

# SENATE BILL NO. 1240

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

3594S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to health advocates.

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

Section A. Chapter 192, RSMo, is amended by adding thereto  
2 one new section, to be known as section 192.378, to read as  
3 follows:

**192.378. 1. For purposes of this section, the  
2 following terms mean:**

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

5 (2) "Health advocate", an employee or contractor of  
6 the department who works with pregnant patients on their  
7 behalf by assisting the patients in navigating the health  
8 care system and communicating with the health care  
9 professionals providing care for the patients;

10 (3) "Program", the health advocate program established  
11 in subsection 2 of this section.

12 2. Subject to appropriation, the department shall  
13 establish a health advocate program in which the department  
14 provides a health advocate to any pregnant patient who  
15 requests a health advocate.

16 3. Any resident of this state who is pregnant may  
17 request a health advocate through the program. The  
18 department shall assign a health advocate to the resident

19 within twenty days of any such request. The assignment  
20 shall continue for the duration of the pregnancy.

21 4. A health advocate for the program may be licensed  
22 or certified as a health care professional or patient  
23 advocate, but licensure or certification shall not be  
24 required to serve as a health advocate in the program.

25 5. The department shall determine the duties the  
26 health advocate shall perform for the patients in the  
27 program during their pregnancy. The duties shall include,  
28 but not be limited to, the following:

29 (1) Assessing the needs, culture, and medical  
30 background of the patient and the patient's family;

31 (2) Preparing a birthing plan for the family;

32 (3) Being present in the birthing room with the family  
33 or on call during the birthing process;

34 (4) Advocating for the patient if any conflict occurs  
35 between or among the patient, the health care professionals  
36 caring for the patient, and the family members of the  
37 patient; and

38 (5) Documenting any conflict described in subdivision  
39 (4) of this subsection and monitoring and documenting the  
40 outcome of the conflict.

41 6. Every licensed physician who provides obstetrical  
42 or gynecological care to a pregnant patient in this state  
43 shall inform the patient about the availability of the  
44 program.

45 7. To raise awareness and to educate the public, the  
46 department shall:

47 (1) Collect and distribute resource materials to  
48 educate the public about the program;

49 (2) Develop and distribute educational materials,  
50 including, but not limited to, videos, brochures, and other

51 media, as part of a comprehensive public awareness campaign  
52 about the program;

53 (3) Make such educational materials available through  
54 state and local public health clinics, public hospitals, and  
55 private physicians for distribution to their patients. Such  
56 materials shall also be available to the public on the  
57 department's website; and

58 (4) Establish a toll-free telephone number to provide  
59 information on the program and receive requests from  
60 patients for health advocates.

61 8. (1) There is hereby created in the state treasury  
62 the "Health Advocate Program Fund", which shall consist of  
63 moneys appropriated to it by the general assembly and any  
64 gifts, contributions, grants, or bequests received from  
65 federal, private, or other sources. The state treasurer  
66 shall be custodian of the fund. In accordance with sections  
67 30.170 and 30.180, the state treasurer may approve  
68 disbursements. The fund shall be a dedicated fund and, upon  
69 appropriation, moneys in this fund shall be used solely as  
70 provided in this section.

71 (2) Notwithstanding the provisions of section 33.080  
72 to the contrary, any moneys remaining in the fund at the end  
73 of the biennium shall not revert to the credit of the  
74 general revenue fund.

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

79 9. The department shall promulgate all necessary rules  
80 and regulations for the administration of this section. Any  
81 rule or portion of a rule, as that term is defined in  
82 section 536.010, that is created under the authority

83 delegated in this section shall become effective only if it  
84 complies with and is subject to all of the provisions of  
85 chapter 536 and, if applicable, section 536.028. This  
86 section and chapter 536 are nonseverable and if any of the  
87 powers vested with the general assembly pursuant to chapter  
88 536 to review, to delay the effective date, or to disapprove  
89 and annul a rule are subsequently held unconstitutional,  
90 then the grant of rulemaking authority and any rule proposed  
91 or adopted after August 28, 2024, shall be invalid and void.

92 10. The provisions of sections 23.250 to 23.298 shall  
93 not apply to the provisions of this section.

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