

## **Appendix B**

### **Relevant Missouri State Statues**

Research College of Nursing recognizes that substance abuse has a negative impact on the education/work environment. Policies have been adopted by the college regulating the use of alcohol on campus and prohibiting the “illegal, unauthorized or unprescribed use, possession or distribution of narcotics, drugs and/or chemicals.” Sanctions describing action to be taken should a violation occur have been established. These policies are contained in the Student Life section of this guide.

Students should further familiarize themselves with the provisions of the State of Missouri Nursing Practice Act, particularly section 335.066, “Denial, revocation or suspension of license, grounds for.” Appendix C.

Employees should refer to Research Medical Center policy number 040-020-35, “Illegal Drugs and Alcohol,” for applicable standards and procedures pertinent to their employment.

In addition to the above mentioned policies the following information is provided as required by Public Law 101-226, “The Drug Free Schools and Communities Act Amendments of 1989” to the “Higher Education Act of 1965:”

#### **311.320 RSMo. Misrepresentation of age by minor to obtain liquor – use of altered driver’s license, passport or I.D. cards, penalties.**

1. Any person of the age of seventeen years and under the age of twenty-one years who shall represent that he has attained the age of twenty-one years for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, except in cases authorized by law, shall upon conviction be deemed guilty of a misdemeanor. Any person under the age of seventeen years who shall represent that he has attained the age of twenty-one years for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, except in cases authorized by law, may be considered a delinquent child and may be dealt with in accordance with the provisions of chapter 211, RSMo.
2. In addition to any other penalties established in subsection 1 of this section and established in sections 577.500 to 577.530, RSMo, any person who is less than twenty-one years of age who uses a reproduced, modified or altered chauffeur’s license, motor vehicle operator’s license, identification card issued by any uniformed service of the United States, passport or identification card established in 302.181, RSMo, for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, shall be guilty of a misdemeanor and shall be subject to a fine of five hundred dollars for each separate offense.

#### **311.325 RSMo. Purchase or possession by minor, a misdemeanor – container need not be opened and contents verified, when – burden of proof on violator to prove not intoxicating liquor.**

Any person under the age of twenty-one years, who purchases or attempts to purchase, or has in his possession, any intoxicating liquor as defined in section 311.020 is guilty of a misdemeanor. For purposes of prosecution under this section or any other provision of this chapter involving an alleged illegal sale or transfer of intoxicating liquor to a person under twenty-one, a manufacturer – sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such person, as it shall be presumed that such a sealed container describing that there is intoxicating liquor therein contains intoxicating liquor.

#### **577.010 Driving while intoxicated**

1. A person commits the crime of “driving while intoxicated” if he operates a motor vehicle while in an intoxicated or drugged condition.

2. Driving while intoxicated is for the first offense, a class B misdemeanor. No person convicted of or pleading guilty to the offense of driving while intoxicated shall be granted a suspended imposition of sentence for such offense, unless such person shall be placed on probation for a minimum of two years.

#### **577.012 Driving with excessive blood alcohol content**

1. A person commits the crime of “driving with excessive blood alcohol content” if he operates a motor vehicle in this state with ten-hundredths of one percent or more by weight of alcohol in his blood.
2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person’s blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person’s blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.
3. For the first offense, driving with excessive blood alcohol content is a class C misdemeanor.

#### **577.017 Consumption of alcoholic beverages in moving vehicle, prohibited when – infraction – records, not to appear on**

1. No person shall consume any alcoholic beverage while operating a moving motor vehicle upon the highways, as defined in section 301.010, RSMo.
2. Any person found guilty of violating the provisions of this section is guilty of an infraction.
3. Any infraction under this section shall not reflect on any records with the department of revenue.

#### **Health Risks**

The abuse of alcohol and/or drugs can lead to serious physical, psychological and/or social problems including but not limited to: addiction, loss of consciousness, hallucinations, memory lapses, impaired physical and/or mental functioning, organ damage, cardiac arrest, respiratory failure, brain hemorrhage, coma or death.

#### **Information for Assistance**

Information about assistance available in the greater Kansas City area and at the College is available in the Student Affairs Office. Counseling through the Rockhurst Counseling Center may be provided at no charge for undergraduates. Graduate students may access the Rockhurst Counseling Center for a fee.

Information regarding effects and consequences of alcohol and drug use are also integrated in nursing courses.

Undergraduates may refer to the Rockhurst University Student Handbook for more information and appropriate phone numbers.