

FIRST REGULAR SESSION

SENATE BILL NO. 494

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Read 1st time February 28, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2233S.011

AN ACT

To repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

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

Section A. Section 334.010, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 334.010, to read as follows:

334.010. 1. It shall be unlawful for any person not now a registered
2 physician within the meaning of the law to practice medicine or surgery in any
3 of its departments, to engage in the practice of medicine across state lines or to
4 profess to cure and attempt to treat the sick and others afflicted with bodily or
5 mental infirmities, or engage in the practice of midwifery in this state, except as
6 herein provided.

7 2. For the purposes of this chapter, the "practice of medicine across state
8 lines" shall mean:

9 (1) The rendering of a written or otherwise documented medical opinion
10 concerning the diagnosis or treatment of a patient within this state by a
11 physician located outside this state as a result of transmission of individual
12 patient data by electronic or other means from within this state to such physician
13 or physician's agent; or

14 (2) The rendering of treatment to a patient within this state by a
15 physician located outside this state as a result of transmission of individual
16 patient data by electronic or other means from within this state to such physician
17 or physician's agent.

18 3. A physician located outside of this state shall not be required to obtain
19 a license when:

20 (1) In consultation with a physician licensed to practice medicine in this

21 state; and

22 (2) The physician licensed in this state retains ultimate authority and
23 responsibility for the diagnosis or diagnoses and treatment in the care of the
24 patient located within this state; or

25 (3) Evaluating a patient or rendering an oral, written or otherwise
26 documented medical opinion, or when providing testimony or records for the
27 purpose of any civil or criminal action before any judicial or administrative
28 proceeding of this state or other forum in this state; or

29 (4) Participating in a utilization review pursuant to section 376.1350.

30 **4. This section shall not apply to a person who holds a current,**
31 **unrestricted license to practice medicine in another state when the**
32 **person, under a written agreement with an athletic team located in the**
33 **state in which the person is licensed, provides sports-related medical**
34 **services to any of the following individuals if the team is traveling to**
35 **or from, or participating in, a sporting event in this state:**

36 (1) A member of an athletic team;

37 (2) A member of an athletic team's coaching, communications,
38 equipment, or sports medicine staff;

39 (3) A member of a band, dance team, or cheerleading squad
40 accompanying an athletic team; or

41 (4) An athletic team's mascot.

42 **5. In providing sports-related medical services under subsection**
43 **4 of this section, the person shall not provide medical services at a**
44 **health care facility, including a hospital, ambulatory surgical center,**
45 **or any other facility in which medical care, diagnosis, or treatment is**
46 **provided on an inpatient or outpatient basis.**

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