



Rules of
Department of Insurance,
Financial Institutions and
Professional Registration
Division 2150—State Board of Registration
for the Healing Arts
Chapter 1—Organization

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION**
Division 2150—State Board of
Registration for the Healing Arts
Chapter 1—Organization

**20 CSR 2150-1.010 General Organization,
Information Requests and Board Com-
pensation**

*PURPOSE: This rule describes the organiza-
tion and general courses and methods of
operation of the State Board of Registration
for the Healing Arts to comply with the
requirements of section 536.023, RSMo.*

(1) Based on the authority granted by the legislature, the mission of the State Board of Registration for the Healing Arts is to protect the citizens of the state through the licensing of physicians and other health designated professionals, assessing their competence to practice and their moral character. It is also the board's duty to investigate all complaints against its licensees in a fair and equitable manner.

(2) The public may obtain information, make submissions or direct requests to the board by communications in writing with the executive secretary, Missouri State Board of Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102.

(3) The amount of compensation to be paid to each member of the State Board of Registration for the Healing Arts shall be determined as follows:

(A) Each member of the board whose term of office begins on or after September 28, 1981 shall receive as compensation the sum of fifty dollars (\$50) for each day that member devotes to the affairs of the board;

(B) In addition to the compensation fixed in this rule, each member is entitled to reimbursement of his/her expenses necessarily incurred in the discharge of his/her official duties; and

(C) No request for the compensation provided in this rule shall be processed for payment unless sufficient funds are available for that purpose within the appropriations for this board.

AUTHORITY: sections 334.120.1, RSMo Supp. 1988 and 334.125, RSMo 1986. This rule originally filed as 4 CSR 150-1.010. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Emergency amendment filed Jan. 12, 1982, effective Jan. 22, 1982,*

expired May 22, 1982. Amended: Filed Feb. 10, 1982, effective June 11, 1982. Amended: Filed July 3, 1989, effective Dec. 1, 1989, Amended: Filed April 2, 1992, effective Dec. 3, 1992. Moved to 20 CSR 2150-1.010, effective Aug. 28, 2006.

**Original authority: 334.120, RSMo 1945, amended 1949, 1959, 1981, 1988; 334.125, RSMo 1959.*

**20 CSR 2150-1.011 Public Complaint
Handling and Disposition Procedure**

PURPOSE: The Missouri State Board of Registration for the Healing Arts receives public complaints concerning alleged violations of Chapter 334, RSMo. The board also receives from the director of the Department of Insurance reports of claims for medical malpractice. Beginning January 1, 1987, the board will receive from the executive officers of hospitals and ambulatory surgical centers reports regarding disciplinary actions and voluntary resignations relative to licensed health care professionals. This rule establishes a procedure for the handling of public complaints, reports of claims for medical malpractice and reports for disciplinary actions and voluntary resignations.

(1) Consumer complaints concerning alleged violations of Chapter 334, RSMo shall be handled as follows:

(A) Any member of the public or the profession, or any federal, state or local official, may make and file a complaint with the board based upon personal knowledge or upon information received from other sources. The complaint may be against any licensee, permit holder, registrant of the board or unlicensed individual or entity and may allege acts or practices which may constitute a violation of any provision of Chapter 334, RSMo. No member or the board shall file a complaint with this board while holding that office unless that member is excused from further board deliberations or activity concerning the matters alleged within that complaint. The executive secretary or any administrative staff member of the board may file a complaint in the same matter as any member of the public;

(B) Each complaint must be typed or hand written and signed by the complainant. Oral, telephone or written, but unsigned, communications will not be considered or processed as complaints. Complaints shall fully identify the nature of the complaint; show the name, address and telephone number of the complainant; and be mailed or delivered to the following address: Missouri State Board of

Registration for the Healing Arts, P.O. Box 4, Jefferson City, MO 65102;

(C) Each signed, written complaint received under this section shall be logged in and maintained by the board. Complaints shall be logged in consecutive order as received. The log shall contain, if known by the board, a record of each complainant's name and address; the name and address of the subject of the complaint; the date each complaint is received by the board; a brief statement of the acts complained of, including the name of any person injured, aggrieved or victimized by the alleged acts or practices; a notation indicating whether the complaint resulted in its dismissal by the board, or whether formal charges have been or will be filed with the Administrative Hearing Commission, or what the ultimate disposition of the complaint was; and further information as the board may direct;

(D) Each complaint made in accordance with this rule shall be acknowledged in writing and may be investigated by the board. If a complaint is investigated, the complainant shall be informed in writing after the investigation is completed as to whether the complaint resulted in its dismissal by the board, or whether formal charges have been or will be filed with the Administrative Hearing Commission, or what the ultimate disposition of the complaint was. The provisions of this subsection shall not apply to complaints filed by staff members of the board based on information and belief, acting in reliance on third-party information received by the board; and

(E) Each complaint investigated shall be reviewed and pursued as provided in section (4) of this rule.

(2) Reports of claims for medical malpractice received from the director of the Department of Insurance shall be handled as follows:

(A) The date received shall be placed on each medical malpractice report received from the Department of Insurance;

(B) Each medical malpractice report received from the Department of Insurance shall be interfiled alphabetically (by last name of licentiate) in a binder which shall be maintained by calendar year. Those reports shall be maintained as permanent records;

(C) Each claim for medical malpractice received from the director of the Department of Insurance shall be reviewed by a medical staff officer of the board. The medical staff officer shall review the report and either refer the matter to the investigative coordinator for investigation or make a recommendation to the disciplinary committee;

(D) A chronological record (by date) shall be maintained on the reverse side of each



medical malpractice report received as to the progress of the review or the investigatory process, or both, as well as final disposition; and

(E) Supporting files or records, or both, shall be established and maintained as deemed necessary.

(3) Reports of disciplinary actions and voluntary resignations received from executive officers of hospitals and ambulatory surgical centers shall be handled as follows:

(A) The date received shall be placed on each report of disciplinary action or voluntary resignation received from a hospital or ambulatory surgical center;

(B) Each hospital or ambulatory surgical center report received shall be interfiled alphabetically (by last name of licensee) in a binder which shall be maintained by calendar year. The reports shall be maintained as permanent records;

(C) Each report received from a hospital or ambulatory surgical center shall be reviewed by a medical staff officer of the board. The medical staff officer shall review the report and either refer the matter to the investigative coordinator for investigation or make a recommendation to the disciplinary committee;

(D) A chronological record (by date) shall be maintained on the reverse side of each hospital or ambulatory surgical center report as to the progress of the review, the investigatory progress, or both, as well as final disposition; and

(E) Supporting files or records, or both, shall be established and maintained as deemed necessary.

(4) Public complaints, reports of claims for medical malpractice from the director of the Department of Insurance and disciplinary actions or voluntary resignations received from chief executive officers of any hospital or ambulatory surgical center shall be processed and pursued as follows:

(A) After logging in each complaint or report, each complaint or report shall be delivered to a medical staff officer. The medical staff officer shall review the complaint or report and either issue a request to the investigative coordinator for investigation and records or forward the complaint or report to the disciplinary committee along with his/her recommendations;

(B) If the complaint or report is forwarded to the investigative coordinator, s/he shall establish an investigation file and assign it to an investigator with such direction as s/he deems appropriate. Upon receipt of an investigation assignment, the investigator shall conduct the investigation as s/he deems

appropriate and such further investigation as may be required;

(C) Upon completion of the investigation, the investigator shall submit a written report to the investigative coordinator for a report review. The investigative coordinator shall review the report and either direct further investigation or deliver the report to the medical staff officer for review;

(D) Upon receipt of a report from the investigative coordinator, the medical consultant shall review the report and either return the report to the investigative coordinator for further investigation or deliver the report along with his/her recommendation to the disciplinary committee;

(E) Upon receipt of a report from the medical staff officer, the disciplinary committee shall review the report and either return the report to the medical staff officer or investigative coordinator for further review or investigation or forward the report along with its recommendation to the board;

(F) Upon receipt of a report from the disciplinary committee, the board shall review the report and either return the report to the medical staff officer or investigative coordinator for further review or investigation, return the report to the investigative coordinator for closing, forward the report to the board's attorney for legal proceedings, or take or direct such further actions as the board deems appropriate;

(G) The medical staff officer, investigative coordinator, investigator, disciplinary committee or board may contact the board's attorneys for assistance in obtaining records or subpoenas, or for assistance or direction during the course of the review or investigation; and

(H) The executive secretary of the board may alter the procedure set forth in this section for investigating and reviewing any complaint or report as s/he deems appropriate.

(5) The board's investigation and subsequent litigation is not limited to or by the scope of the public complaints, reports of claims for medical malpractice received from the director of the Department of Insurance or reports or disciplinary action and voluntary resignation received from executive officers of hospitals and ambulatory surgical centers.

AUTHORITY: section 334.125, RSMo 1986. This rule originally filed as 4 CSR 150-1.011. Original rule filed Oct. 3, 1986, effective Dec. 15, 1986. Moved to 20 CSR 2150-1.011, effective Aug. 28, 2006.*

**Original authority: 334.125, RSMo 1959.*

20 CSR 2150-1.015 Public Records

PURPOSE: This rule establishes standards for compliance with Chapter 610, RSMo as it relates to public records of the State Board of Registration for the Healing Arts.

(1) All public records of the State Board of Registration for the Healing Arts shall be open for inspection and copying by the general public at the board's office during normal business hours, holidays excepted, except for those records closed pursuant to section 610.021, RSMo. All public meetings of the State Board of Registration for the Healing Arts, not closed pursuant to the provisions of section 610.021, RSMo will be open to the public.

(2) The State Board of Registration for the Healing Arts establishes the executive director of the board as the custodian of its records as required by section 610.023, RSMo. The executive director is responsible for maintaining the board's records and for responding to requests for access to public records and may appoint deputy custodians as necessary for the efficient operation of the board.

(3) When a party requests copies of the records, the board may collect the appropriate fee for costs for inspecting and copying the records and may require payment of the fee prior to making the records available (see 20 CSR 2150-3.080).

(4) When the custodian believes that requested access is not required under Chapter 610, RSMo, the custodian shall inform the requesting party that compliance cannot be made, specifying what sections of Chapter 610, RSMo require that the record remain closed. Correspondence or documentation of the denial shall be copied to the board's general counsel. The custodian also shall inform the requesting party that they may appeal directly to the board for access to the records requested. The appeal and all pertinent information shall be placed on the agenda for the board's next regularly scheduled meeting. If the board reverses the decision of the custodian, the board shall direct the custodian to advise the requesting party and supply access to the information during regular business hours at the party's convenience.

AUTHORITY: section 334.125, RSMo 2000 and Chapter 610, RSMo Supp. 2007. This rule originally filed as 4 CSR 150-1.015. Original rule filed Dec. 23, 1988, effective May 1, 1989. Moved to 20 CSR 2150-1.015, effective Aug. 28, 2006. Amended: Filed Dec. 14, 2007, effective June 30, 2008.*



**Original authority: 334.125, RSMo 1959, amended 1993, 1995 and Chapter 610, please see Missouri Revised Statutes, Cumulative Supp. 2007.*