

FIRST REGULAR SESSION

SENATE BILL NO. 415

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

Read 1st time February 20, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2088S.01I

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to hospital inspections.

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

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.108, to read as follows:

197.108. 1. The department of health and senior services shall not assign an individual to inspect or survey a hospital, for any purpose, if the inspector or surveyor was an employee of such hospital or another hospital within its organization in the preceding two years.

2. For any inspection or survey of a hospital, regardless of the purpose, the department shall require every newly hired inspector or surveyor at the time of hiring or any currently employed inspector or surveyor as of August 28, 2019, to disclose:

(1) The name of every hospital in which he or she has been employed in the last ten years and the approximate length of service and the job title at the hospital; and

(2) The name of any member of his or her immediate family who has been employed in the last ten years or is currently employed at a hospital and the approximate length of service and the job title at the hospital.

The disclosures under this subsection shall be made to the department whenever the event giving rise to disclosure first occurs.

3. For purposes of this section, the phrase "immediate family member" shall mean a husband, wife, natural or adoptive parent, child, sibling, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,

22 grandparent, or grandchild.

23 4. The information provided under subsection 2 of this section
24 shall be considered a public record under the provisions of section
25 610.010.

26 5. Any person may notify the department if facts exist that would
27 lead a reasonable person to conclude that any inspector or surveyor
28 has any personal or business affiliation that would result in a conflict
29 of interest in conducting an inspection or survey for a hospital. Upon
30 receiving such notice, the department, when assigning an inspector or
31 surveyor to inspect or survey a hospital, for any purpose, shall take
32 steps to verify the information and, if the department has reason to
33 believe that such information is correct, the department shall not
34 assign the inspector or surveyor to the hospital or any hospital within
35 its organization so as to avoid an appearance of prejudice or favor to
36 the hospital or bias on the part of the inspector or surveyor.

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Bill

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