

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2-3, by deleting the words "medical  
2 helicopters" and inserting in lieu thereof the word "hospitals"; and

3  
4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line  
5 the following:

6  
7 "96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this  
8 section, and established and organized under the provisions of sections 96.150 to 96.229, may invest  
9 up to twenty-five percent of the hospital's funds not required for immediate disbursement in  
10 obligations or for the operation of the hospital in any United States investment grade fixed income  
11 funds or any diversified stock funds, or both.

12 2. The provisions of this section shall only apply if the hospital:

13 (1) Receives less than one percent of its annual revenues from municipal, county, or state  
14 taxes; and

15 (2) Receives less than one percent of its annual revenue from appropriated funds from the  
16 municipality in which such hospital is located."; and

17  
18 Further amend said bill and page, Section 190.265, Line 18, by inserting after all of said section and  
19 line the following:

20  
21 "197.315. 1. Any person who proposes to develop or offer a new institutional health service  
22 within the state must obtain a certificate of need from the committee prior to the time such services  
23 are offered.

24 2. Only those new institutional health services which are found by the committee to be  
25 needed shall be granted a certificate of need. Only those new institutional health services which are  
26 granted certificates of need shall be offered or developed within the state. No expenditures for new  
27 institutional health services in excess of the applicable expenditure minimum shall be made by any  
28 person unless a certificate of need has been granted.

29 3. After October 1, 1980, no state agency charged by statute to license or certify health care  
30 facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is  
31 developed without obtaining a certificate of need.

32 4. If any person proposes to develop any new institutional health care service without a  
33 certificate of need as required by sections 197.300 to 197.366, the committee shall notify the  
34 attorney general, and he shall apply for an injunction or other appropriate legal action in any court  
35 of this state against that person.

36 5. After October 1, 1980, no agency of state government may appropriate or grant funds to  
Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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1 or make payment of any funds to any person or health care facility which has not first obtained  
2 every certificate of need required pursuant to sections 197.300 to 197.366.

3 6. A certificate of need shall be issued only for the premises and persons named in the  
4 application and is not transferable except by consent of the committee.

5 7. Project cost increases, due to changes in the project application as approved or due to  
6 project change orders, exceeding the initial estimate by more than ten percent shall not be incurred  
7 without consent of the committee.

8 8. Periodic reports to the committee shall be required of any applicant who has been granted  
9 a certificate of need until the project has been completed. The committee may order the forfeiture  
10 of the certificate of need upon failure of the applicant to file any such report.

11 9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure  
12 on any approved project within six months after the date of the order. The applicant may request an  
13 extension from the committee of not more than six additional months based upon substantial  
14 expenditure made.

15 10. Each application for a certificate of need must be accompanied by an application fee.  
16 The time of filing commences with the receipt of the application and the application fee. The  
17 application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed  
18 project, whichever is greater. All application fees shall be deposited in the state treasury. Because  
19 of the loss of federal funds, the general assembly will appropriate funds to the Missouri health  
20 facilities review committee.

21 11. In determining whether a certificate of need should be granted, no consideration shall be  
22 given to the facilities or equipment of any other health care facility located more than a fifteen-mile  
23 radius from the applying facility.

24 12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it  
25 may return to the higher level of care if it meets the licensure requirements, without obtaining a  
26 certificate of need.

27 13. In no event shall a certificate of need be denied because the applicant refuses to provide  
28 abortion services or information.

29 14. A certificate of need shall not be required for the transfer of ownership of an existing  
30 and operational health facility in its entirety.

31 15. A certificate of need may be granted to a facility for an expansion, an addition of  
32 services, a new institutional service, or for a new hospital facility which provides for something less  
33 than that which was sought in the application.

34 16. The provisions of this section shall not apply to facilities operated by the state, and  
35 appropriation of funds to such facilities by the general assembly shall be deemed in compliance with  
36 this section, and such facilities shall be deemed to have received an appropriate certificate of need  
37 without payment of any fee or charge. The provisions of this subsection shall not apply to hospitals  
38 operated by the state and licensed under chapter 197, except for department of mental health state-  
39 operated psychiatric hospitals.

40 17. Notwithstanding other provisions of this section, a certificate of need may be issued  
41 after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually  
42 disabled.

43 18. To assure the safe, appropriate, and cost-effective transfer of new medical technology  
44 throughout the state, a certificate of need shall not be required for the purchase and operation of:

45 (1) Research equipment that is to be used in a clinical trial that has received written  
46 approval from a duly constituted institutional review board of an accredited school of medicine or  
47 osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed  
48 complement of the institution in which the equipment is to be located. After the clinical trial has

1 been completed, a certificate of need must be obtained for continued use in such facility; or  
2 (2) Equipment that is to be used by an academic health center operated by the state in  
3 furtherance of its research or teaching missions."; and  
4

5 Further amend said bill, Page 2, Section B, Lines 1-6, by deleting all of said lines and inserting in  
6 lieu thereof the following:  
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8 "Section B. Because immediate action is necessary to preserve access to quality health care  
9 facilities for the citizens of Missouri, the enactment of section 190.265 and the repeal and  
10 reenactment of section 197.315 of section A of this act is deemed necessary for the immediate  
11 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an  
12 emergency act within the meaning of the constitution, and the enactment of section 190.265 and the  
13 repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect  
14 upon its passage and approval."; and  
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16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.