

# LEGISLATIVE UPDATE

Issue 1, January 8, 2016

Office of Administration  
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Welcome to the first issue of the 2016 Legislative Update with the 98th General Assembly. The *Legislative Update* will present a new bill by providing a summary description. When significant changes occur on the bill it will be summarized again. Any changes in bill status will be highlighted in **red** and an asterisk will be placed before the bill number.

- The *Legislative Update* issue number and current bill summary will be inserted each week along with the bill number, title, sponsor, and current status (includes the committee assigned, chair and vice chair of the committee). Online copies of the legislative updates will have a red hyperlink to take you to the description of the bill and sponsors.
- The *Legislative Update* will also include an index to assist you in locating the bill's sponsor and brief description.
- Each issue of the *Legislative Update* is available on the Governor's Council on Disability's website at <http://disability.mo.gov/gcd/>
- Access to individual bill information is available on the Missouri General Assembly's website at <http://moga.mo.gov/>
- A glossary of terms can be found at <http://house.mo.gov/>
- Please contact our office (Laura.Mueth@oa.mo.gov) if you need a different format.
- To learn more about the legislative process consider attending the *Legislative Education Project* training or watching our online modules and videos.
- Governor's Council on Disability (GCD) welcomes your comments and suggestions. Your comments can be submitted online to the GCD website at <http://disability.mo.gov/gcd/> or call us at (800) 877-8249.

Bills are organized in the following categories:

- Assistive Technology
- Crime
- Education
- Employment
- Funding/Tax Relief
- Health Care and Personal Assistance
- Legal Rights and Responsibilities
- Mental Health
- Olmstead
- Safety/Prevention
- Services for people with Disabilities
- Other
- Appropriations

Note: When "incapacitated," "handicapped," appear in a bill description, it reflects the terminology of the legislation, not the Governor's Council on Disability.

## Abbreviations

HB	House of Representatives Bill
HA	House Amendment
HS	House Substitute
HR	House Resolution
HJR	House Joint Resolution
HCS	House Committee Substitute
SB	Senate Bill
SCS	Senate Committee Substitute
SA	Senate Amendment
SS	Senate Substitute
SR	Senate Resolution
SJR	Senate Joint Resolution
CCR	Conference Committee Report
CCS	Conference Committee Substitute

Most of the summaries are prepared by the Research Staff of the Missouri House of Representatives and are used by permission.

**ASSISTIVE TECHNOLOGY****HB 1428 - Sommer**

Revises the definition of "service dog" to include animals that provide support or therapeutic functions for individuals with psychiatric or mental disabilities

This act adds "psychiatric service dog" to the definition of a service dog. A psychiatric service dog is a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability to perform tasks that mitigate or assist with difficulties the including, but not limited to alerting or responding to episodes such as panic attacks and anxiety and performing other tasks directly related to the owner's psychiatric disability, medical condition, or developmental disability. It lists disabilities that would qualify under this act. They include but are not limited to: autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder, post traumatic stress disorder, anxiety disorder, obsessive compulsive disorder, and schizophrenia.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**CRIME****HB 1512 - Ellington**

Specifies that a person applying for state employment, public assistance, or state housing assistance cannot be required to disclose any prior nonviolent felony plea or conviction with certain exceptions

This act states that a person applying for employment with the State of MO, public assistance, or housing assistance with the State of MO cannot be required to disclose any prior nonviolent felony pleas or convictions that are not related to a sexual offense. The act still allows entities to conduct criminal background checks to determine whether an individual has a criminal background.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1869 - Kratky**

Specifies that any person who causes substantial physical injury or death to a service dog must be ordered to fully compensate for the injury, loss, or replacement of the service dog

This act states that any person who causes substantial physical injury or death to a service dog shall pay restitution to the owner of the service dog so that the owner is compensated fully for the injury, loss, or replacement of the service dog.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/16/15 Pre-filed (H)

**EDUCATION****HB 1368 - Hubrecht**

Establishes a committee to examine the schools for the severely disabled

This act creates a "Committee on Schools for the Severely Disabled" within the Department of Elementary and Secondary Education. It states which entities will be represented in the committee membership. The committee will examine the state and federal regulations under which the schools operate and make recommendations for regulation changes that would allow the schools to better serve students. It requires the committee to meet at least once within the three months following this bill becoming effective. The committee will submit a report to the Joint Committee on Education before February 1, 2018 and to each member of the Missouri Congressional delegation before January 1, 2019.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1384 - English**

Allows school districts to discipline students for cyberbullying that occurs off campus

This act allows school districts to discipline any student for cyberbullying. It allows school districts to prohibit cyberbullying that originates on a school campus if the electronic communication was made using technology owned by the school and the personal technology belonging to the student. A school district can also prohibit cyberbullying that occurs off campus if it is believed it would reach the campus, was directed at a school-specific audience, was brought to or accessed at a school activity. The act states what will be taken into consideration when determining appropriate discipline for students for cyberbullying acts. These include the age of the student, the nature of the offense, and the severity of the offense. The act also states possible disciplinary actions to be taken by school districts.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1583 - Allen**

Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy

This act adds "substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school" to the definition of bullying and defines cyberbullying. The act prohibits bullying on school property, at school functions, and on school buses. It sets minimum standards for what should be included in a school district's antibullying policy. It also instructs school districts to instruct school counselors to educate students who are victims of bullying on techniques to overcome the negative effects. It states that programs should be implemented to prevent bullying along with ways to respond, and provide resources to victims of bullying. The act allows school districts to discipline cyberbullying to the fullest extent possible, to prohibit cyberbullying that

begins on a school campus, at a district activity, or off campus if criteria specified in the act are met. The act requires districts to annually review their policies and make revisions as needed. Each district will develop a method for tracking correspondence related to bullying incidents. Annually districts will report to the Department of Elementary and Secondary Education the number of reports of bullying that have been confirmed and actions taken in response to the incidents.

The act states that beginning with the 2017-2018 school year, educators may complete up to two hours of annual training or professional development in youth suicide awareness and prevention as part of the state board of education certification requirements. The Department of Elementary and Secondary Education will develop training materials to be used for this purpose.

The act requires school districts to adopt a policy for youth suicide awareness and prevention by July 1, 2018. The act outlines what the policy will address including the education of employees. By July 1, 2017, the Department of Elementary and Secondary Education will develop a model policy which may be adopted by school districts. The act specifies how the model policy should be created and reviewed.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1621 - Haahr**

Establishes the Missouri Civics Education Initiative

This act establishes the Missouri Civics Education Initiative which states any student entering ninth grade after July 1, 2017 and seeking to graduate or to obtain a high school equivalency certificate should achieve a passing score on a civics test similar to that found on the U.S. Naturalization test. The act states that the test should be one hundred questions and at least 60% is considered a passing score. The act requires that the school and the Dept. of Elementary and Secondary Education

certify that students have received a passing score. School districts must adopt a waiver policy for any student who has an IEP and whose IEP committee makes the recommendation that the requirement be waived.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/3/15 Pre-filed (H)

**HB 1643 - Hicks**

Makes CPR instruction a high school graduation requirement

This act requires that beginning with the 2017-2018 school year every high school graduate will have received thirty minutes of CPR instruction and training in the Heimlich maneuver or other appropriate choking procedure. It states that students with disabilities will participate to the extent that is appropriate. The instruction will be included in the health and physical education curriculum of each school district.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/4/15 Pre-filed (H)

**HB 1646 - Swan**

Establishes the Missouri Civics Education Initiative

This act establishes the Missouri Civics Education Initiative which states any student entering ninth grade after July 1, 2017 and seeking to graduate or to obtain a high school equivalency certificate should achieve a passing score on a civics test similar to that found on the U.S. Naturalization test. The act states that the school district and private school will determine the number of questions on the test being taken by students in its district or school. The Dept. of Elementary and Secondary Education will determine the number of questions on the test taken by those receiving a high school equivalency certificate. At least a score of 60% must be achieved to pass. The act requires that the school and the Dept. of Elementary and Secondary

Education certify that students have received a passing score. School districts must adopt a waiver policy for any student who has an IEP and whose IEP committee makes the recommendation that the requirement be waived.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/4/15 Pre-filed (H)

**HB 1656 - Dunn**

Requires training in suicide awareness and prevention for public school teachers

This act creates the "Jason Flatt Act." It requires that beginning with the 2017-2018 school year, all public school teachers complete annual training in suicide awareness and prevention. This can be met through in-service training or professional development programs. The Department of Elementary and Secondary Education will develop a list of approved training materials. The training materials will include how to identify appropriate mental health services within the school and the community and the referral processes for students and their families. The act also requires each school district to adopt a policy on prevention of student suicide. The act states who should help develop the policy and at a minimum, what the policy should address. It instructs DESE to develop a model policy which can be adopted by school districts.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/7/15 Pre-filed (H)

**HB 1734 - Davis**

Requires teachers to be certified in CPR

This act requires that beginning with the 2017-2018 school year all full-time public school teachers will be required to be certified in cardiopulmonary resuscitation (CPR). An individual will be certified once he/she has completed a course certified by

the American Red Cross or the American Heart Association.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

**HB 1928 - Burlison**

Creates the "Legislative Task Force on Dyslexia" and requires the Department of Elementary and Secondary Education to employ a dyslexia specialist and develop professional development programs for school st

This act requires the Department of Elementary and Secondary Education to hire a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic language therapist or a certified training specialist with at least three years experience of field experience with dyslexia and related disorders as a dyslexia specialist by July 1, 2017. The act outlines the responsibilities of the dyslexia specialist. The act also establishes the "Legislative Task Force on Dyslexia" The task force will advise and make recommendations to the governor, the general assembly, and relevant state agencies regarding issues concerning individuals with dyslexia including education and services for adults and adolescents The act specifies that the task force will have eighteen members and the types of groups that will be represented in the membership. The act details specific tasks the task force will complete. The task force will submit a report to the governor and the general assembly. The task force established in the act will sunset on August 31, 2018 unless reauthorized.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/22/15 Pre-filed (H)

**SB 571 - Pearce**

Relating to elementary and secondary education

There are several sections in this act. Only those that impact students with disabilities are summarized.

When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the unaccredited district is responsible for paying the excess costs to the receiving district. When the receiving district is a component district of a special school district, the unaccredited district must contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation. The special school district may contract with an unaccredited district for the provision of transportation. A special school district must continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from an unaccredited district within the same or a different component district.

If the St. Louis City School District is unaccredited, it is responsible for the provision of special education and related services, including transportation to students with disabilities. A special school district may contract with the St. Louis City School District, as described in the act.

Regardless of whether transportation is identified as a related service, a receiving district that is not part of a special school district is not responsible for providing transportation. An unaccredited district may contract with a receiving district that is not part of a special school district for transportation. When districts other than St. Louis City are unaccredited, they may contract with a receiving district that is not part of a special school district for the reimbursement of special education services.

**Status:**

1/7/16 Second Read and Referred Education

Committee (S) Chair: Pearce, Vice Chair: Romine

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 627 - Nasheed**

Requires each public institution of higher education to develop and implement a policy to advise students and staff on available suicide prevention programs

This act requires each public institution of higher education to develop and implement a policy to advise students and staff on suicide prevention programs available on and off campus that includes, but is not limited to crisis intervention access, mental health program access, multimedia application access, student communication plans, and post intervention plans.

Such policy shall also advise students, faculty, and staff of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior, and shall require training where appropriate.

Each public institution of higher education shall provide all incoming students with information about depression and suicide prevention resources available to students.

The information contained in such policy, in addition to any applicable free-of-cost prevention materials or programs, shall be posted on the websites of each public institution of higher education.

Each public institution shall establish and maintain methods of anonymous reporting of unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of such activities. Such methods shall ensure the anonymity of the reporting party.

**Status:**

1/7/16 Second Read and Referred Education

Committee (S) Chair: Pearce, Vice Chair: Romine

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 638 - Riddle**

Creates the "Missouri Civics Education Initiative"

This act creates the "Missouri Civics Education Initiative." A student of a college or university, who, after earning a passing grade in a course of instruction for United States or Missouri history or constitution, transfers to another college or university, is not required to earn a passing grade in another such course as a condition precedent to graduation. This act repeals the prohibition on students receiving a certificate of graduation without having satisfactorily passed an examination on the provisions and principles of the United States and Missouri constitutions, American history, and American institutions. However, to receive a certificate of graduation, public or private schools other than private trade schools may require a passing score on an examination of the provisions and principles of the United States Constitution, Missouri Constitution, or both. Any student entering ninth grade after July 1, 2017, who is attending a public, charter, or private school, except for private trade schools, or a student seeking to complete a high school equivalency certificate, must, as a condition of high school graduation or its equivalent, take and receive a passing grade on a basic civics test similar to the civics portion of the United States Naturalization test, produced by the United States Citizenship and Immigration Services (USCIS). The test will consist of one hundred questions similar to the one hundred questions used by the USCIS. In order to receive a passing score on the test, a student must answer at least sixty percent of the questions correctly. A student may take the test as many times as necessary for passage but must receive a passing score. Each public school, charter school, or private school, except for private trade schools, and the Department of Elementary and Secondary Education must certify that a student has taken and received a passing grade on the test. Each district must adopt a policy permitting a student with a disability to receive a waiver from the basic civics test requirement if the student's IEP committee recommends it.

**Status:**

1/7/16 Second Read and Referred Education

Committee (S) Chair: Pearce, Vice Chair: Romine

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 646 - Schupp**

Requires the Department of Elementary and Secondary Education to develop training guidelines and school districts to adopt a policy for youth suicide awareness and prevention education

Beginning in the 2017-2018 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for State Board of Education certification.

The Department of Elementary and Secondary Education shall develop guidelines for training or professional development in youth suicide awareness and prevention. The Department shall also develop materials that may be used for such training or professional development.

Each district shall adopt a policy for youth suicide awareness and prevention by July 1, 2018. The Department develop a model policy by July 1, 2017, that districts may adopt. The Department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the Department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The Department shall review this information and may use it to adapt the department's model policy. The Department shall post the information it receives from districts on its website. The Department shall not post any confidential information or any information that personally identifies a student or school employee.

**Status:**

1/7/16 Second Read and Referred Education

Committee (S) Chair: Pearce, Vice Chair: Romine

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 728 - Sifton**

Modifies the requirements for school antibullying policies

This act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include intimidation or harassment that substantially interferes with the educational performance, opportunities, or benefits of any student without exception, or that substantially disrupts the orderly operation of the school. Bullying is prohibited by students on school property, at school functions, or on school buses. Cyberbullying is defined in the act.

This act requires that antibullying policies treat all students equally and removes the requirement that policies not identify lists of protected classes of students.

School district policies must contain, at a minimum, the following components: a statement prohibiting bullying, including a definition of bullying, as described in the act; a statement requiring district employees to report an instance of bullying of which he or she has firsthand knowledge, has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student; the district administration must notify the parents or guardians of the individual alleged in a report to be responsible for a bullying incident or the target of a bullying incident; a procedure for reporting an act of bullying, including anonymous reporting, as described in the act; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; and a process for discussing the policy with students and training employees and volunteers, as described in the act. The policy must be reviewed annually for compliance with state and federal law.

Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district's reporting policy and who

continues to be subjected to bullying must be informed by the district that he or she may seek other remedies. The information may include information to the parents or legal guardians of the possibility of civil action against the person responsible for the bullying. Also, the student and parents or legal guardians must be informed that they may request intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the student.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2017, and has authority to promulgate rules and regulations under this act.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 747 - Nasheed**

Requires the St. Louis City and Kansas City school districts to implement reading plans for struggling students prior to promotion to third grade

This act requires, beginning July 1, 2017, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systemic reading instruction.

Beginning on January 1, 2017, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist from

this requirement for students with an IEP or a Section 504 Plan.

Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade may be promoted to third grade only if one of three conditions is satisfied. First, a student may be promoted if the school provides additional reading instruction during the summer and demonstrates the student has the abilities and the knowledge to successfully learn in third grade at the end of summer school. Second, a student may be promoted if the school provides a "looping" classroom in which the student remains with the same teacher for multiple years. If the student is in a looping classroom but is not reading at the third grade level by the end of third grade, the student must be retained. Third, a student may be promoted if the student's parents or guardians may sign a notice that they prefer to have the student promoted. However, the school will have final determination to retain the student.

The St. Louis City School District, the Kansas City School District, and each charter school located in them must provide in the annual school accountability report card the numbers and percentages by grade of any students at grade level who have been promoted but who have been determined as reading below grade level.

School districts and charter schools subject to this requirement may provide for a student promotion and retention program and a reading instruction program that are equivalent to those which are described in this section with the oversight and approval of the Department of Elementary and Secondary Education.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 748 - Nasheed**

Requires school districts to adopt antibullying policies



The definition of "bullying" is modified to include intimidation or harassment that substantially interferes with the educational performance, opportunities, or benefits of any student without exception, or that substantially disrupts the orderly operation of the school. Bullying is prohibited by students on school property, at school functions, or on school buses. Cyberbullying is defined in the act.

This act requires that antibullying policies treat all students equally.

Each school district's antibullying must be included in the student handbook. School district policies must contain, at a minimum, the following components: a statement prohibiting bullying, including a definition of bullying, as described in the act; a statement requiring district employees to report an instance of bullying of which he or she has firsthand knowledge, has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student; a procedure for reporting an act of bullying; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; and a process for discussing the policy with students and training employees and volunteers, as described in the act.

School district administrations must instruct their school counselors to educate students who are victims of bullying on techniques to overcome the negative effects of bullying, including the following: cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively or effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control.

School district administrations must implement programs and other initiatives to prevent bullying, respond to such conduct so as to not stigmatize a

victim, and to make resources or referrals available to victims of bullying.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 809 - Sifton**

Requires each public school to screen each student for dyslexia and related disorders

This act requires each public school to screen each student for dyslexia and related disorders at least once between when the student begins kindergarten and before the student begins third grade. The appropriate times will be determined by the State Board of Education. The act allows a public school to screen any student who is suspected of having dyslexia or a related disorder. It also instructs schools to screen any student at or above the third grade who has not been previously screened and is new to the school. Public school boards and charter school governing boards are required to provide treatment for students who have dyslexia or a related disorder.

**Status:**

1/6/16 Introduced and First Read (S)

12/11/15 Pre-filed (S)

**SB 827 - Sifton**

Creates the Legislative Task Force on Dyslexia

This act creates the Legislative Task Force on Dyslexia. The Task Force will advise and make recommendations to the Governor, General Assembly, and relevant state agencies. The Task Force will consist of seventeen members, as described in the act. Except for four legislative members and the Commissioner of Education, the members will be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The task force will make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, as described in the act.

The Task Force will hire or contract for hire specialist services to support the work of the Task Force as necessary with appropriations or from other available funding.

The Task Force will terminate on August 31, 2018, unless reauthorized.

**Status:**

1/6/16 Introduced and First Read (S)

12/21/15 Pre-filed (S)

**EMPLOYMENT**

**HB 1517 - Ellington**

Increases the state minimum wage to \$10.25 per hour

This act would increase the minimum wage in Missouri to \$10.25 per hour beginning January 1, 2017. It also states that the wage would be increased or decreased on January 1 of successive years based on the cost of living.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**SB 745 - Romine**

Modifies the law relating to unlawful discrimination

Currently, under the Missouri Human Rights Act (MHRA), a practice is unlawful when the protected trait is a contributing factor in the decision to discriminate. This act changes that standard to a motivating factor standard. The plaintiffs in employment and age discrimination cases have the burden of proving these standards.

Currently, persons acting in the interest of employers are considered employers under the MHRA and are liable for discriminatory practices. This act modifies the definition of employer to exclude those individuals. The act similarly excludes the United States government, corporations owned by the United States, individuals employed by employers, Indian tribes, certain departments or

agencies of the District of Columbia, and private membership clubs from the definition.

The act directs the courts to rely heavily on judicial interpretations of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act when deciding MHRA employment discrimination cases.

The act abrogates *McBryde v. Ritenour School District* to require courts to allow a business judgment jury instruction whenever offered by the defendant.

The act recommends two methods to the courts for analyzing employment discrimination cases as a basis for granting summary judgment. The mixed motive and burden shifting analysis are based on court rulings interpreting federal law and the act abrogates numerous Missouri cases in urging the courts to consider the methods highly persuasive.

Parties to a discrimination case under the MHRA may demand a jury trial.

Damages awarded for employment cases under the MHRA shall not exceed back pay and interest on back pay and \$50,000 for employers with between 5 and 100 employees, \$100,000 for employers with between 100 and 200 employees, \$200,000 for employers with between 200 and 500 employees, or \$300,000 for employers with more than 500 employees. Punitive damages shall not be awarded against the state of Missouri or political subdivisions in MHRA cases.

The act creates the "Whistleblower's Protection Act." Employers are barred from discharging or retaliating against the following persons:

- a person who reports an unlawful act of the employer or its agent;
- a person who reports to an employer serious misconduct of the employer or its agent that violates a clear mandate of public policy as

articulated in a constitutional provision, statute, or regulation promulgated under statute;

- a person who refuses to carry out a directive issued by an employer or its agent that, if completed, would be a violation of the law; or
- a person who engages in conduct otherwise protected by statute or regulation where the statute or regulation does not provide for a private right of action.

The employee's protected conduct shall be the motivating factor in the employer's discharge or retaliation.

Employees have a private right of action for actual but not punitive damages under the act unless another private right of action for damages exists under another state or federal law. Remedies allowed are backpay, reimbursement of medical bills incurred in treatment of mental anguish, and double those amounts as liquidated damages if it is proven by clear and convincing evidence that the employer's conduct was outrageous because of the employer's evil motive or reckless indifference to the rights of others. The liquidated damages shall be treated as punitive damages and backpay and reimbursement shall be treated as compensatory damages in a bifurcated trial if requested by a party.

**Status:**

1/6/16 Introduced and First Read (S)  
12/1/15 Pre-filed (S)

**FUNDING/TAX RELIEF**

**HB 1534 - Flanigan**

Extends the expiration date on various federal reimbursement allowances for two years

This act extends the expiration date on various federal reimbursement allowances until 2018. This includes the assessment amounts for "intermediate care facilities for the intellectually disabled."

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**HB 1650 - Corlew**

Establishes a limit on residential property assessment increases for the elderly and disabled who own and live in their principal residence proportional to the increase of their Social Security benefits

This act states that for all property assessments conducted after December 31, 2016 the assessed valuation of primary residences of those who are elderly or have disabilities and who receive Social Security benefits will not increase by a greater percentage than the individual's Social Security benefits from the previous year. This does not apply if the assessed valuation increase is due to improvements made on the residence unless they were made to improve accessibility for someone with a physical disability. Individuals who qualify under this act must provide the county assessor with proof of age or disability before the next assessment. This act will sunset on December 31, 2022 unless it is re-authorized.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1673 - Love**

Repeals the sunset date for the Organ Donor Program Fund

This act eliminates the sunset provision date for the Organ Donor Program Fund.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1696 - Rowland**

Requires the Missouri Commission for the Deaf and Hard of Hearing to provide grants to organizations that provide services to deaf-blind persons

This act requires the MO Commission for the Deaf and Hard of Hearing to provide grants to organizations that provide services to children who are deaf-blind and their families, organizations that provide services to adults who are deaf-blind, and organizations that train support service providers. It outlines examples of what types of services could be provided using the grants. It specifies that the grants will be awarded using a request-for-proposal process.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/9/15 Pre-filed (H)

**HB 1895 - Otto**

Exempts the residential property of certain individuals from increases in assessed valuation that are not from new construction or improvements and from rate increases

This act exempts the residential property of those who have a permanent disability or are at least age sixty-five on January 1 of an odd-numbered year from having an increase in assessed valuation as long as the residential property did not have improvements or new construction. This would begin on January 1, 2018. Individuals qualifying for this limit would be required to notify the county assessor of their eligibility. The property taxes that have been exempted would be due upon the sale of the homestead by the owner or the owner's death. Revenue losses would be reimbursed through appropriations.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/18/15 Pre-filed (H)

**HJR 61 - Davis**

Proposes a constitutional amendment exempting certain disabled veterans from the payment of property taxes

This joint resolution would create a constitutional amendment exempting military veterans who

served on active duty, are members of the Military Order of the Purple Heart, and are deemed unemployable with a combat-related disability of at least seventy percent as certified by an appropriate agency from having to pay property taxes.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

**SB 738 - Parson**

Removes the expiration of the tax check off for the organ donor program fund

Currently, the tax checkoff for the organ donor program fund is set to expire on August 28, 2017. This act removes the expiration date.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 794 - Wallingford**

Creates a sales tax exemption for parts and accessories of certain types of medical equipment

This act creates a sales tax exemption for all sales, rentals, accessories, repairs, parts of durable medical equipment as well as for parts and accessories for certain types of health care related equipment.

**Status:**

1/6/16 Introduced and First Read (S)

12/9/15 Pre-filed (S)

**SB 869 - Schmitt**

Prohibits the adoption of any tax increment financing from superseding, altering, or reducing sheltered workshop property tax levies

Under current law, county boards, upon voter approval, may levy a property tax for the purpose of establishing and maintaining county sheltered workshops, residences, facilities, and/or other related services. This act would prohibit the

adoption of any tax increment financing from superseding, altering, or reducing the sheltered workshop levy.

**Status:**

1/7/16 Introduced and First Read (S)

**SB 870 - Kraus**

Creates a tax deduction for dentists providing services to MO HealthNet participants

Under this act, dentists are entitled to deduct any income earned by providing services to MO HealthNet participants that is placed in a valid retirement account from their Missouri income. This deduction will be available for all tax years after January 1, 2016.

**Status:**

1/7/16 Introduced and First Read (S)

**HEALTH CARE/PERSONAL ASSISTANCE**

**HB 1366 - Hubrecht**

Changes the laws regarding the substitution by a pharmacist of an interchangeable biological product for a prescribed product

This bill changes the law regarding interchangeable biological products. The bill adds interchangeable biological products to the laws governing when generic substitutions may be made by a pharmacist when filling prescription orders. The bill permits a pharmacist to substitute an interchangeable biological product for a prescribed product only if specified requirements are met and requires the dispensing pharmacist to communicate the specifics of the substitution to the prescriber using specified means of communication. The bill requires the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration to maintain a link to the current list of all interchangeable biological products on the board's website.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1390 - King**

Changes the laws regarding hemp extract

This act allows neurologists to treat patients with intractable epilepsy with "approved hemp extract." It states that a patient or parent of a patient to possess and use "approved hemp extract" as long as they have a written recommendation from and are supervised by a neurologist. The definition of "approved hemp extract" is specified in the bill.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1537 - Adams**

Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of the state

This act creates the "Missouri Universal Health Assurance Program" to provide a publicly financed insurance program statewide that will provide necessary comprehensive, health, mental health, and dental health services for all MO residents. The act outlines the goals of the program. Six advisory councils will assist the program board with developing a comprehensive health care plan for the state, a budget, and policies and procedures for program operation. They will also help develop a transportation plan to allow people with disabilities and others access to non-emergency health care services. The act specifies that each advisory council will have nine members who are appointed by the Governor and which groups the appointees will represent. The membership will include a medical director of a mental health facility and a person with a physical disability. The act details the membership of the Board of Governors. The act states that the board must always have two members who have disabilities as defined by the Americans with Disabilities Act. The act specifies how often the Board will meet and its responsibilities. It states what the state comprehensive health care plan will include. It states what will happen before the state plan is publicized. The Board will establish and administer

the "Missouri Health Care Trust Fund." Appropriate moneys, as specified in the act, will be placed in the fund. The act also outlines other specifics in regards to the fund and accounts established within it. The act creates a fund within the State Treasury for the education and training of health professionals. The "Missouri Universal Health Assurance Program" is open to any MO resident regardless of pre-existing conditions. Individuals will not be charged an additional amount for services if the services were received from a participating provider. The act outlines what will be deemed covered services. Individuals can choose any participating provider. The act establishes a health assurance tax based on income which would be effective after the receipt of waivers from the federal government.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1565 - Engler**

Raises the MO HealthNet asset limits for disabled persons

This act changes the asset limits to qualify for MO HealthNet benefits to \$2,000 for a single person and \$4,000 for a married couple beginning in the 2018 fiscal year. The resource limits will be increased annually by \$1,000 until the limit is \$5,000 for a single person and \$10,000 for a married couple. Beginning with fiscal year 2022, each year the amount will be adjusted for any cost-of-living increases.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1691 - Chipman**

Changes the asset limits to qualify for MO HealthNet benefits to \$2,000 for a single person and \$4,000 for a married couple

This bill modifies the amount of cash, securities, or other total non-exempt assets an aged or disabled participant is allowed to retain in order to qualify for MO HealthNet benefits. Currently, the limit for a single person is \$1,000 and the limit for a married couple is \$2,000. The bill increases the limit to \$2,000 for a single person and \$4,000 for a married couple.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/9/15 Pre-filed (H)

**HB 1742 - Brattin**

Requires all inmates receiving an on-site non-emergency medical examination or treatment from correctional center personnel to be charged 50 cents per visit

This act requires all inmates receiving on-site non-emergency medical examinations or treatments from correctional center personnel to be charged a 50 cent fee per visit unless it is for follow-up treatment for chronic conditions, diagnoses or treatment of chronic infectious diseases, mental health care, substance abuse treatment, preventative health care, prenatal care, and emergency services. Inmates who cannot pay and are considered indigent will not be charged the fee.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

**HB 1775 - Redmon**

Allows certain assistant physicians, advanced practice registered nurses, and physician assistants to prescribe all Schedule II medications

This act allows certain assistant physicians, advanced practice registered nurses and physician assistants to prescribe all Schedule II medications. These would be limited to a five day supply.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

### HB 1784 - Barnes

Establishes requirements for certain authorized entities to stock a supply of epinephrine auto-injectors for emergency administration

This act sets requirements for authorized entities to obtain epinephrine (EPI) auto-injectors from physicians to use in certain emergency situations. Pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense EPI auto-injectors under a prescription issued in the name of an authorized entity. An "authorized entity" is defined as any entity or organization at or in connection with locations where allergens capable of causing anaphylaxis may be present, including but not limited to restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. This act allows such authorized entities to acquire and stock a supply of EPI auto-injectors under a prescription issued in accordance with the provisions of the act. An employee or agent of an authorized entity or any other person who has completed the required training shall be allowed to use the EPI auto-injector on the premises of or in connection with the authorized entity to provide it to any individual who the employee, agent or other person believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for the EPI auto-injector or has been previously diagnosed with an allergy. The act outlines what will be covered in the training. The employee or agent shall not administer or provide the auto-injector to a person who is twelve years of age or younger without the verbal consent of a parent or guardian who is present at the time, unless the child will be in imminent danger without the use of the auto-injector. The act specifies the required training and the procedures for making the EPI auto-injectors available to individuals other than trained persons, as long as the auto-injectors are secured and properly stored. This act exempts certain persons and entities from liability for any injuries or related damages that result from the administration or self-administration of an EPI

auto-injector in accordance with the provisions of the act that may constitute ordinary negligence. The immunity shall not apply to acts or omissions constituting reckless disregard for the safety of others, willful negligence, or wanton negligence, and shall be in addition to and not in lieu of the protections provided under the Good Samaritan emergency law. No trained person who is in compliance with this law and who in good faith and with reasonable care fails to administer the EPI auto-injector shall be liable for that failure.

#### Status:

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

### HB 1796 - Zerr

Requires all health benefit plans to provide coverage for massage therapy for individuals diagnosed with fibromyalgia

This act states that all health benefit plans originating in Missouri or providing coverage to MO residents must provide coverage of massage therapy recommended by a physician as treatment for fibromyalgia beginning January 1, 2017.

#### Status:

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/14/15 Pre-filed (H)

### HB 1816 - Koenig

Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2016 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis

This act establishes the "Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2016." This act states that it is illegal for a physician to knowingly and intentionally perform an abortion on a woman who wants the abortion solely because the unborn child has been diagnosed with or has the potential for a genetic abnormality. It outlines penalty provisions for physicians and outlines damages that may be sought.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/14/15 Pre-filed (H)

**HB 1845 - Gardner**

Changes the laws regarding eligibility for MO HealthNet benefits

This act states that those who are eligible for MO HealthNet benefits and are deemed to be "medically frail" are entitled to all the MO HealthNet benefits they are eligible for. "Medically frail" includes those with physical, intellectual, or developmental disabilities which significantly impair the ability to perform one at least one activity of daily living, those with mental health disabilities, those with a disability determination based on Social Security criteria and others. The Departments of Social Services, Mental Health and Health and Senior Services will work together to develop a screening process to determine who will be considered "medically frail." Beginning January 1, 2017, the act expands coverage to the group of individuals outlined in the act. The act specifies under what conditions the eligibility of certain groups can be discontinued. The MO HealthNet Oversight committee will research and investigate any potential health savings and revenues associated with expanding coverage and other issues and provide the general assembly with the information prior to any vote to discontinue eligibility. The MO HealthNet Oversight committee will also research and investigate the federal matching rate below which the state could not maintain the expanded eligibility in this act. If it is greater than 90% this will be reported to the general assembly. The act also outlines other areas the MO HealthNet Oversight committee will research.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/14/15 Pre-filed (H)

**HB 1852 - Rowland**

Extends the termination date for provisions relating to refills for prescription eye drops

This act extends the termination date for provisions relating to allowing the early refill of prescription eye drops from January 1, 2017 to January 1, 2020.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/15/15 Pre-filed (H)

**HB 1876 - Haefner**

Allows the Department of Social Services to contract with pediatric care networks to provide MO HealthNet benefits for medically complex children

This act allows the Department of Social Services to accept regional proposals from and contract with pediatric care networks, pediatric centers for excellence, and medical homes for children to provide MO HealthNet benefits to medically complex children. The Department of Social Services will determine when providing the benefits is cost-effective.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/17/15 Pre-filed (H)

**HB 1878 - Solon**

Changes the laws regarding the substitution by a pharmacist of an interchangeable biological product for a prescribed product

This bill changes the law regarding interchangeable biological products. The bill adds interchangeable biological products to the laws governing when generic substitutions may be made by a pharmacist when filling prescription orders. The bill permits a pharmacist to substitute an interchangeable biological product for a prescribed product only if specified requirements are met and requires the dispensing pharmacist to communicate the specifics



of the substitution to the prescriber using specified means of communication. The bill requires the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration to maintain a link to the current list of all interchangeable biological products on the board's website.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/17/15 Pre-filed (H)

**HB 1915 - Kidd**

Establishes "Simon's Law" which changes the laws regarding life-sustaining or nonbeneficial treatment policies of health care facilities

This bill establishes Simon's Law that changes the laws regarding life-sustaining treatment policies of health care facilities. A health care facility, nursing home, or physician must disclose in writing any policies relating to a patient or resident or the services that a patient or resident may receive involving life-sustaining or non-beneficial treatment within the health care facility or agency upon the request of a patient or resident or a prospective patient or resident. Upon admission or upon request, if the patient or resident or prospective patient or resident is a minor child or minor ward, the health care facility, nursing home, or physician in charge must provide the policies in writing to at least one parent or legal guardian of the patient or resident or prospective patient or resident. The bill prohibits a health care facility, nursing home, physician, nurse, or medical staff from withholding life-sustaining procedures, food, medication, or nutrition, or placing any restrictions on life-sustaining procedures including, but not limited to, food, medication, or nutrition for any minor patient, resident, or ward without the written permission of at least one parent or legal guardian of the minor patient or ward. The institution of a do-not-resuscitate order or similar physician's order, either orally or in writing, is prohibited without the written permission of at least one parent or legal guardian of the minor patient or resident or prospective minor patient or resident. These provisions must

not require a health care facility, nursing home, or physician to have a written policy relating to or involving life-sustaining or non-beneficial treatment for minor or adult patients, residents, or wards.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/21/15 Pre-filed (H)

**HB 1923 - Barnes**

Changes the laws regarding the provision of telehealth services

This act defines "telehealth." It requires the Departments of Social Services, Mental Health, and Health and Senior Services to collaborate to create rules governing the use of asynchronous store-and-forward technology in telehealth. It states what the rules will include. It creates the "Telehealth Services Advisory Committee." The advisory committee will advise the Department of Health and Senior Services and propose rules related to the coverage of telehealth services using asynchronous store-and-forward technology. It states who will be members of the committee and how members will be appointed. It states which professionals are eligible health care providers for telemedicine. It defines the terms "treating provider", "consulting provider," "originating site" and "clinical provider." It specifies which types of sites can be "originating sites." The act allows the Dept. of Health and Senior Services to establish a program for reimbursement for home telemonitoring under MO HealthNet, if there are appropriations. The act defines who can use "home telemonitoring." "Home telemonitoring can be discontinued if the Dept. of Health and Senior Services determines that it is not cost-effective. The Dept. of Health and Senior Services will also determine if it results in a cost savings for Medicare for individuals who are eligible for MO HealthNet and Medicare. The act also states that any necessary waivers or authorizations be requested and granted before "home telemonitoring" is begun.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)  
12/21/15 Pre-filed (H)

### HB 2029 - Hoskins

Changes the laws regarding step therapy for prescription drugs

This act requires health insurers to base step therapy protocols on appropriate clinical practice guidelines or published peer-reviewed data by independent experts with knowledge of the conditions, that patients be exempt from step therapy protocol if it is not appropriate for them or not in their best interest, and patients have a fair, transparent, and independent process for requesting an exception if a health care provider deems it is appropriate. The act specifies criteria related to clinical practice guidelines. It states the circumstances under which an expeditious step therapy override request will be granted. It states that override requests and appeals must be responded to within seventy-two hours in most circumstances and twenty-four hours in certain circumstances. The appeal or request will be deemed granted if a response is not received within the specified time frames.

#### Status:

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

### HB 2045 - Morris

Prohibits a health carrier or health benefit plan from denying coverage for dispensing drugs prescribed for the treatment of chronic illnesses to synchronize the refilling of prescriptions

This act instructs health plans that offer prescription benefits to provide medication synchronization services as part of the plan so that an individual's medication refill dates can be aligned. Health carrier or health benefit plan is not allowed to charge an amount over the applicable co-payment amount for dispensing a drug in a quantity less than the prescribed amount if it is done under the medication synchronization services offered by the plan. The act specifies times when

the pharmacy would not have to process the claim through the health benefit plan.

#### Status:

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

### HCR 59 - Barnes

Disapproves the final order of rulemaking for the proposed rule 19 CSR 15-8.410 relating to the Personal Care Attendant Wage Range

This concurrent resolution disapproves of the final order of rulemaking for the proposed rule 19 CSR 15-8.410 relating to the Personal Care Attendant Wage Range filed by the Department of Health and Senior Services and suspends the final order of rulemaking for the rule. It states that the resolution will be sent to the Governor for his approval or rejection after being approved by the majority of the House and Senate. It will then be sent to the Secretary of State to be published in the Missouri Register.

#### Status:

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

### SB 608 - Sater

Authorizes certain MO HealthNet health care provider fees

Beginning October 1, 2016, the Department of Social Services shall require MO HealthNet participants to pay an eight dollar copayment fee for use of a hospital emergency department for the treatment of a condition that is not an emergency medical condition. The Department shall promulgate rules for the implementation of this act.

This act also permits MO HealthNet health care providers to charge a missed appointment fee to MO HealthNet participants that such participants must pay before scheduling another appointment with that provider. The fee may be charged for missed appointments or for failing to cancel an appointment within 24 hours prior to the appointment. The permissible fees are as follows:

\$5 for the first missed appointment, \$10 for the second missed appointment, and \$20 for the third and each subsequent appointment. The health care provider shall not charge to nor shall the MO HealthNet participant be reimbursed by the MO HealthNet program for the missed appointment fee.

**Status:**

**1/7/16 Second Read and Referred Veterans' Affairs and Health Committee** (S) Chair: Brown, Vice

Chair: Schaaf

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 621 - Romine**

Modifies provisions relating to telehealth services

This act specifies the licensed individuals who shall be considered eligible health care providers for the provision of telehealth services. Additionally, this act specifies the originating sites where a MO HealthNet participant may receive telehealth services, as well as requiring that such originating sites ensure the immediate availability of clinical staff during the telehealth encounter if a participant requires assistance.

This act establishes a statewide home telemonitoring program. Home telemonitoring services are health care services that require scheduled remote monitoring of data related to a patient's health. The act specifies the individuals for whom home telemonitoring services may be made available. Additionally, no originating site for home telemonitoring shall be required to maintain immediate availability of on-site clinical staff during the telemonitoring service. If the Department of Social Services determines that home telemonitoring is not cost effective, the Department may discontinue the program and stop providing reimbursement through MO HealthNet for such services.

This act addresses the use of asynchronous store-and-forward technology in the practice of telehealth services for MO HealthNet recipients. "Asynchronous store-and-forward" is defined in the

act as the transfer of a patient's clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient's treating provider. The Department of Social Services, in consultation with the departments of Mental Health and Health and Senior Services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in MO HealthNet. The act also specifies reimbursement for asynchronous store-and-forward services for the treating provider and the consulting provider.

This act establishes the "Telehealth Services Advisory Committee" to advise the Department of Social Services and to propose rules relating to telehealth services through asynchronous store-and-forward technology. The act specifies the committee members, appointments, and other terms.

**Status:**

**1/7/16 Second Read and Referred Veterans' Affairs and Health Committee** (S) Chair: Brown, Vice

Chair: Schaaf

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 677 - Sater**

Establishes requirements for authorized entities to stock epinephrine (EPI) auto-injectors for use in emergencies

This act allows a physician to prescribe epinephrine (EPI) auto-injectors in the name of an authorized entity for use in certain emergency situations. Pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense EPI auto-injectors under a prescription issued in the name of an authorized entity. An "authorized entity" is defined as any entity or organization at or in connection with locations where allergens capable of causing

anaphylaxis may be present, including but not limited to restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas.

This act also allows such authorized entities to acquire and stock a supply of EPI auto-injectors under a prescription issued in accordance with the provisions of the act. An employee or agent of an authorized entity or any other person who has completed the required training shall be allowed to use the EPI auto-injector on the premises of or in connection with the authorized entity to provide it to any individual who the employee, agent or other person believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for the EPI auto-injector or has been previously diagnosed with an allergy. The employee or agent shall not administer or provide the auto-injector to a person who is eighteen years of age or younger without the verbal consent of a parent or guardian who is present at the time, unless the child will be in imminent danger without the use of the auto-injector.

The act specifies the required training and the procedures for making the EPI auto-injectors available to individuals other than trained persons, as long as the auto-injectors are secured and properly stored. The act also requires all basic life support ambulances and stretcher vans to be equipped with EPI auto-injectors and staffed by at least one person trained in the use of the auto-injectors.

This act exempts certain persons and entities from liability for any injuries or related damages that result from the administration or self-administration of an EPI auto-injector in accordance with the provisions of the act that may constitute ordinary negligence. The immunity shall not apply to acts or omissions constituting reckless disregard for the safety of others, willful negligence, or wanton negligence, and shall be in addition to and not in lieu of the protections provided under the Good Samaritan emergency law. No trained person who is in compliance with this law and who in good faith

and with reasonable care fails to administer the EPI auto-injector shall be liable for that failure.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 752 - Munzlinger**

Allows certain assistant physicians, advanced practice registered nurses, and physician assistants to prescribe all Schedule II medications

Under current law, certain assistant physicians, advanced practice registered nurses, and physicians assistants can prescribe Schedule II medications which contain hydrocodone. Schedule II - hydrocodone prescriptions are limited to a five-day supply without refill. This act provides that these medical professionals can prescribe all Schedule II prescriptions, which shall be limited to a five-day supply without refill.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 802 - Sater**

Prohibits abortions performed solely because of a prenatal diagnosis, test, or screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child

This act prohibits any person from performing or inducing an abortion on a woman if the person knows that the woman is seeking the abortion solely because of a prenatal diagnosis, test, or screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child. Additionally, under current law all attending physicians must complete an abortion report for each abortion performed. This act requires the physician to include in that report a certification that the physician does not have any knowledge that the woman sought the abortion solely because of a prenatal diagnosis, test, or screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child. Any physician or

other person who violates the provisions of this act shall be guilty of a Class A misdemeanor and subject to civil liability and revocation of his or her professional license.

**Status:**

1/6/16 Introduced and First Read (S)

12/10/15 Pre-filed (S)

**SB 822 - Keaveny**

Modifies provisions relating to hemp extract

Current law allows people with intractable epilepsy to possess and use hemp extract to treat their condition. This act also allows people with serious conditions to use hemp extract.

Serious condition is defined as cancer, HIV, AIDS, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis, spinal cord damage, inflammatory bowel disease, neuropathies, Huntington's disease, post-traumatic stress disorder, or certain specified symptoms or complications associated with the conditions listed above.

Under current law, the Department of Health and Senior Services must issue a registration card to a person who provides a statement signed by a neurologist that the person suffers from intractable epilepsy and may benefit from treatment with hemp extract. This act provides that the Department must issue a registration card to a person who provides a recommendation signed by a physician or neurologist that the person suffers from a serious condition or intractable epilepsy and may benefit from treatment with hemp extract, indicates the physician or neurologist is qualified to treat the condition, and states that the individual is under the neurologist or practitioner's continuing care.

This act requires neurologists and physicians to notify patients before providing a recommendation that hemp extract is not FDA approved and, by using hemp extract, the patient is accepting the risks involved in using an unapproved product.

This act specifies that only a neurologist or physician may recommend hemp extract as part of a treatment plan for a patient who has been diagnosed with intractable epilepsy or a serious condition.

The Department of Health and Senior Services must establish a public registry of physicians and neurologists who recommend hemp extract.

Under this act, no individual or health care entity organized under the laws of the state shall be subject to any adverse action by the state, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith on any order, recommendation, or statement by a neurologist or practitioner relating to the medical use and administration of hemp extract.

Current law allows the Department of Agriculture to license up to two cultivation and production facility licenses. This act allows the department to issue licenses for up to ten facilities.

This act requires nonprofit entities seeking such licensure to have had their residence in the state for at least five years. Cultivation and production facility licenses issued before August 28, 2015 continue to be valid even if the licensee fails to meet the residency requirement.

**Status:**

1/6/16 Introduced and First Read (S)

12/17/15 Pre-filed (S)

**SB 853 - Brown**

Creates requirements for co-payments and notice of insurance coverage for occupational therapy

This act adds services rendered by licensed occupational therapists to services that cannot require a higher co-payment or coinsurance than is

required for the services of a primary care physician office visit. This act also requires health carriers to clearly state the availability of occupational therapy services. This act requires the Oversight Division of the Joint Committee on Legislative Research to perform an actuarial analysis of the cost impact health carriers, insureds, and other payers for occupational therapy coverage beginning September 1, 2016, and submit a report by December 31, 2016.

**Status:**

1/6/16 Introduced and First Read (S)

**SCR 46 - Schmitt**

Disapproves and suspends the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range

This resolution disapproves and suspends the final order of rulemaking for a rule proposed by the Department of Health and Senior Services relating to personal care attendant wage ranges

**Status:**

1/7/16 Second Read and Referred Rules, Joint Rules, Resolutions and Ethics Committee (S) Chair: Kehoe, Vice Chair: Richard  
1/6/16 Introduced and First Read (S)

**SJR 29 - Holsman**

Creates a right to access medical marijuana  
This proposed constitutional amendment, if approved by voters, would allow the Department of Health and Senior Services to grant licenses for the cultivation, manufacture, distribution, and sale of marijuana for medical use.

This resolution defines the responsibilities of the department in licensing businesses and facilities and certifying patients and allows the department to charge fees, limit the number of licenses issued, and the quantities of marijuana that may be possessed.

Under this resolution, the retail sale of medical marijuana would be subject to a four percent tax.

The proceeds of the tax and fees collected under the marijuana program would be deposited in the Missouri Veterans' Health and Care Fund, which is created by this resolution. The fund is to be used to pay the expenses of the department in administering the marijuana program. Any excess proceeds are to be transferred to the Missouri Veterans Commission for health and care services for military veterans.

This resolution prohibits the imposition of certain penalties against patients, laboratories, caregivers, attorneys, health care providers, including physicians, and other entities for participating in the medical marijuana program.

This resolution prohibits the legislature from enacting laws that would hinder the right of access to medical marijuana.

This resolution specifies that criminal and civil penalties regarding certain unauthorized uses of marijuana would continue to apply even if the resolution was enacted.

**Status:**

1/6/16 Introduced and First Read (S)  
12/1/15 Pre-filed (S)

**LEGAL RIGHTS/RESPONSIBILITIES****HB 1379 - English**

Requires election authorities to make available at least one electronic voting machine per polling location for blind or visually impaired voters at an election in order to comply with federal law

This act requires that all election authorities provide at least one electronic voting machine that is accessible to those who are blind or have visual impairments at each polling location during every state or local election in order to comply with federal law. Any additional costs incurred for use of the machine during statewide or general assembly elections will be paid by the state, subject to appropriation. Blindness or visual impairment does not need to be confirmed in order to use an accessible machine and those who are blind or

have visual impairments are not required to use the accessible machine to cast a ballot.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1421 - Walker**

Modifies the definition of "political subdivision" as it relates to its cooperation with other political subdivisions to include county sheltered workshop boards

This bill adds county sheltered workshop to the types of political subdivisions that may cooperate with other political subdivisions.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1631 - Alferman**

Requires a person to submit a specified form of photo identification in order to vote in a public election with specified exemptions

This act requires individuals to show a valid photo ID in order to vote in an election. It states that there are exceptions to the requirement. An exception that is added by this act is the inability to pay for a birth certificate or other supporting documentation required to obtain a photo ID. The act states that the state and all fee offices will provide one photo ID at no cost to a qualified voter who does not already have one and wants to vote. Subject to appropriations, the state and state agencies will provide one MO birth certificate at no cost to those individuals obtaining a photo ID in order to vote. If an individual seeking to vote in MO was born in another state, the state of MO and its agencies will pay any fees required by other states in order to obtain a birth certificate. If there is not an appropriation to fulfill this requirement, the photo ID requirement will not be enforced by election authorities. The act also states that if there is an appropriation, election authorities will be

reimbursed from general revenue for any costs associated with the photo ID requirements. If no appropriation is made, the photo ID requirements will not be enforced.

**Status:**

1/12/15 **Hearing and Executive Session Scheduled** (H)

1/7/16 Second Read and Referred Elections

Committee (H) Chair: Entlicher, Vice Chair: Dogan

1/6/16 Introduced and First Read (H)

12/3/15 Pre-filed (H)

**HB 1677 - Dunn**

Requires the secretary of state to establish a system for automatic voter registration

This bill requires the Secretary of State to establish a system for automatic voter registration using information provided by the Missouri Department of Revenue. There will be notice and an opportunity to decline registration. The bill does not repeal existing methods of voter registration and it will be subject to appropriation to pay for the automatic registration process.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/8/15 Pre-filed (H)

**HB 1778 - Curtman**

Modifies provisions relating to paper ballots

This act requires that all electronic voting systems produce results from paper ballots marked by hand, or in the case of voters with disabilities who need assistance, from paper ballots marked by a paper ballot marking device designed to assist individuals with disabilities. The act allows the continued use of direct-record, electronic touch-screen vote-counting machines for voters with disabilities until they are removed from the inventory of the election authority due to mechanical failure, wear and tear, or other reason. They are to be replaced with a paper ballot marking device. The act designates the paper ballot as the official ballot.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/11/15 Pre-filed (H)

**HB 1831 - McGaugh**

Allows for the inclusion of respite in the orders for the management of the estate of protectees and dependents for purposes of guardianships

This act adds respite to what is allowed to be included in the orders for the management of the estate of protectees and dependents for purposes of guardianships.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/14/15 Pre-filed (H)

**HB 1844 - Gardner**

Requires the secretary of state to establish a system for automatic voter registration

This act requires the Secretary of State's office to establish a process for automatic voter registration based on driver's licenses and non-driver's ID cards to provide recommendations to local election authorities regarding automatic registration of eligible voters. The act instructs the Dept. of Revenue's Motor Vehicle and Driver Licensing Division to provide the Secretary of State's office with names, ages, residential addresses, electronic signatures, and any other information so that recommendations can be made. No later than two months after election authorities receive the recommendations from the Secretary of State's office of who should be included on the existing lists, the election authorities will send a paid postcard to all recommended individuals to provide the opportunity for individuals to state they do not want to be registered to vote. If the postcard is returned, the individual's name will be removed. If it is not returned, the individual's name will be added to the list. This act is subject to appropriation and does not invalidate other voter registration methods.

**Status:**

12/22/15 Withdrawn (H)  
 12/14/15 Pre-filed (H)

**HB 2081 - Nichols**

Establishes a system for automatic voter registration

This act instructs the Secretary of State's office to establish a process for automatic voter registration based on information from driver's licenses and non-driver's identification cards. The Department of Revenue's motor vehicle and driver licensing division will provide the name, age, residential address, electronic signature and any other requested information of individuals who obtain a new or renewal driver's license or non-driver's ID card to the secretary of state's office for use in making automatic voter registration recommendations. The Department of Revenue must notify the Secretary of State's office whenever individuals change their address of record so voter registration information can be updated. The Secretary of State's office will provide a list of individuals it recommends be included on voter registration lists to election authorities. Election authorities will include the recommended individuals on the list after verifying eligibility. Within two months after receiving a recommendation list, election authorities will send a paid postcard to each individual on the list providing an opportunity to decline being placed on a voter registration list. If a postcard is not received after a month, individuals will be placed on the list. Those who return a postcard will be removed from the list.

**Status:**

1/7/16 Introduced and First Read (H)

**HJR 53 - Dugger**

Proposes a constitutional amendment specifying that a person seeking to vote in a public election may be required by general law to provide a valid government-issued photo identification



This joint resolution proposes a constitutional amendment stating that individuals wanting to vote in elections may be required to present valid, government-issued photo identification to prove citizenship and residency before voting. Exceptions may be provided.

**Status:**

1/12/15 Hearing and Executive Session Scheduled (H)

1/7/16 Second Read and Referred Elections Committee (H) Chair: Entlicher, Vice Chair: Dogan  
1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**SB 771 - Onder**

Modifies the law relating to paper ballots

This act requires that all electronic voting systems produce results from paper ballots marked by hand, or in the case of disabled voters who need assistance, from paper ballots marked by a paper ballot marking device designed to assist such voters.

The use of remaining direct-record electronic voting machines shall be phased out upon mechanical failure.

This act requires that all electronic voting systems produce results from paper ballots marked by hand, or in the case of disabled voters who need assistance, from paper ballots marked by a paper ballot marking device designed to assist such voters.

The use of remaining direct-record electronic voting machines shall be phased out upon mechanical failure.

**Status:**

1/6/16 Introduced and First Read (S)  
12/2/15 Pre-filed (S)

**SJR 20 - Kraus**

Modifies provisions of law as it relates to voter photo identification

Upon voter approval, this constitutional amendment provides that a voter seeking to vote in person may be required by general law to identify himself or herself as a United States citizen and a resident of the state by providing valid, government-issued photo identification. Exceptions may be provided for by general law.

**Status:**

1/7/15 Second Read and Referred Financial and Governmental Organizations and Elections Committee (S) Chair: Wasson, Vice Chair: Cunningham  
1/6/16 Introduced and First Read (S)  
12/1/15 Pre-filed (S)

**MENTAL HEALTH**

**HB 1403 - Kirkton**

Adds board certified psychiatric-mental health nurse practitioners or clinical nurse specialists to the list of medical professionals from whom treatment costs may be compensated

This act adds board certified psychiatric-mental health clinical nurse specialists and board certified psychiatric-mental health nurse practitioners to the list of medical professionals who may be compensated for psychiatric treatment or other counseling services provided.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**HB 1619 - McCaherty**

Establishes a two-year statute of limitations for actions against a mental health professional for malpractice, negligence, error, or mistake

This act adds mental health professionals to the list of health care professions that have a two-year statute of limitations for instances of malpractice, negligence, error, or mistake.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/2/15 Pre-filed (H)

**SCR 49 - Nasheed**

Designates May as Mental Health Awareness Month

This resolution designates the month of May as Mental Health Awareness Month.

**Status:**

1/7/16 **Second Read and Referred Rules, Joint Rules, Resolutions and Ethics Committee** (S) Chair: Kehoe, Vice Chair: Richard  
1/6/16 Introduced and First Read (S)

**SCR 50 - Nasheed**

Designates the month of September as Suicide Prevention Awareness Month

This resolution designates the month of September as Suicide Prevention Awareness Month.

**Status:**

1/7/16 **Second Read and Referred Rules, Joint Rules, Resolutions and Ethics Committee** (S) Chair: Kehoe, Vice Chair: Richard  
1/6/16 Introduced and First Read (S)

**OLMSTEAD**

No pending legislation

**SAFETY/PREVENTION****HB 1371 - Miller**

Modifies motorcycle helmet law

This act would make wearing a motorcycle helmet that is not in compliance with established standards and specifications a secondary offense rather than a primary offense. A driver would be cited for helmet noncompliance only if he or she was stopped by law enforcement for a separate primary offense.

**Status:**

1/7/16 **Second Read** (H)  
1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**HB 1377 - English**

Prohibits anyone from sending, reading, or writing a text message while operating a motor vehicle. This act prohibits texting while driving by drivers of all ages not only those who are age twenty-one or younger.

**Status:**

1/7/16 **Second Read** (H)  
1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**HB 1464 - Burlison**

Exempts motorcyclists 21 years of age or older from wearing a helmet when operating a motorcycle or motortricycle if they have the appropriate health insurance coverage

This act states that individuals who are age twenty-one or older do not have to wear a helmet when operating a motorcycle or motortricycle as long as they have first-party insurance coverage, completed an approved motorcycle safety education course, have held the motorcycle license or endorsement for at least two years, and have not been issued an instruction permit. The act states that the first-party insurance coverage must include at least \$50,000 in medical coverage for injuries incurred in a motorcycle or motortricycle accident.

**Status:**

1/7/16 **Second Read** (H)  
1/6/16 Introduced and First Read (H)  
12/1/15 Pre-filed (H)

**HB 1542 - Brown**

Prohibits text messaging while driving unless the device is equipped with technology allowing for hands-free texting and is being used in that manner while operating a non-commercial vehicle

This act prohibits text messaging driving a non-commercial vehicle unless the device is equipped with hands-free texting technology and it is being used to text message.

**Status:**

1/7/16 **Second Read** (H)  
1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1544 - Brown**

Prohibits anyone from using a hand-held electronic wireless communication device while driving unless the device is equipped for hands-free operation and is being used in that manner

This act prohibits making or participating in a phone call using a hand-held electronic wireless communication device while driving a non-commercial vehicle unless it is being done with hands-free operation.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1654 - McDaniel**

Establishes the Patient Monitoring Care Act which allows patients in long-term care facilities or their surrogates to install a monitoring device in the patient's room

This act establishes the "Patient Monitoring Care Act." It allows a patient or a surrogate to authorize the installation and use of a patient monitoring device in a residential care, assisted living, intermediate care, or skilled nursing facility as long as the facility is given notice of the installation, all costs are paid by the patient, and written consent is given by all patients occupying the room. All devices that have visual recordings will include a date and time for the recording. Patients will be allowed to set limits on its use. The option to have a monitoring device will be offered at the time of admission. The consent to authorize the installation of a device will include a liability release for the facility as it relates to the patient's privacy violation with the device. This act specifies what should be included on the authorization form and that the form will be developed by the Department of Health and Senior Services. Individuals may change their decision at any time. The act also states that if the provisions outlined in the act are followed the recordings can be used in civil actions against the

facility and is a defense against any action brought because of the presence of the device. Within six months of this act's effective date each facility will provide to each patient or surrogate a form outlining the act and providing the option for a monitoring device. The act instructs that notices be posted outside each room where a monitoring device is being used. The act also sets penalties for violating the act or hampering, obstructing, tampering with, or destroying a device or a recording.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/7/15 Pre-filed (H)

**HB 1655 - McDaniel**

Establishes the Veterans' Home Resident Monitoring Care Act

This act establishes the "Veterans' Home Resident Monitoring Care Act." It allows a resident or a surrogate to authorize the installation and use of a patient monitoring device in a state veterans' home as long as the facility is given notice of the installation, all costs are paid by the patient, and written consent is given by all patients occupying the room. All devices that have visual recordings will include a date and time for the recording. Patients will be allowed to set limits on its use. The option to have a monitoring device will be offered at the time of admission. The consent to authorize the installation of a device will include a liability release for the facility as it relates to the patient's privacy violation with the device. This act specifies what should be included on the authorization form and that the form will be developed by the Department of Public Safety. Individuals may change their decision at any time. The act also states that if the provisions outlined in the act are followed the recordings can be used in civil actions against the facility and is a defense against any action brought because of the presence of the device. Within six months of this act's effective date each facility will provide to each patient or surrogate a form outlining the act and providing the option for a monitoring device. The act

instructs that notices be posted outside each room where a monitoring device is being used. The act also sets penalties for violating the act or hampering, obstructing, tampering with, or destroying a device or a recording.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1657 - Kelley**

Prohibits law enforcement from stopping a motorcycle for failing to wear protective headgear

This act prohibits law enforcement officers from stopping a motorcycle if the only reason is because a helmet is not being worn.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1663 - Spencer**

Prohibits any person under the age of 18 from operating a motorcycle or motortricycle without protective headgear

This act requires all persons who are under eighteen years old and driving or riding a motorcycle or motortricycle to wear a helmet.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1671 - Kratky**

Prohibits drivers of non-commercial vehicles from text messaging while operating a motor vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting

This act prohibits all drivers of non-commercial vehicles from reading, sending, or writing a text

message while driving on state highways unless voice-recognition hands-free texting is being used.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1672 - Kelley**

Exempts any stairway inclined life owned and operated by a church in the City of Greenfield from safety inspections unless requested by the owner

This act exempts stairway inclined lifts owned and operated by churches in the City of Greenfield from safety inspections not requested by the owner.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/7/15 Pre-filed (H)

**HB 1689 - Chipman**

Creates the offense of smoking in a motor vehicle if there is a person under the age of eighteen present in the motor vehicle

This act creates the fine of smoking in a motor vehicle if there is someone under the age of eighteen in the vehicle. It states this offense can only be enforced if a law enforcement officer has stopped the driver for another offense. The act states that an individual may be fined up to twenty dollars for the offense.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/9/15 Pre-filed (H)

**HB 1732 - Davis**

Recognizes certain three-wheeled vehicles as motor vehicles

This act states that individuals operating or riding in autocycles that have roofs which meet or exceed the protective headgear standards will not be required to wear a helmet.

**Status:**

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)  
 12/11/15 Pre-filed (H)

#### HB 1986 - McDaniel

Prohibits any person, regardless of age, from texting while operating a motor vehicle

This act changes the law from only drivers under the age of twenty-one being prohibited from texting while driving to all drivers being prohibited from texting while driving.

#### Status:

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)

#### HB 1987 - McDaniel

Allows law enforcement officers to enforce the seat belt law as a stand-alone offense

This act allows law enforcement officers to stop a vehicle solely because someone is not wearing a seat belt.

#### Status:

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)

#### HB 1988 - White

Modifies the definition of "motor vehicle" to include certain three-wheeled vehicles

This act adds three-wheeled vehicles in which the driver and all passengers ride in a completely enclosed area that includes airbags and seatbelts to the definition of "motor vehicle."

#### Status:

1/7/16 Second Read (H)  
 1/6/16 Introduced and First Read (H)

#### HB 2115 - Nichols

Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting

This act requires all health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting. The residential address and the date the oxygen tank or apparatus was provided must be given. Health care facilities are also required to notify the fire department when the equipment is removed including the date and the address. The name of the patient or customer will not be given unless a waiver is signed.

#### Status:

1/7/16 Introduced and First Read (H)

#### HCR 66 - Hubrecht

Urges all educational institutions to provide information to students and parents about meningococcal disease and available vaccines

This concurrent resolution instructs the Department of Health and Senior Services to take all reasonable steps to urge all MO high schools, colleges, and universities to provide information to students and parents about meningococcal disease including the disease serogroups, symptoms, risks, and treatment, and information related to all vaccines that have received an Advisory Committee on Immunization Practices recommendation including availability, benefits, risks, limitations, and information explaining who are at higher risk for the disease. It instructs all high schools, colleges, and universities to recommend entering students become vaccinated. The Chief Clerk of the House will provide an inscribed copy of the resolution to every high school, college, and university.

#### Status:

1/7/16 Introduced and First Read (H)

#### SB 569 - Pearce

Relating to text messaging while operating motor vehicles

Currently, only drivers under the age of 21 and drivers of commercial motor vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. This act applies the ban on use of hand-held cell phones

to all drivers for the purposes of sending, reading, or writing text messages.

**Status:**

1/7/16 Second Read and Referred Transportation Infrastructure and Public Safety Committee (S)

Chair: Libla, Vice Chair: Schatz

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 659 - Wasson**

Modifies regulation of autocycle operators and exempts such operators from using protective headgear

This act defines an autocycle as a three wheeled motorcycle on which drivers and passengers ride in a completely enclosed, tandem seating area that is controlled with a steering wheel and pedals and contains additional safety and equipment requirements. Autocycle operators are exempted from the motorcycle helmet requirement with specific safety equipment requirements. This act also requires autocycle operators to have a driver's license without requiring a motorcycle or motortricycle license or endorsement.

**Status:**

1/7/16 Second Read and Referred Transportation Infrastructure and Public Safety Committee (S)

Chair: Libla, Vice Chair: Schatz

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 694 - Holsman**

Allows qualified motorcycle operators to operate motorcycles and motortricycles without protective headgear under certain conditions

Currently, all users of motorcycles and motortricycles are required to wear protective headgear when the vehicle is in motion. This act allows qualified motorcycle operators to operate motorcycles and motortricycles without protective headgear if the operator has first-party insurance coverage and possesses distinctive license plates as described in the act.

**Status:**

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 819 - Schupp**

Requires employees and volunteers of specified public and private institutions to receive an influenza vaccination every year

This act requires that all employees of certain inspected health care facilities receive an influenza vaccination every year, three months prior to the flu season. New employees or volunteers beginning work during the flu season shall be vaccinated within two weeks of commencing work. The Department of Health and Senior Services shall not be required to pay for these vaccinations. Exemptions may be granted in specified situations.

The Department may conduct vaccination inspections during any other inspection of the facility. Inspected facilities not in compliance will have an opportunity to be reinspected within three months of the initial inspection. Failure to comply at that time will result in a fine which shall be applied to the costs of inspection and flu prevention education.

The provisions of this act shall sunset on August 28, 2022, unless reauthorized.

**Status:**

1/6/16 Introduced and First Read (S)

12/16/15 Pre-filed (S)

**SB 820 - Schupp**

Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions

Currently, drivers, front seat passengers, and passengers under 18 years of age are required to wear a safety belt in a vehicle manufactured after January 1, 1968, and designed for carrying up to 10 people, including trucks with a licensed gross weight less than 12,000 pounds. This act specifies that each person in a passenger vehicle, manufactured after January 1, 1968, carrying up to

10 people, including trucks regardless of weight, must wear a safety belt when operated on the streets or highways of Missouri unless the person has a medical reason documented by a physician. This act also repeals the provision prohibiting a person from being stopped solely for not wearing a safety belt.

**Status:**

1/6/16 Introduced and First Read (S)

12/16/15 Pre-filed (S)

**SB 821 - Schupp**

Applies ban on using cell phones related to text messaging while driving to all drivers

Currently, only drivers under the age of 21 and drivers of commercial motor vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. This act applies the ban on use of hand-held cell phones to all drivers for the purposes of sending, reading, or writing text messages. Cell phones are permitted to be used by drivers in a hands-free voice activated mode.

**Status:**

1/6/16 Introduced and First Read (S)

12/16/15 Pre-filed (S)

**SB 851 - Brown**

Allows qualified motorcycle operators to operate motorcycles and motortricycles without protective headgear under certain conditions

Currently, all users of motorcycles and motortricycles are required to wear protective headgear when the vehicle is in motion. This act allows qualified motorcycle operators who are over the age of twenty-one to operate motorcycles and motortricycles without protective headgear if the operator has first-party insurance coverage and has possessed their motorcycle license or endorsement for at least two years or has completed a motorcycle safety training course.

**Status:**

1/6/16 Introduced and First Read (S)

**SERVICES****HB 1483 - Walton Gray**

Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease

This act establishes the Sickle Cell Standing Committee. The act outlines what groups should be represented in the membership of the committee. The committee will have members representing various parties interested in or impacted by sickle cell disease. The committee will conduct an assessment of the impact of sickle cell and its trends and populations and existing services and resources. The committee will make recommendations for educational services for schools and public policies and responses, and replacing the eliminated genetic testing and counseling program and submit a report to the governor and general assembly by December 31, 2017. The group will continue to meet after the report has been submitted to continue the study, look at the impact of the recommendations, and make an annual report to the governor and general assembly.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/1/15 Pre-filed (H)

**HB 1607 - Swan**

Establishes licensure requirements for music therapists

This act establishes a music therapy advisory group within the division of professional registration. The group will consist of five members who are familiar with music therapy practice. The board may develop materials for dissemination to the public regarding licensure, the benefits of music therapy, and utilization of music therapy in various settings. The act establishes criteria for membership, how often the advisory group will meet, and other duties of the group.

This act states that after January 1, 2018 no individual can use the title music therapist or

practice music therapy without a license. The act specifies the requirements individuals must meet to be licensed as a music therapist in MO. Until January 1, 2021, individuals who are board certified music therapists, registered music therapists, certified music therapists, or advanced certified music therapists and in good standing are exempt from the examination requirement. It establishes licensure renewal time periods and requirements and sanctions that can be taken against individuals for violations of this act.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/2/15 Pre-filed (H)

**HB 1644 - Hicks**

Requires licensed chiropractors to be reimbursed under the MO HealthNet program for providing chiropractic services

This act states that chiropractors will be reimbursed by MO HealthNet for currently covered services that are within the chiropractor scope of practice. It also states that there will be a \$4.00 copayment per visit and there will be a twenty-six visit limit for every twelve month period.

**Status:**

12/15/15 Withdrawn (H)

12/4/15 Pre-filed (H)

**HB 1659 - Frederick**

Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system

This act states that, subject to appropriations, beginning July 1, 2016 providers of behavioral, social, and psychophysiological services for preventing, treating, or managing physical health problems will be reimbursed utilizing the Current Procedural Terminology coding system behavior assessment and intervention reimbursement codes. Psychologists will be eligible for this reimbursement.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/7/15 Pre-filed (H)

**HB 1753 - Bahr**

Allows structured family caregiving as a covered service under MO HealthNet, subject to the approval of federal waivers

This act adds structured family caregiving to the covered home and community-based waiver services in the MO aged and disabled adult waiver and the independent living waiver. It would include a choice of caregivers including family caregivers, a choice of community settings where the service is provided. Other requirements are outlined in the act. It instructs the MO HealthNet Division to apply to the U.S. Secretary of Health and Human Services for amendments to the necessary waivers within thirty days of this becoming effective. The effective date requested will be no later than July 1, 2017.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/11/15 Pre-filed (H)

**HB 1795 - Haefner**

Requires the Department of Social Services to contract with a third party to verify eligibility data for public assistance programs

This act states that by at least January 1, 2017, the Department of Social Services will utilize a contractor to provide data to be used for initial and ongoing eligibility determinations for the supplemental nutrition assistance program, temporary assistance to needy families program, child care assistance program, women, infants, and children supplemental nutrition program, and MO HealthNet. The contractor will conduct data matches of each applicant or recipient at least quarterly to verify eligibility data. The contractor will also identify monthly for the Dept. of Social Services participants who have died, moved out of state or been incarcerated for more than ninety



days. The contractor will notify the Dept. of Social Services of the results of the verifications except for those in long-term care whose income and resources meet specified criteria. The Dept. will have twenty business days to make a determination after receiving information from the contractor. The Dept. retains final authority over determinations. Thirty days after the conclusion of each calendar year the Dept. and the contractor will submit a joint report to the governor, the House Speaker, and the Senate President Pro Tem. The act specifies what will be included in the report.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/14/15 Pre-filed (H)

**HB 1939 - Hicks**

Requires licensed chiropractors to be reimbursed under the MO HealthNet program for providing chiropractic services

This act states that chiropractors will be reimbursed by MO HealthNet for currently covered services that are within the chiropractor scope of practice. It also states that there will be a \$4.00 copayment per visit and there will be a twenty-six visit limit for every twelve month period.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

12/29/15 Pre-filed (H)

**HB 1994 - Cornejo**

Establishes the Palliative Care and Quality of Life Interdisciplinary Council and the Palliative Care Consumer and Professional Information and Education Program

This act creates the Missouri Palliative Care and Quality of Life Interdisciplinary Advisory Council and Quality of Life Interdisciplinary Council within the Department of Health and Senior Services. The Advisory Council will be a palliative care consumer and professional information and education

program to improve quality and delivery of patient-centered and family-focused care. Members will be appointed on or before December 1, 2016. The act outlines what types of individuals will be on the Advisory Council and related information. The Advisory Council will consult with and advise the Department on establishing, maintaining, operating, and evaluating palliative care initiatives and the Palliative Care Consumer and Professional Information and Education Program. The Advisory Council will submit an annual report to the general assembly which includes the availability of care for those in the early stages of a serious disease and barriers to accessing palliative care. The act outlines what should be involved in the information and education program. The act encourages each hospital to have education information to distribute to patients and links to one or more appropriate palliative care organizations available on the hospital website. The Council and the education program will expire on August 28, 2022.

**Status:**

1/7/16 Second Read (H)

1/6/16 Introduced and First Read (H)

**SB 607 - Sater**

Requires the Department of Social Services to contract with a third party to verify eligibility for public assistance programs

This act requires the Department of Social Services, by January 1, 2017, to contract with a private vendor to verify that eligibility requirements are being met by recipients of public assistance, including supplemental nutrition assistance program; temporary assistance for needy families; child care assistance; and MO HealthNet. The Department will retain final determination of eligibility. The Department and the contractor are required to file an annual report with the Governor and the General Assembly regarding the eligibility data.

**Status:**

1/7/15 Second Read and Referred Seniors, Families and Children Committee (S) Chair: Sater, Vice Chair: Riddle

1/6/16 Introduced and First Read (S)

12/1/15 Pre-filed (S)

**SB 635 - Hegeman**

Establishes the Missouri Palliative Care and Quality of Life Interdisciplinary Council and the Palliative Care Consumer and Professional Information and Education Program

This act creates the "Missouri Palliative Care and Quality of Life Interdisciplinary Council," which shall consult with and advise the Department of Health and Senior Services on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in the state, as well as submit an annual report to the General Assembly assessing the availability of palliative care in the state for patients at early stages of serious disease and analyzing barriers to greater access to palliative care.

This act also creates the "Palliative Care Consumer and Professional Information and Education Program," which shall be designed to maximize the effectiveness of palliative care in the state by ensuring the public availability of comprehensive and accurate information about palliative care. The program shall encourage hospitals to have a palliative care presence on their intranet or internet website and to develop and distribute information about palliative care to patients.

The provisions of this act shall expire on August 28, 2022.

**Status:**

1/7/16 Second Read and Referred Veterans' Affairs and Health Committee (S) Chair: Brown, Vice Chair: Schaaf  
1/6/16 Introduced and First Read (S)  
12/1/15 Pre-filed (S)

**OTHER**

**HB 1752 - Dunn**

Specifies that a person is presumed to have consented to organ donation at the time a person

applies for or renews his or her driver's license unless he or she signs a statement opting out

This act instructs the Dept. of Revenue to modify the application and process for obtaining or renewing a driver's license to include a statement informing individuals that at the time of applying for or renewing their driver's license they are considered to have consented to being an organ and tissue donor unless the applicant initials stating he/she does not wish to be an organ and tissue donor. The statement and instructions the Dept. will provide are specified in the act. The Dept. of Revenue will inform the Dept. of Health and Senior Services of the information from those who have not opted out so it can be added to the registry.

**Status:**

1/7/16 Second Read (H)  
1/6/16 Introduced and First Read (H)  
12/11/15 Pre-filed (H)

**HB 1850 - Franklin**

Allows various state boards to collaborate with the Department of Health and Senior Services to collect and analyze workforce data to assess the availability of qualified health care professionals

This act allows the state board of nursing, the board of pharmacy, the Missouri dental board, the state committee of psychologists, or the state board of registration for the healing arts to enter into a contract with the Department of Health and Senior Services, a public university, or a non-profit entity individually or as a group to collect and analyze data from its licensees or registrants to assess the accessibility and availability of qualified health care services and practitioners in the state and to assist with future workforce planning. The boards are instructed to work with other agencies to ensure there is no duplication of efforts. The act allows the boards to accept grants to fund the data collection and analysis. The act specifies what type of data can be released to the contractor, what kind of data cannot be collected, who owns the data collected, and provisions for security and confidentiality.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/15/15 Pre-filed (H)

**HB 1921 - Ellington**

Establishes the Customer Utility Protection Act  
This act creates the "Consumer Utility Protection Act." It states that public utilities which discontinue a customer's service will not charge any fees or penalties except for that associated with re-connecting service. The fee for re-connecting service cannot be more than twenty dollars and can only be charged one time. A customer whose service was disconnected and then re-connected can be charged a monthly fee over a twelve month period. The fee cannot be more than five dollars. It can be charged in addition to the one-time fee. A customer will not be required to pay a balance owed before service is restored. The losses from this act can be used in a rate increase hearing.

**Status:**

1/7/16 **Second Read** (H)

1/6/16 Introduced and First Read (H)

12/21/15 Pre-filed (H)

**SCR 42 - Curls**

Declares November 14, 2016, as Neuroblastoma Cancer Awareness Day

This concurrent resolution designates November 14, 2016 as Neuroblastoma Cancer Awareness Day.

**Status:**

1/7/16 **Referred Rules, Joint Rules, Resolutions and Ethics Committee** (S) Chair: Kehoe, Vice Chair:

Richard

1/6/16 Offered (S)

**APPROPRIATIONS**

No pending legislation