

SENATE BILL NO. 1494

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GANNON.

5990S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the boarding of certain individuals at hospitals.

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

Section A. Chapter 191, RSMo, is amended by adding thereto
2 one new section, to be known as section 191.1900, to read as
3 follows:

191.1900. 1. The provisions of this section shall be
2 known and may be cited as the "End Hospital
3 Institutionalization Act".

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

5 (1) "Boarding" or "boarded", any continued stay of a
6 medically stable patient in a hospital or emergency room
7 that occurs without medical justification because the
8 patient's caretaker is unable or unwilling to ensure:

9 (a) The safety, well-being, and necessary ongoing
10 medical, behavioral, or psychological care of the patient
11 outside the hospital; or

12 (b) The safety of the public with respect to the
13 patient's behaviors in the community outside the hospital;

14 (2) "Hospital", the same meaning given to the term in
15 section 197.020.

16 3. Upon notification by a hospital that a child under
17 the jurisdiction of a juvenile court is being boarded, the
18 juvenile court shall immediately intervene to ensure that

19 such child is placed in an appropriate setting and afforded
20 proper treatment.

21 4. Upon notification by a hospital that a child who is
22 not under the jurisdiction of a juvenile court is being
23 boarded, the juvenile court of the county in which the
24 hospital is located shall immediately take custody of the
25 child to ensure that such child is placed in an appropriate
26 setting and afforded proper treatment.

27 5. Upon notification by a hospital that an individual
28 who has been diagnosed with a developmental disability,
29 serious mental illness, or substance use disorder is being
30 boarded, the department of mental health shall provide case
31 management and treatment, including residential or inpatient
32 treatment as appropriate, without delay and in the least
33 restrictive environment possible.

34 6. The state shall reimburse the hospital the actual
35 costs for boarding, or the hospital's full allowable costs
36 under MO HealthNet rules, whichever is greater, for each day
37 an individual is boarded after the juvenile court or the
38 department of mental health has been notified of the
39 boarding of such individual.

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