

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

SENATE BILL NO. 38

96TH GENERAL ASSEMBLY

2011

0086S.01T

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the prostate cancer pilot program.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new
2 section, to be known as section 191.950, to read as follows:

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

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

3 (2) "Economically challenged men", men who have a gross income
4 up to one-hundred and fifty percent of the federal poverty level;

5 (3) "Program", the prostate cancer pilot program established in
6 this section;

7 (4) "Rural area", a rural area which is in either any county of the
8 third classification without a township form of government and with
9 more than twenty thousand but fewer than twenty thousand one
10 hundred inhabitants, any county of the second classification with more
11 than nineteen thousand seven hundred but fewer than nineteen
12 thousand eight hundred inhabitants, or any county of the third
13 classification with a township form of government and with more than
14 thirty-three thousand one hundred but fewer than thirty-three
15 thousand two hundred inhabitants;

16 (5) "Uninsured men", men for whom services provided by the
17 program are not covered by private insurance, MO HealthNet or
18 Medicare;

19 (6) "Urban area", an urban area which is located in a city not
20 within a county.

21 2. Subject to securing a cooperative agreement with a nonprofit

22 entity for funding of the program, there is hereby established within
23 the department of health and senior services two "Prostate Cancer Pilot
24 Programs" to fund prostate cancer screening and treatment services
25 and to provide education to men residing in this state. One prostate
26 cancer pilot program shall be located in an urban area and one
27 prostate cancer pilot program shall be located in a rural area. The
28 department may directly contract with the Missouri Foundation for
29 Health, or a successor entity, in the delivery of the pilot program. For
30 purposes of this section, the contracting process of the department with
31 these entities need not be governed by the provisions of chapter 34.

32 3. The program shall be open to:

33 (1) Uninsured men or economically challenged men who are at
34 least fifty years old; and

35 (2) On the advice of a physician or at the request of the
36 individual, uninsured men or economically challenged men who are at
37 least thirty-five years of age but less than fifty years of age and who are
38 at high risk for prostate cancer.

39 4. The program shall provide:

40 (1) Prostate cancer screening;

41 (2) Referral services, including services necessary for diagnosis;

42 (3) Treatment services for individuals who are diagnosed with
43 prostate cancer after being screened; and

44 (4) Outreach and education activities to ensure awareness and
45 utilization of program services by uninsured men and economically
46 challenged men.

47 5. Upon appropriation, the department shall distribute grants to
48 administer the program to:

49 (1) Local health departments; and

50 (2) Federally qualified health centers.

51 6. Three years from the date on which the grants were first
52 administered under this section, the department shall report to the
53 governor and general assembly:

54 (1) The number of individuals screened and treated under the
55 program, including racial and ethnic data on the individuals who were
56 screened and treated; and

57 (2) To the extent possible, any cost savings achieved by the
58 program as a result of early detection of prostate cancer.

59 7. The department shall promulgate rules to establish guidelines
60 regarding eligibility for the program and to implement the provisions
61 of this section. Any rule or portion of a rule, as that term is defined in
62 section 536.010, that is created under the authority delegated in this
63 section shall become effective only if it complies with and is subject to
64 all of the provisions of chapter 536 and, if applicable, section
65 536.028. This section and chapter 536 are nonseverable and if any of
66 the powers vested with the general assembly pursuant to chapter 536
67 to review, to delay the effective date, or to disapprove and annul a rule
68 are subsequently held unconstitutional, then the grant of rulemaking
69 authority and any rule proposed or adopted after August 28, 2011, shall
70 be invalid and void.

71 8. Pursuant to section 23.253 of the Missouri sunset act:

72 (1) The provisions of the new program authorized under this
73 section shall automatically sunset six years after the effective date of
74 this section unless reauthorized by an act of the general assembly; and

75 (2) If such program is reauthorized, the program authorized
76 under this section shall automatically sunset six years after the
77 effective date of the reauthorization of this section; and

78 (3) This section shall terminate on September first of the
79 calendar year immediately following the calendar year in which the
80 program authorized under this section is sunset.

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