calculated against a percentage, not to exceed three
29 percent, of the policyholder's or self-insured's workers'
30 compensation net deposits, net premiums, or net assessments
31 for the previous policy year, rounded up to the nearest one-
32 half of a percentage point, that shall generate, as nearly
33 as possible, one hundred ten percent of the moneys to be
34 paid from the second injury fund in the following calendar
35 year, less any moneys contained in the fund at the end of
36 the previous calendar year. All policyholders and self-
37 insurers shall be notified by the division of workers'
38 compensation within ten calendar days of the determination
39 of the surcharge percent to be imposed for, and paid in, the
40 following calendar year. The net premium equivalent for
41 individual self-insured employers shall be based on average

42 rate classifications calculated by the department of
43 commerce and insurance as taken from premium rates filed by
44 the twenty insurance companies providing the greatest volume
45 of workers' compensation insurance coverage in this state.
46 For employers qualified to self-insure their liability
47 pursuant to this chapter, the rates filed by such group of
48 employers in accordance with subsection 4 of section 287.280
49 shall be the net premium equivalent. Any group of political
50 subdivisions of this state qualified to self-insure their
51 liability pursuant to this chapter as authorized by section
52 537.620 may choose either the average rate classification
53 method or the filed rate method, provided that the method
54 used may only be changed once without receiving the consent
55 of the director of the division of workers' compensation.
56 The director may advance funds from the workers'
57 compensation fund to the second injury fund if surcharge
58 collections prove to be insufficient. Any funds advanced
59 from the workers' compensation fund to the second injury
60 fund must be reimbursed by the second injury fund no later
61 than December thirty-first of the year following the
62 advance. The surcharge shall be collected from
63 policyholders by each insurer at the same time and in the
64 same manner that the premium is collected, but no insurer or
65 its agent shall be entitled to any portion of the surcharge
66 as a fee or commission for its collection. The surcharge is
67 not subject to any taxes, licenses or fees.

68 3. All surcharge amounts imposed by this section shall
69 be deposited to the credit of the second injury fund.

70 4. Such surcharge amounts shall be paid quarterly by
71 insurers and self-insurers, and insurers shall pay the
72 amounts not later than the thirtieth day of the month
73 following the end of the quarter in which the amount is

74 received from policyholders. If the director of the
75 division of workers' compensation fails to calculate the
76 surcharge by the thirty-first day of October of any year for
77 the following year, any increase in the surcharge ultimately
78 set by the director shall not be effective for any calendar
79 quarter beginning less than sixty days from the date the
80 director makes such determination.

81 5. If a policyholder or self-insured fails to make
82 payment of the surcharge or an insurer fails to make timely
83 transfer to the division of surcharges actually collected
84 from policyholders, as required by this section, a penalty
85 of one-half of one percent of the surcharge unpaid, or
86 untransferred, shall be assessed against the liable
87 policyholder, self-insured or insurer. Penalties assessed
88 under this subsection shall be collected in a civil action
89 by a summary proceeding brought by the director of the
90 division of workers' compensation.

91 6. Notwithstanding subsection 2 of this section to the
92 contrary, the director of the division of workers'
93 compensation shall collect a supplemental surcharge not to
94 exceed **[three] one** percent for calendar years 2014 to **[2022]**
95 **2026** of the policyholder's or self-insured's workers'
96 compensation net deposits, net premiums, or net assessments
97 for the previous policy year, rounded up to the nearest **[one-**
98 **half] one-quarter** of a percentage point. **[For calendar year**
99 **2023, the director of the division of workers' compensation**
100 **shall collect a supplemental surcharge not to exceed two and**
101 **one-half percent of the policyholder's or self-insured's**
102 **workers' compensation net deposits, net premiums, or net**
103 **assessments for the previous policy year, rounded up to the**
104 **nearest one-half of a percentage point.]** All policyholders
105 and self-insurers shall be notified by the division of the

106 supplemental surcharge percentage to be imposed for such
107 period of time as part of the notice provided in subsection
108 2 of this section. The provisions of this subsection shall
109 expire on December 31, [2023] 2026.

110 7. Funds collected under the provisions of this
111 chapter shall be the sole funding source of the second
112 injury fund.

320.336. 1. No public or private employer shall
2 terminate an employee for joining any fire department or
3 fire protection district, including but not limited to any
4 municipal, volunteer, rural, or subscription fire department
5 or organization or any volunteer fire protection
6 association, as a volunteer firefighter, or the Missouri-1
7 Disaster Medical Assistance Team, Missouri Task Force One,
8 or Urban Search and Rescue Team, or being activated to a
9 national disaster response by the Federal Emergency
10 Management Agency (FEMA).

11 2. No public or private employer shall terminate an
12 employee who is a volunteer firefighter, a member of
13 Missouri-1 Disaster Medical Assistance Team, Missouri Task
14 Force One, or Urban Search and Rescue Team because the
15 employee, when acting as a volunteer firefighter, or as a
16 member of Missouri-1 Disaster Medical Assistance Team,
17 Missouri Task Force One, Urban Search and Rescue Team, or
18 FEMA is absent from or late to his or her employment in
19 order to respond to an emergency before the time the
20 employee is to report to his or her place of employment.

21 3. An employer may charge against the employee's
22 regular pay any employment time lost by an employee who is a
23 volunteer firefighter, or a member of Missouri-1 Disaster
24 Medical Assistance Team, Missouri Task Force One, Urban
25 Search and Rescue Team, or FEMA because of the employee's

26 response to an emergency in the course of performing his or
27 her duties as a volunteer firefighter, or a member of
28 Missouri-1 Disaster Medical Assistance Team, Missouri Task
29 Force One, Urban Search and Rescue Team, or FEMA.

30 4. In the case of an employee who is a volunteer
31 firefighter, or a member of Missouri-1 Disaster Medical
32 Assistance Team, Missouri Task Force One, Urban Search and
33 Rescue Team, or FEMA and who loses time from his or her
34 employment in order to respond to an emergency in the course
35 of performing his or her duties as a volunteer firefighter,
36 or a member of Missouri-1 Disaster Medical Assistance Team,
37 Missouri Task Force One, Urban Search and Rescue Team, or
38 FEMA, the employer has the right to request the employee to
39 provide the employer with a written statement from the
40 supervisor or acting supervisor of the volunteer fire
41 department or the commander of Missouri-1 Disaster Medical
42 Assistance Team or the FEMA supervisor stating that the
43 employee responded to an emergency and stating the time and
44 date of the emergency.

45 5. An employee who is a volunteer firefighter, or a
46 member of Missouri-1 Disaster Medical Assistance Team,
47 Missouri Task Force One, Urban Search and Rescue Team, or
48 FEMA and who may be absent from or late to his or her
49 employment in order to respond to an emergency in the course
50 of performing his or her duties as a volunteer firefighter,
51 or a member of Missouri-1 Disaster Medical Assistance Team,
52 Missouri Task Force One, Urban Search and Rescue Team, or
53 FEMA shall make a reasonable effort to notify his or her
54 employer that he or she may be absent or late.

55 **6. Any member of Missouri Task Force One shall be**
56 **entitled to the initial employment rights, reemployment**
57 **rights, retention in employment rights, promotion rights,**

58 and discrimination protections provided by Title 38 of the
59 United States Code, the Revised Statutes of Missouri, and
60 all amendments thereto. The attorney general shall enforce
61 the rights and protections contained in this subsection for
62 members of Missouri Task Force One.

320.400. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Covered individual", a [firefighter] **first**
4 **responder** who:

5 (a) Is a paid employee or is a volunteer [firefighter
6 as defined in section 320.333];

7 (b) Has been assigned to at least five years of
8 hazardous duty as a [firefighter] **paid employee or volunteer;**

9 (c) Was exposed to [an agent classified by the
10 International Agency for Research on Cancer, or its
11 successor organization, as a group 1 or 2A carcinogen, or
12 classified as a cancer-causing agent by the American Cancer
13 Society, the American Association for Cancer Research, the
14 Agency for Health Care Policy and Research, the American
15 Society for Clinical Oncology, the National Institute for
16 Occupational Safety and Health, or the United States
17 National Cancer Institute] **or diagnosed with a critical**
18 **illness type;**

19 (d) Was last assigned to hazardous duty [as a
20 firefighter] within the previous fifteen years; and

21 (e) **In the case of a diagnosis of cancer,** is not
22 seventy years of age or older at the time of the diagnosis
23 of cancer;

24 (2) "Critical illness", one of the following:

25 (a) **In the case of a cancer claim, exposure to an**
26 **agent classified by the International Agency for Research on**
27 **Cancer, or its successor organization, as a group 1 or 2A**

28 carcinogen, or classified as a cancer-causing agent by the
29 American Cancer Society, the American Association for Cancer
30 Research, the Agency for Healthcare Research and Quality,
31 the American Society of Clinical Oncology, the National
32 Institute for Occupational Safety and Health, or the United
33 States National Cancer Institute;

34 (b) In the case of a posttraumatic stress injury
35 claim, such an injury that is diagnosed by a psychiatrist
36 licensed pursuant to chapter 334 or a psychologist licensed
37 pursuant to chapter 337 and established by a preponderance
38 of the evidence to have been caused by the employment
39 conditions of the first responder;

40 (3) "Dependent", the same meaning as in section
41 287.240;

42 [(3)] (4) "Emergency medical technician-basic", the
43 same meaning as in section 190.100;

44 (5) "Emergency medical technician-paramedic", the same
45 meaning as in section 190.100;

46 (6) "Employer", any political subdivision of the state;

47 [(4)] (7) "First responder", a firefighter, emergency
48 medical technician-basic or emergency medical technician-
49 paramedic, or telecommunicator;

50 (8) "Posttraumatic stress injury", any psychological
51 or behavioral health injury suffered by and through the
52 employment of an individual due to exposure to stressful and
53 life-threatening situations and rigors of the employment,
54 excluding any posttraumatic stress injuries that may arise
55 solely as a result of a legitimate personnel action by an
56 employer such as a transfer, promotion, demotion, or
57 termination;

58 (9) "Telecommunicator", the same meaning as in section
59 650.320;

60 (10) "Voluntary [**firefighter cancer**] **critical illness**
61 benefits pool" or "pool", an entity described in section
62 537.620 that is established for the purposes of this section;

63 (11) "**Volunteer**", a **volunteer firefighter, as defined**
64 **in section 320.333; volunteer emergency medical technician-**
65 **basic; volunteer emergency medical technician-paramedic; or**
66 **volunteer telecommunicator.**

67 2. (1) Three or more employers may create a
68 [**voluntary firefighter cancer benefits**] pool for the purpose
69 of this section. **Notwithstanding the provisions of sections**
70 **537.620 to 537.650 to the contrary, a pool created pursuant**
71 **to this section may allow covered individuals to join the**
72 **pool.** An employer **or covered individual** may make
73 contributions into the [**voluntary firefighter cancer**
74 **benefits**] pool established for the purpose of this section.
75 **Any professional organization formed for the purpose, in**
76 **whole or in part, of representing or providing resources for**
77 **any covered individual may make contributions to the pool on**
78 **behalf of any covered individual without the professional**
79 **organization itself joining the pool.** The contribution
80 levels and award levels shall be set by the board of
81 trustees of the pool.

82 (2) For a **covered individual or** an employer that
83 chooses to make contributions into the [**voluntary**
84 **firefighter cancer benefits**] pool, the pool shall provide
85 the minimum benefits specified by the board of trustees of
86 the pool to covered individuals, based on the award level of
87 the [**cancer**] **critical illness** at the time of diagnosis,
88 after the employer **or covered individual** becomes a
89 participant.

90 (3) Benefit levels **for cancer** shall be established by
91 the board of trustees of the pool based on the category and

92 stage of the cancer. **Benefit levels for a posttraumatic**
93 **stress injury shall be established by the board of trustees**
94 **of the pool. Awards of benefits may be made to the same**
95 **individual for both cancer and posttraumatic stress injury**
96 **provided the qualifications for both awards are met.**

97 (4) In addition to [an] a **cancer** award pursuant to
98 subdivision (3) of this subsection:

99 (a) A payment may be made from the pool to a covered
100 individual for the actual award, up to twenty-five thousand
101 dollars, for rehabilitative or vocational training
102 employment services and educational training relating to the
103 cancer diagnosis;

104 (b) A payment may be made to covered individual of up
105 to ten thousand dollars if the covered individual incurs
106 cosmetic disfigurement costs resulting from cancer.

107 (5) If the cancer is diagnosed as terminal cancer, the
108 covered individual may receive a lump-sum payment of twenty-
109 five thousand dollars as an accelerated payment toward the
110 benefits due based on the benefit levels established
111 pursuant to subdivision (3) of this subsection.

112 (6) The covered individual may receive additional
113 awards if the cancer increases in award level, but the
114 amount of any benefit paid earlier for the same cancer may
115 be subtracted from the new award.

116 (7) If a covered individual dies while owed benefits
117 pursuant to this section, the benefits shall be paid to the
118 dependent or domestic partner, if any, at the time of
119 death. If there is no dependent or domestic partner, the
120 obligation of the pool to pay benefits shall cease.

121 (8) If a covered individual returns to the same
122 position of employment after a cancer diagnosis, the covered

123 individual may receive benefits in this section for any
124 subsequent new type of covered cancer diagnosis.

125 (9) The **cancer** benefits payable pursuant to this
126 section shall be reduced by twenty-five percent if a covered
127 individual used a tobacco product within the five years
128 immediately preceding the cancer diagnosis.

129 (10) A **cancer** claim for benefits from the pool shall
130 be filed no later than two years after the diagnosis of the
131 cancer. The claim for each type of cancer needs to be filed
132 only once to allow the pool to increase the award level
133 pursuant to subdivision (3) of this subsection.

134 (11) **A payment may be made from the pool to a covered**
135 **individual for the actual award, up to ten thousand dollars,**
136 **for seeking treatment with a psychiatrist licensed pursuant**
137 **to chapter 334 or a psychologist licensed pursuant to**
138 **chapter 337 and any subsequent courses of treatment**
139 **recommended by such licensed individuals. If a covered**
140 **individual returns to the same position of employment after**
141 **a posttraumatic stress injury diagnosis, the covered**
142 **individual may receive benefits in this section for the**
143 **continued treatment of such injury or any subsequently**
144 **covered posttraumatic stress injury diagnosis.**

145 (12) For purposes of all other employment policies and
146 benefits that are not workers' compensation benefits payable
147 under chapter 287, health insurance, and any benefits paid
148 pursuant to chapter 208, a covered individual's **[cancer]**
149 **critical illness** diagnosis shall be treated as an on-the-job
150 injury or illness.

151 3. The board of trustees of **[the pool]** **a pool created**
152 **pursuant to this section** may:

153 (1) Create a program description to further define or
154 modify the benefits of this section;

155 (2) Modify the contribution rates, benefit levels,
156 including the maximum amount, consistent with subdivision
157 (1) of this subsection, and structure of the benefits based
158 on actuarial recommendations and with input from a committee
159 of the pool; and

160 (3) Set a maximum amount of benefits that may be paid
161 to a covered individual for each **[cancer] critical illness**
162 diagnosis.

163 4. The board of trustees of the pool shall be
164 considered a public governmental body and shall be subject
165 to all of the provisions of chapter 610.

166 5. A pool may accept or apply for any grants or
167 donations from any private or public source.

168 6. (1) Any pool may apply to the state fire marshal
169 for a grant for the **[purpose of establishing a voluntary**
170 **firefighter cancer benefits]** pool. The state fire marshal
171 shall disburse grants to the pool upon receipt of the
172 application.

173 (2) The state fire marshal may grant money disbursed
174 under section 287.245 to be used for the purpose of setting
175 up a pool.

176 **[(3)This subsection shall expire on June 30, 2023.]**

177 7. (1) This **[subsection] section** shall not affect any
178 determination as to whether a covered individual's **[cancer]**
179 **critical illness** arose out of and in the course of
180 employment and is a compensable injury pursuant to chapter
181 287. Receipt of benefits from **[the] a** pool under this
182 section shall not be considered competent evidence or proof
183 by itself of a compensable injury under chapter 287.

184 (2) Should it be determined that a covered
185 individual's **[cancer] critical illness** arose out of and in
186 the course of employment and is a compensable injury under

187 chapter 287, the compensation and death benefit provided
188 under chapter 287 shall be reduced one hundred percent by
189 any benefits received from the pool under this section.

190 (3) The employer in any claim made pursuant to chapter
191 287 shall be subrogated to the right of the employee or to
192 the dependent or domestic partner to receive benefits from
193 [the] a pool and such employer may recover any amounts which
194 such employee or the dependent or domestic partner would
195 have been entitled to recover from [the] a pool under this
196 section. Any receipt of benefits from the pool under this
197 section shall be treated as an advance payment by the
198 employer, on account of any future installments of benefits
199 payable pursuant to chapter 287.

321.225. 1. A fire protection district may, in
2 addition to its other powers and duties, provide emergency
3 ambulance service within its district if a majority of the
4 voters voting thereon approve a proposition to furnish such
5 service and to levy a tax not to exceed thirty cents on the
6 one hundred dollars assessed valuation to be used
7 exclusively to supply funds for the operation of an
8 emergency ambulance service. The district shall exercise
9 the same powers and duties in operating an emergency
10 ambulance service as it does in operating its fire
11 protection service.

12 2. The proposition to furnish emergency ambulance
13 service may be submitted by the board of directors at any
14 municipal general, primary or general election or at any
15 election of the members of the board.

16 3. The question shall be submitted in substantially
17 the following form:

18 Shall the board of directors of _____ Fire
19 Protection District be authorized to provide

20 emergency ambulance service within the district
21 and be authorized to levy a tax not to exceed
22 thirty cents on the one hundred dollars assessed
23 valuation to provide funds for such service?

24 4. If a majority of the voters casting votes thereon
25 be in favor of emergency ambulance service and the levy, the
26 district shall forthwith commence such service.

27 5. As used in this section "emergency" means a
28 situation resulting from a sudden or unforeseen situation or
29 occurrence that requires immediate action to save life or
30 prevent suffering or disability.

31 6. In addition to all other taxes authorized on or
32 before September 1, 1990, the board of directors of any fire
33 protection district may, if a majority of the voters of the
34 district voting thereon approve, levy an additional tax of
35 not more than forty cents per one hundred dollars of
36 assessed valuation to be used for the support of the
37 ambulance service or partial or complete support of [an
38 emergency medical technician defibrillator program or
39 partial or complete support of an emergency medical
40 technician] a paramedic first responder program. The
41 proposition to levy the tax authorized by this subsection
42 may be submitted by the board of directors at the next
43 annual election of the members of the board or at any
44 regular municipal or school election conducted by the county
45 clerk or board of election commissioners in such district or
46 at a special election called for the purpose, or upon
47 petition of five hundred registered voters of the district.
48 A separate ballot containing the question shall read as
49 follows:

50 Shall the board of directors of the _____ Fire
 51 Protection District be authorized to levy an
 52 additional tax of not more than forty cents per one
 53 hundred dollars assessed valuation to provide funds
 54 for the support of an ambulance service or partial or
 55 complete support of an emergency medical technician
 56 defibrillator program or partial or complete support
 57 of an emergency medical technician paramedic first
 responder program?

58 FOR THE PROPOSITION

59 AGAINST THE PROPOSITION

60 (Place an X in the square opposite the one for which
 61 you wish to vote.)

62 If a majority of the qualified voters casting votes thereon
 63 be in favor of the question, the board of directors shall
 64 accordingly levy a tax in accordance with the provisions of
 65 this subsection, but if a majority of voters casting votes
 66 thereon do not vote in favor of the levy authorized by this
 67 subsection, any levy previously authorized shall remain in
 68 effect.

321.620. 1. Fire protection districts in first class
 2 counties may, in addition to their other powers and duties,
 3 provide ambulance service within their district if a
 4 majority of the voters voting thereon approve a proposition
 5 to furnish such service and to levy a tax not to exceed
 6 thirty cents on the one hundred dollars assessed valuation
 7 to be used exclusively to supply funds for the operation of
 8 an emergency ambulance service. The district shall exercise
 9 the same powers and duties in operating an ambulance service
 10 as it does in operating its fire protection service. As
 11 used in this section "emergency" means a situation resulting
 12 from a sudden or unforeseen situation or occurrence that

13 requires immediate action to save life or prevent suffering
14 or disability.

15 2. The proposition to furnish ambulance service may be
16 submitted by the board of directors at any municipal
17 general, primary or general election or at any election of
18 the members of the board or upon petition by five hundred
19 voters of such district.

20 3. The question shall be submitted in substantially
21 the following form:

22 Shall the board of directors of _____ Fire
23 Protection District be authorized to provide
24 ambulance service within the district and be
25 authorized to levy a tax not to exceed thirty
26 cents on the one hundred dollars assessed
27 valuation to provide funds for such service?

28 4. If a majority of the voters casting votes thereon
29 be in favor of ambulance service and the levy, the district
30 shall forthwith commence such service.

31 5. In addition to all other taxes authorized on or
32 before September 1, 1990, the board of directors of any fire
33 protection district may, if a majority of the voters of the
34 district voting thereon approve, levy an additional tax of
35 not more than forty cents per one hundred dollars of
36 assessed valuation to be used for the support of the
37 ambulance service, or partial or complete support of [an
38 emergency medical technician defibrillator program or
39 partial or complete support of an emergency medical
40 technician] a paramedic first responder program. The
41 proposition to levy the tax authorized by this subsection
42 may be submitted by the board of directors at the next
43 annual election of the members of the board or at any
44 regular municipal or school election conducted by the county

45 clerk or board of election commissioners in such district or
 46 at a special election called for the purpose, or upon
 47 petition of five hundred registered voters of the district.
 48 A separate ballot containing the question shall read as
 49 follows:

50 Shall the board of directors of the _____ Fire
 51 Protection District be authorized to levy an
 52 additional tax of not more than forty cents per one
 53 hundred dollars assessed valuation to provide funds
 54 for the support of an ambulance service or partial or
 55 complete support of an emergency medical technician
 56 defibrillator program or partial or complete support
 57 of an emergency medical technician paramedic first
 responder program?

58 FOR THE PROPOSITION

59 AGAINST THE PROPOSITION

60 (Place an X in the square opposite the one for which
 61 you wish to vote).

62 If a majority of the qualified voters casting votes thereon
 63 be in favor of the question, the board of directors shall
 64 accordingly levy a tax in accordance with the provisions of
 65 this subsection, but if a majority of voters casting votes
 66 thereon do not vote in favor of the levy authorized by this
 67 subsection, any levy previously authorized shall remain in
 68 effect.

537.037. 1. Any physician or surgeon, registered
 2 professional nurse or licensed practical nurse licensed to
 3 practice in this state under the provisions of chapter 334
 4 or 335, or licensed to practice under the equivalent laws of
 5 any other state and any person licensed as [a mobile] an
 6 emergency medical technician under the provisions of chapter
 7 190, may:

8 (1) In good faith render emergency care or assistance,
9 without compensation, at the scene of an emergency or
10 accident, and shall not be liable for any civil damages for
11 acts or omissions other than damages occasioned by gross
12 negligence or by willful or wanton acts or omissions by such
13 person in rendering such emergency care;

14 (2) In good faith render emergency care or assistance,
15 without compensation, to any minor involved in an accident,
16 or in competitive sports, or other emergency at the scene of
17 an accident, without first obtaining the consent of the
18 parent or guardian of the minor, and shall not be liable for
19 any civil damages other than damages occasioned by gross
20 negligence or by willful or wanton acts or omissions by such
21 person in rendering the emergency care.

22 2. Any other person who has been trained to provide
23 first aid in a standard recognized training program may,
24 without compensation, render emergency care or assistance to
25 the level for which he or she has been trained, at the scene
26 of an emergency or accident, and shall not be liable for
27 civil damages for acts or omissions other than damages
28 occasioned by gross negligence or by willful or wanton acts
29 or omissions by such person in rendering such emergency care.

30 3. Any mental health professional, as defined in
31 section 632.005, or qualified counselor, as defined in
32 section 631.005, or any practicing medical, osteopathic, or
33 chiropractic physician, or certified nurse practitioner, or
34 physicians' assistant may in good faith render suicide
35 prevention interventions at the scene of a threatened
36 suicide and shall not be liable for any civil damages for
37 acts or omissions other than damages occasioned by gross
38 negligence or by willful or wanton acts or omissions by such
39 person in rendering such suicide prevention interventions.

40 4. Any other person may, without compensation, render
41 suicide prevention interventions at the scene of a
42 threatened suicide and shall not be liable for civil damages
43 for acts or omissions other than damages occasioned by gross
44 negligence or by willful or wanton acts or omissions by such
45 person in rendering such suicide prevention interventions.

**579.088. Notwithstanding any other provision of this
2 chapter or chapter 195 to the contrary, it shall not be
3 unlawful to manufacture, possess, sell, deliver, or use any
4 device, equipment, or other material for the purpose of
5 analyzing controlled substances to detect the presence of
6 fentanyl or any synthetic controlled substance fentanyl
7 analogue.**

595.209. 1. The following rights shall automatically
2 be afforded to victims of dangerous felonies, as defined in
3 section 556.061, victims of murder in the first degree, as
4 defined in section 565.020, victims of voluntary
5 manslaughter, as defined in section 565.023, victims of any
6 offense under chapter 566, victims of an attempt to commit
7 one of the preceding crimes, as defined in section 562.012,
8 and victims of domestic assault, as defined in sections
9 565.072 to 565.076; and, upon written request, the following
10 rights shall be afforded to victims of all other crimes and
11 witnesses of crimes:

12 (1) For victims, the right to be present at all
13 criminal justice proceedings at which the defendant has such
14 right, including juvenile proceedings where the offense
15 would have been a felony if committed by an adult, even if
16 the victim is called to testify or may be called to testify
17 as a witness in the case;

18 (2) For victims, the right to information about the
19 crime, as provided for in subdivision (5) of this subsection;

20 (3) For victims and witnesses, to be informed, in a
21 timely manner, by the prosecutor's office of the filing of
22 charges, preliminary hearing dates, trial dates,
23 continuances and the final disposition of the case. Final
24 disposition information shall be provided within five days;

25 (4) For victims, the right to confer with and to be
26 informed by the prosecutor regarding bail hearings, guilty
27 pleas, pleas under chapter 552 or its successors, hearings,
28 sentencing and probation revocation hearings and the right
29 to be heard at such hearings, including juvenile
30 proceedings, unless in the determination of the court the
31 interests of justice require otherwise;

32 (5) The right to be informed by local law enforcement
33 agencies, the appropriate juvenile authorities or the
34 custodial authority of the following:

35 (a) The status of any case concerning a crime against
36 the victim, including juvenile offenses;

37 (b) The right to be informed by local law enforcement
38 agencies or the appropriate juvenile authorities of the
39 availability of victim compensation assistance, assistance
40 in obtaining documentation of the victim's losses,
41 including, but not limited to and subject to existing law
42 concerning protected information or closed records, access
43 to copies of complete, unaltered, unedited investigation
44 reports of motor vehicle, pedestrian, and other similar
45 accidents upon request to the appropriate law enforcement
46 agency by the victim or the victim's representative, and
47 emergency crisis intervention services available in the
48 community;

49 (c) Any release of such person on bond or for any
50 other reason;

51 (d) Within twenty-four hours, any escape by such
52 person from a municipal detention facility, county jail, a
53 correctional facility operated by the department of
54 corrections, mental health facility, or the division of
55 youth services or any agency thereof, and any subsequent
56 recapture of such person;

57 (6) For victims, the right to be informed by
58 appropriate juvenile authorities of probation revocation
59 hearings initiated by the juvenile authority and the right
60 to be heard at such hearings or to offer a written
61 statement, video or audio tape, counsel or a representative
62 designated by the victim in lieu of a personal appearance,
63 the right to be informed by the board of probation and
64 parole of probation revocation hearings initiated by the
65 board and of parole hearings, the right to be present at
66 each and every phase of parole hearings, the right to be
67 heard at probation revocation and parole hearings or to
68 offer a written statement, video or audio tape, counsel or a
69 representative designated by the victim in lieu of a
70 personal appearance, and the right to have, upon written
71 request of the victim, a partition set up in the probation
72 or parole hearing room in such a way that the victim is
73 shielded from the view of the probationer or parolee, and
74 the right to be informed by the custodial mental health
75 facility or agency thereof of any hearings for the release
76 of a person committed pursuant to the provisions of chapter
77 552, the right to be present at such hearings, the right to
78 be heard at such hearings or to offer a written statement,
79 video or audio tape, counsel or a representative designated
80 by the victim in lieu of personal appearance;

81 (7) For victims and witnesses, upon their written
82 request, the right to be informed by the appropriate

83 custodial authority, including any municipal detention
84 facility, juvenile detention facility, county jail,
85 correctional facility operated by the department of
86 corrections, mental health facility, division of youth
87 services or agency thereof if the offense would have been a
88 felony if committed by an adult, postconviction or
89 commitment pursuant to the provisions of chapter 552 of the
90 following:

91 (a) The projected date of such person's release from
92 confinement;

93 (b) Any release of such person on bond;

94 (c) Any release of such person on furlough, work
95 release, trial release, electronic monitoring program, or to
96 a community correctional facility or program or release for
97 any other reason, in advance of such release;

98 (d) Any scheduled parole or release hearings,
99 including hearings under section 217.362, regarding such
100 person and any changes in the scheduling of such hearings.
101 No such hearing shall be conducted without thirty days'
102 advance notice;

103 (e) Within twenty-four hours, any escape by such
104 person from a municipal detention facility, county jail, a
105 correctional facility operated by the department of
106 corrections, mental health facility, or the division of
107 youth services or any agency thereof, and any subsequent
108 recapture of such person;

109 (f) Any decision by a parole board, by a juvenile
110 releasing authority or by a circuit court presiding over
111 releases pursuant to the provisions of chapter 552, or by a
112 circuit court presiding over releases under section 217.362,
113 to release such person or any decision by the governor to
114 commute the sentence of such person or pardon such person;

115 (g) Notification within thirty days of the death of
116 such person;

117 (8) For witnesses who have been summoned by the
118 prosecuting attorney and for victims, to be notified by the
119 prosecuting attorney in a timely manner when a court
120 proceeding will not go on as scheduled;

121 (9) For victims and witnesses, the right to reasonable
122 protection from the defendant or any person acting on behalf
123 of the defendant from harm and threats of harm arising out
124 of their cooperation with law enforcement and prosecution
125 efforts;

126 (10) For victims and witnesses, on charged cases or
127 submitted cases where no charge decision has yet been made,
128 to be informed by the prosecuting attorney of the status of
129 the case and of the availability of victim compensation
130 assistance and of financial assistance and emergency and
131 crisis intervention services available within the community
132 and information relative to applying for such assistance or
133 services, and of any final decision by the prosecuting
134 attorney not to file charges;

135 (11) For victims, to be informed by the prosecuting
136 attorney of the right to restitution which shall be
137 enforceable in the same manner as any other cause of action
138 as otherwise provided by law;

139 (12) For victims and witnesses, to be informed by the
140 court and the prosecuting attorney of procedures to be
141 followed in order to apply for and receive any witness fee
142 to which they are entitled;

143 (13) When a victim's property is no longer needed for
144 evidentiary reasons or needs to be retained pending an
145 appeal, the prosecuting attorney or any law enforcement
146 agency having possession of the property shall, upon request

147 of the victim, return such property to the victim within
148 five working days unless the property is contraband or
149 subject to forfeiture proceedings, or provide written
150 explanation of the reason why such property shall not be
151 returned;

152 (14) An employer may not discharge or discipline any
153 witness, victim or member of a victim's immediate family for
154 honoring a subpoena to testify in a criminal proceeding,
155 attending a criminal proceeding, or for participating in the
156 preparation of a criminal proceeding, or require any
157 witness, victim, or member of a victim's immediate family to
158 use vacation time, personal time, or sick leave for honoring
159 a subpoena to testify in a criminal proceeding, attending a
160 criminal proceeding, or participating in the preparation of
161 a criminal proceeding;

162 (15) For victims, to be provided with creditor
163 intercession services by the prosecuting attorney if the
164 victim is unable, as a result of the crime, temporarily to
165 meet financial obligations;

166 (16) For victims and witnesses, the right to speedy
167 disposition of their cases, and for victims, the right to
168 speedy appellate review of their cases, provided that
169 nothing in this subdivision shall prevent the defendant from
170 having sufficient time to prepare such defendant's defense.
171 The attorney general shall provide victims, upon their
172 written request, case status information throughout the
173 appellate process of their cases. The provisions of this
174 subdivision shall apply only to proceedings involving the
175 particular case to which the person is a victim or witness;

176 (17) For victims and witnesses, to be provided by the
177 court, a secure waiting area during court proceedings and to
178 receive notification of the date, time and location of any

179 hearing conducted by the court for reconsideration of any
180 sentence imposed, modification of such sentence or recall
181 and release of any defendant from incarceration;

182 (18) For victims, the right to receive upon request
183 from the department of corrections a photograph taken of the
184 defendant prior to release from incarceration.

185 2. The provisions of subsection 1 of this section
186 shall not be construed to imply any victim who is
187 incarcerated by the department of corrections or any local
188 law enforcement agency has a right to be released to attend
189 any hearing or that the department of corrections or the
190 local law enforcement agency has any duty to transport such
191 incarcerated victim to any hearing.

192 3. Those persons entitled to notice of events pursuant
193 to the provisions of subsection 1 of this section shall
194 provide the appropriate person or agency with their current
195 addresses, **electronic mail addresses**, and telephone numbers
196 or the addresses, **electronic mail addresses**, or telephone
197 numbers at which they wish notification to be given.

198 4. Notification by the appropriate person or agency
199 utilizing the statewide automated crime victim notification
200 system as established in section 650.310 shall constitute
201 compliance with the victim notification requirement of this
202 section. If notification utilizing the statewide automated
203 crime victim notification system cannot be used, then
204 written notification shall be sent by certified mail **or**
205 **electronic mail** to the most current address **or electronic**
206 **mail address** provided by the victim.

207 5. Victims' rights as established in Section 32 of
208 Article I of the Missouri Constitution or the laws of this
209 state pertaining to the rights of victims of crime shall be
210 granted and enforced regardless of the desires of a

211 defendant and no privileges of confidentiality shall exist
212 in favor of the defendant to exclude victims or prevent
213 their full participation in each and every phase of parole
214 hearings or probation revocation hearings. The rights of
215 the victims granted in this section are absolute and the
216 policy of this state is that the victim's rights are
217 paramount to the defendant's rights. The victim has an
218 absolute right to be present at any hearing in which the
219 defendant is present before a probation and parole hearing
220 officer.

650.320. For the purposes of sections 650.320 to
2 650.340, the following terms mean:

3 (1) **"Ambulance service", the same meaning given to the**
4 **term in section 190.100;**

5 (2) **"Board", the Missouri 911 service board**
6 **established in section 650.325;**

7 (3) **"Dispatch agency", the same meaning given to the**
8 **term in section 190.100;**

9 (4) **"Medical director", the same meaning given to the**
10 **term in section 190.100;**

11 (5) **"Memorandum of understanding", the same meaning**
12 **given to the term in section 190.100;**

13 [(2)] (6) **"Public safety answering point", the**
14 **location at which 911 calls are answered;**

15 [(3)] (7) **"Telecommunicator first responder", any**
16 **person employed as an emergency [telephone worker,] call**
17 **taker or public safety dispatcher whose duties include**
18 **receiving, processing or transmitting public safety**
19 **information received through a 911 public safety answering**
20 **point.**

650.330. 1. The board shall consist of fifteen
2 members, one of which shall be chosen from the department of

3 public safety, and the other members shall be selected as
4 follows:

5 (1) One member chosen to represent an association
6 domiciled in this state whose primary interest relates to
7 municipalities;

8 (2) One member chosen to represent the Missouri 911
9 Directors Association;

10 (3) One member chosen to represent emergency medical
11 services and physicians;

12 (4) One member chosen to represent an association with
13 a chapter domiciled in this state whose primary interest
14 relates to a national emergency number;

15 (5) One member chosen to represent an association
16 whose primary interest relates to issues pertaining to fire
17 chiefs;

18 (6) One member chosen to represent an association with
19 a chapter domiciled in this state whose primary interest
20 relates to issues pertaining to public safety communications
21 officers;

22 (7) One member chosen to represent an association
23 whose primary interest relates to issues pertaining to
24 police chiefs;

25 (8) One member chosen to represent an association
26 domiciled in this state whose primary interest relates to
27 issues pertaining to sheriffs;

28 (9) One member chosen to represent counties of the
29 second, third, and fourth classification;

30 (10) One member chosen to represent counties of the
31 first classification, counties with a charter form of
32 government, and cities not within a county;

33 (11) One member chosen to represent telecommunications
34 service providers;

35 (12) One member chosen to represent wireless
36 telecommunications service providers;

37 (13) One member chosen to represent voice over
38 internet protocol service providers; and

39 (14) One member chosen to represent the governor's
40 council on disability established under section 37.735.

41 2. Each of the members of the board shall be appointed
42 by the governor with the advice and consent of the senate
43 for a term of four years. Members of the committee may
44 serve multiple terms. No corporation or its affiliate shall
45 have more than one officer, employee, assign, agent, or
46 other representative serving as a member of the board.
47 Notwithstanding subsection 1 of this section to the
48 contrary, all members appointed as of August 28, 2017, shall
49 continue to serve the remainder of their terms.

50 3. The board shall meet at least quarterly at a place
51 and time specified by the chairperson of the board and it
52 shall keep and maintain records of such meetings, as well as
53 the other activities of the board. Members shall not be
54 compensated but shall receive actual and necessary expenses
55 for attending meetings of the board.

56 4. The board shall:

57 (1) Organize and adopt standards governing the board's
58 formal and informal procedures;

59 (2) Provide recommendations for primary answering
60 points and secondary answering points on technical and
61 operational standards for 911 services;

62 (3) Provide recommendations to public agencies
63 concerning model systems to be considered in preparing a 911
64 service plan;

65 (4) Provide requested mediation services to political
66 subdivisions involved in jurisdictional disputes regarding

67 the provision of 911 services, except that the board shall
68 not supersede decision-making authority of local political
69 subdivisions in regard to 911 services;

70 (5) Provide assistance to the governor and the general
71 assembly regarding 911 services;

72 (6) Review existing and proposed legislation and make
73 recommendations as to changes that would improve such
74 legislation;

75 (7) Aid and assist in the timely collection and
76 dissemination of information relating to the use of a
77 universal emergency telephone number;

78 (8) Perform other duties as necessary to promote
79 successful development, implementation and operation of 911
80 systems across the state, including monitoring federal and
81 industry standards being developed for next-generation 911
82 systems;

83 (9) Designate a state 911 coordinator who shall be
84 responsible for overseeing statewide 911 operations and
85 ensuring compliance with federal grants for 911 funding;

86 (10) Elect the chair from its membership;

87 (11) Apply for and receive grants from federal,
88 private, and other sources;

89 (12) Report to the governor and the general assembly
90 at least every three years on the status of 911 services
91 statewide, as well as specific efforts to improve
92 efficiency, cost-effectiveness, and levels of service;

93 (13) Conduct and review an annual survey of public
94 safety answering points in Missouri to evaluate potential
95 for improved services, coordination, and feasibility of
96 consolidation;

97 (14) Make and execute contracts or any other
98 instruments and agreements necessary or convenient for the

99 exercise of its powers and functions, including for the
100 development and implementation of an emergency services
101 internet protocol network that can be shared by all public
102 safety agencies;

103 (15) Develop a plan and timeline of target dates for
104 the testing, implementation, and operation of a next-
105 generation 911 system throughout Missouri. The next-
106 generation 911 system shall allow for the processing of
107 electronic messages including, but not limited to,
108 electronic messages containing text, images, video, or data;

109 (16) Administer and authorize grants and loans under
110 section 650.335 to those counties and any home rule city
111 with more than fifteen thousand but fewer than seventeen
112 thousand inhabitants and partially located in any county of
113 the third classification without a township form of
114 government and with more than thirty-seven thousand but
115 fewer than forty-one thousand inhabitants that can
116 demonstrate a financial commitment to improving 911 services
117 by providing at least a fifty percent match and demonstrate
118 the ability to operate and maintain ongoing 911 services.
119 The purpose of grants and loans from the 911 service trust
120 fund shall include:

121 (a) Implementation of 911 services in counties of the
122 state where services do not exist or to improve existing 911
123 systems;

124 (b) Promotion of consolidation where appropriate;

125 (c) Mapping and addressing all county locations;

126 (d) Ensuring primary access and texting abilities to
127 911 services for disabled residents;

128 (e) Implementation of initial emergency medical
129 dispatch services, including prearrival medical instructions

130 in counties where those services are not offered as of July
131 1, 2019; and

132 (f) Development and implementation of an emergency
133 services internet protocol network that can be shared by all
134 public safety agencies;

135 (17) Develop an application process including
136 reporting and accountability requirements, withholding a
137 portion of the grant until completion of a project, and
138 other measures to ensure funds are used in accordance with
139 the law and purpose of the grant, and conduct audits as
140 deemed necessary;

141 (18) Set the percentage rate of the prepaid wireless
142 emergency telephone service charges to be remitted to a
143 county or city as provided under subdivision (5) of
144 subsection 3 of section 190.460;

145 (19) Retain in its records proposed county plans
146 developed under subsection 11 of section 190.455 and notify
147 the department of revenue that the county has filed a plan
148 that is ready for implementation;

149 (20) Notify any communications service provider, as
150 defined in section 190.400, that has voluntarily submitted
151 its contact information when any update is made to the
152 centralized database established under section 190.475 as a
153 result of a county or city establishing or modifying a tax
154 or monthly fee no less than ninety days prior to the
155 effective date of the establishment or modification of the
156 tax or monthly fee;

157 (21) Establish criteria for consolidation
158 prioritization of public safety answering points;

159 (22) In coordination with existing public safety
160 answering points, by December 31, 2018, designate no more
161 than eleven regional 911 coordination centers which shall

162 coordinate statewide interoperability among public safety
163 answering points within their region through the use of a
164 statewide 911 emergency services network; [and]

165 (23) Establish an annual budget, retain records of all
166 revenue and expenditures made, retain minutes of all
167 meetings and subcommittees, post records, minutes, and
168 reports on the board's webpage on the department of public
169 safety website; **and**

170 (24) **Promote and educate the public about the critical**
171 **role of telecommunicator first responders in protecting the**
172 **public and ensuring public safety.**

173 5. The department of public safety shall provide staff
174 assistance to the board as necessary in order for the board
175 to perform its duties pursuant to sections 650.320 to
176 650.340. The board shall have the authority to hire
177 consultants to administer the provisions of sections 650.320
178 to 650.340.

179 6. The board shall promulgate rules and regulations
180 that are reasonable and necessary to implement and
181 administer the provisions of sections 190.455, 190.460,
182 190.465, 190.470, 190.475, and sections 650.320 to 650.340.
183 Any rule or portion of a rule, as that term is defined in
184 section 536.010, shall become effective only if it has been
185 promulgated pursuant to the provisions of chapter 536. This
186 section and chapter 536 are nonseverable and if any of the
187 powers vested with the general assembly pursuant to chapter
188 536 to review, to delay the effective date or to disapprove
189 and annul a rule are subsequently held unconstitutional,
190 then the grant of rulemaking authority and any rule proposed
191 or adopted after August 28, 2017, shall be invalid and void.

650.335. 1. (1) Any county or any home rule city
2 with more than fifteen thousand but fewer than seventeen

3 thousand inhabitants and partially located in any county of
4 the third classification without a township form of
5 government and with more than thirty-seven thousand but
6 fewer than forty-one thousand inhabitants, **or a regional**
7 **planning commission as defined in section 70.515 that**
8 **provides emergency telephone service to multiple counties,**
9 when the prepaid wireless emergency telephone service charge
10 is collected in the county or city, may submit an
11 application for loan funds or other financial assistance to
12 the board for the purpose of financing all or a portion of
13 the costs incurred in implementing a 911 communications
14 service project. If a county has an elected emergency
15 services board, the elected emergency service board shall be
16 eligible for loan funds or other financial assistance under
17 this section.

18 (2) The application shall be accompanied by a
19 technical assistance report. The application and the
20 technical assistance report shall be in such form and
21 contain such information, financial or otherwise, as
22 prescribed by the board.

23 (3) This section shall not preclude any applicant or
24 borrower from joining in a cooperative project with any
25 other political subdivision or with any state or federal
26 agency or entity in a 911 communications service project,
27 provided that all other requirements of this section have
28 been met.

29 2. Applications may be approved for loans only in
30 those instances where the applicant has furnished the board
31 information satisfactory to assure that the project cost
32 will be recovered during the repayment period of the loan.
33 In no case shall a loan be made to an applicant unless the
34 approval of the governing body of the applicant to the loan

35 agreement is obtained and a written certification of such
36 approval is provided, where applicable. Repayment periods
37 are to be determined by the board.

38 3. The board shall approve or disapprove all
39 applications for loans which are sent by certified or
40 registered mail or hand delivered and received by the board
41 upon a schedule as determined by the board.

42 4. Each applicant to whom a loan has been made under
43 this section shall repay such loan, with interest. The rate
44 of interest shall be the rate required by the board. The
45 number, amounts, and timing of the payments shall be as
46 determined by the board.

47 5. Any applicant who receives a loan under this
48 section shall annually budget an amount which is at least
49 sufficient to make the payments required under this section.

50 6. Repayment of principal and interest on loans shall
51 be credited to the Missouri 911 service trust fund
52 established under section 190.420.

53 7. If a loan recipient fails to remit a payment to the
54 board in accordance with this section within sixty days of
55 the due date of such payment, the board shall notify the
56 director of the department of revenue to deduct such payment
57 amount from first, the prepaid wireless emergency telephone
58 service charge remitted to the county or city under section
59 190.460; and if insufficient to affect repayment of the
60 loan, next, the regular apportionment of local sales tax
61 distributions to that county or city. Such amount shall
62 then immediately be deposited in the Missouri 911 service
63 trust fund and credited to the loan recipient.

64 8. All applicants having received loans under this
65 section shall remit the payments required by subsection 4 of
66 this section to the board or such other entity as may be

67 directed by the board. The board or such other entity shall
68 immediately deposit such payments in the Missouri 911
69 service trust fund.

70 9. Loans made under this section shall be used only
71 for the purposes specified in an approved application or
72 loan agreement. In the event the board determines that loan
73 funds have been expended for purposes other than those
74 specified in an approved application or loan agreement or
75 any event of default of the loan agreement occurs without
76 resolution, the board shall take appropriate actions to
77 obtain the return of the full amount of the loan and all
78 moneys duly owed or other available remedies.

79 10. Upon failure of a borrower to remit repayment to
80 the board within sixty days of the date a payment is due,
81 the board may initiate collection or other appropriate
82 action through the provisions outlined in subsection 7 of
83 this section, if applicable.

84 11. If the borrower is an entity not covered under the
85 collection procedures established in this section, the
86 board, with the advice and consent of the attorney general,
87 may initiate collection procedures or other appropriate
88 action pursuant to applicable law.

89 12. The board may, at its discretion, audit the
90 expenditure of any loan, grant, or expenditure made or the
91 computation of any payments made.

92 13. The board shall not approve any application made
93 under this section if the applicant has failed to return the
94 board's annual survey of public safety answering points as
95 required by the board under section 650.330.

650.340. 1. The provisions of this section may be
2 cited and shall be known as the "911 Training and Standards
3 Act".

4 2. Initial training requirements for
5 **[telecommunicators] telecommunicator first responders** who
6 answer 911 calls that come to public safety answering points
7 shall be as follows:

8 (1) Police telecommunicator **first responder**, 16 hours;

9 (2) Fire telecommunicator **first responder**, 16 hours;

10 (3) Emergency medical services telecommunicator **first**
11 **responder**, 16 hours;

12 (4) Joint communication center telecommunicator **first**
13 **responder**, 40 hours.

14 3. All persons employed as a telecommunicator **first**
15 **responder** in this state shall be required to complete
16 ongoing training so long as such person engages in the
17 occupation as a telecommunicator **first responder**. Such
18 persons shall complete at least twenty-four hours of ongoing
19 training every three years by such persons or organizations
20 as provided in subsection 6 of this section.

21 4. Any person employed as a telecommunicator on August
22 28, 1999, shall not be required to complete the training
23 requirement as provided in subsection 2 of this section.
24 Any person hired as a telecommunicator **or a telecommunicator**
25 **first responder** after August 28, 1999, shall complete the
26 training requirements as provided in subsection 2 of this
27 section within twelve months of the date such person is
28 employed as a telecommunicator **or telecommunicator first**
29 **responder**.

30 5. The training requirements as provided in subsection
31 2 of this section shall be waived for any person who
32 furnishes proof to the committee that such person has
33 completed training in another state which is at least as
34 stringent as the training requirements of subsection 2 of
35 this section.

36 6. The board shall determine by administrative rule
37 the persons or organizations authorized to conduct the
38 training as required by subsection 2 of this section.

39 7. [This section shall not apply to an emergency
40 medical dispatcher or agency as defined in section 190.100,
41 or a person trained by an entity accredited or certified
42 under section 190.131, or a person who provides prearrival
43 medical instructions who works for an agency which meets the
44 requirements set forth in section 190.134.] **The board shall**
45 **be responsible for the approval of training courses for**
46 **emergency medical dispatchers. The board shall develop**
47 **necessary rules and regulations in collaboration with the**
48 **state EMS medical director's advisory committee, as**
49 **described in section 190.103, which may provide**
50 **recommendations relating to the medical aspects of**
51 **prearrival medical instructions.**

52 8. A dispatch agency is required to have a memorandum
53 of understanding with all ambulance services that it
54 dispatches. If a dispatch agency provides prearrival
55 medical instructions, it is required to have a medical
56 director whose duties include the maintenance of standards
57 and approval of protocols or guidelines.

 Section 1. The department of health and senior
2 services shall include on its website an advance health care
3 directive form and directions for completing such form as
4 described in section 459.015. The department shall include
5 a listing of possible uses for an advance health care
6 directive, including to limit pain control to nonopioid
7 measures.

 [190.134. A dispatch agency is required to
2 have a memorandum of understanding with all
3 ambulance services that it dispatches. If a
4 dispatch agency provides prearrival medical
5 instructions, it is required to have a medical

6
7

director, whose duties include the maintenance of standards and protocol approval.]

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