



LONG TERM CARE & SENIOR LIVING BLOG

Missouri Legislative Update

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Last December Missouri House Representative Bill White introduced HB 100, titled the Adult Health Care Consent Act. This bill attempts to specify the order of priority of persons entitled to make health care decisions for an individual who has been certified as physically and cognitively unable to consent to his or her own health care.

Under the proposed law, the order of priority would be as follows: (1) a court-appointed guardian; (2) an attorney-in-fact appointed in a durable power of attorney; (3) an individual appointed by law; (4) a spouse, unless the spouse and patient are separated or have a divorce pending; (5) a parent or adult child; (6) an adult sibling, grandparent, or adult grandchild; (7) any other relative by blood or marriage who reasonably is believed by the health care professional to have a close personal relationship with the patient; (8) any nonrelative who reasonably is believed by the health care professional to have a close personal relationship with the patient; and (9) a person given authority to make health care decisions for the patient by another statutory provision.

This proposed legislation would apply to immediate or skilled nursing care provided in a facility licensed under Chapter 198, which includes residential care, assisted living, intermediate care, and skilled nursing facilities. The bill also seeks to limit liability of persons who make health care decisions and health care providers who in good faith rely on the decisions of persons entitled to make health care decisions.

The Committee on Health Care Policy held hearing on the Bill in May but has not make recommendations or proposed amendments. For a full version of the bill text, [click here](#). We'll continue to monitor the bill's progress and will provide an update if it is signed into law.

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