

SECOND REGULAR SESSION

HOUSE BILL NO. 2752

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMAS.

5739H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 334.038, RSMo, and to enact in lieu thereof one new section relating to medical clinics in medically underserved areas.

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

Section A. Section 334.038, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 334.038, to read as follows:

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

(1) "Assistant physician", a person licensed to practice under section 334.036 in a collaborative practice arrangement under section 334.037;

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

(3) "Medically underserved area":

(a) An area in this state with a medically underserved population;

(b) An area in this state designated by the United States secretary of health and human services as an area with a shortage of personal health services;

(c) A population group designated by the United States secretary of health and human services as having a shortage of personal health services;

(d) An area designated under state or federal law as a medically underserved community; or

(e) An area that the department considers to be medically underserved based on relevant demographic, geographic, and environmental factors;

(4) "Primary care", physician services in family practice, general practice, internal medicine, pediatrics, **psychiatry**, obstetrics, or gynecology;

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 (5) "Start-up money", a payment made by a county or municipality in this state which
18 includes a medically underserved area for reasonable costs incurred for the establishment of a
19 medical clinic, ancillary facilities for diagnosing and treating patients, and payment of
20 physicians, assistant physicians, and any support staff.

21 2. (1) The department shall establish and administer a program under this section to
22 increase the number of medical clinics in medically underserved areas. A county or
23 municipality in this state that includes a medically underserved area may establish a medical
24 clinic in the medically underserved area by contributing start-up money for the medical clinic
25 and having such contribution matched wholly or partly by grant moneys from the medical
26 clinics in medically underserved areas fund established in subsection 3 of this section. The
27 department shall seek all available moneys from any source whatsoever, including but not
28 limited to healthcare foundations to assist in funding the program.

29 (2) A participating county or municipality that includes a medically underserved area
30 may provide start-up money for a medical clinic over a two-year period. The department
31 shall not provide more than one hundred thousand dollars to such county or municipality in a
32 fiscal year unless the department makes a specific finding of need in the medically
33 underserved area.

34 (3) The department shall establish priorities so that the counties or municipalities
35 which include the neediest medically underserved areas eligible for assistance under this
36 section are assured the receipt of a grant.

37 3. (1) There is hereby created in the state treasury the "Medical Clinics in Medically
38 Underserved Areas Fund", which shall consist of any state moneys appropriated, gifts, grants,
39 donations, or any other contribution from any source for such purpose. The state treasurer
40 shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
41 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon
42 appropriation, money in the fund shall be used solely for the administration of this section.

43 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
44 remaining in the fund at the end of the biennium shall not revert to the credit of the general
45 revenue fund.

46 (3) The state treasurer shall invest moneys in the fund in the same manner as other
47 funds are invested. Any interest and moneys earned on such investments shall be credited to
48 the fund.

49 4. To be eligible to receive a matching grant from the department, a county or
50 municipality that includes a medically underserved area shall:

51 (1) Apply for the matching grant; and

52 (2) Provide evidence satisfactory to the department that it has entered into an
53 agreement or combination of agreements with a collaborating physician or physicians for the

54 collaborating physician or physicians and assistant physician or assistant physicians in
55 accordance with a collaborative practice arrangement under section 334.037 to provide
56 primary care in the medically underserved area for at least two years.

57 5. The department shall promulgate rules necessary for the implementation of this
58 section, including rules addressing:

59 (1) Eligibility criteria for a medically underserved area;

60 (2) A requirement that a medical clinic utilize an assistant physician in a collaborative
61 practice arrangement under section 334.037;

62 (3) Minimum and maximum county or municipality contributions to the start-up
63 money for a medical clinic to be matched with grant moneys from the state;

64 (4) Conditions under which grant moneys shall be repaid by a county or municipality
65 for failure to comply with the requirements for receipt of such grant moneys;

66 (5) Procedures for disbursement of grant moneys by the department;

67 (6) The form and manner in which a county or municipality shall make its
68 contribution to the start-up money; and

69 (7) Requirements for the county or municipality to retain interest in any property,
70 equipment, or durable goods for seven years including, but not limited to, the criteria for a
71 county or municipality to be excused from such retention requirement.

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