

SECOND REGULAR SESSION

# HOUSE BILL NO. 2544

98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FREDERICK.

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D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to mental health screenings for hospital medical staff.

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*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 197.780, to read as follows:

**197.780. 1. Each hospital in this state, as defined under section 197.020, shall conduct an annual screening of all hospital medical staff including, but not limited to, physicians and physicians-in-training for the prevalence of depression and burnout. The screening shall be conducted using the Center for Epidemiologic Studies Depression Scale Revised (CESD-R) and the Maslach Burnout Inventory (MBI).**

**2. The department shall designate an independent third party to conduct the screenings, collect all relevant data, and compile the results for each hospital in the state. All third-party contractor costs shall be borne by each hospital. Except as provided under this section, all data collected shall be confidential and shall not be divulged or made public in a manner that discloses the identity of any individual. Data shall only be released in an aggregate form in a manner that cannot be used to identify any specific individual, but shall be hospital specific. Data suppression standards shall be addressed and established in the contractual agreement between each hospital and the contractor. The contractor shall maintain the security and confidentiality of data received or collected under this section and shall not use, disclose, or release any data without the approval of the department, except as otherwise provided under this section.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **3. All screenings conducted under the provisions of this section shall be voluntary**  
18 **for all hospital medical staff and shall be done anonymously. Any information provided**  
19 **by an individual shall be kept confidential and shall not be disclosed or released to any**  
20 **individual associated with the individual's hospital or employer. Screening results shall**  
21 **be compiled for each hospital and provided to the hospital in an aggregate form that**  
22 **ensures the confidentiality of all hospital medical staff. Each hospital shall post the results**  
23 **on its website in a manner and form prescribed by the department.**

24           **4. The third-party contractor shall compile the screening results from all hospitals**  
25 **in the state and shall report such results in an aggregate form for each hospital to the**  
26 **department annually. The department shall make the screening results publicly available**  
27 **and shall post such results on the department's website specific to each reporting hospital,**  
28 **ensuring that no personal identifying information is disclosed. Each hospital shall**  
29 **establish a plan to address the results of the screenings in order to reduce the prevalence**  
30 **of depression and burnout among its medical staff.**

31           **5. The department may promulgate rules and regulations to implement the**  
32 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
33 **536.010, that is created under the authority delegated in this section shall become effective**  
34 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**  
35 **applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of**  
36 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
37 **the effective date, or to disapprove and annul a rule are subsequently held**  
38 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
39 **after August 28, 2016, shall be invalid and void.**

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