

LEGISLATIVE UPDATE

Issue 1, January 5, 2018

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Welcome to the first issue of the 2018 Legislative Update with the 99th 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.
- 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 Senate's website at <http://www.senate.mo.gov/BTSSearch/Default.aspx>
- A glossary of legislative terms can be found at [Missouri House of Representatives](#)
- 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/myForm.htm> 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 1369 - Sommer**

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

This bill revises the term "service dog" to include a psychiatric service dog or mental health service dog that is trained to do work or perform tasks for an owner with a psychiatric disability, medical condition, or developmental disability recognized in the Diagnostic and Statistical Manual of Mental Disorders.

Status:

1/4/18 Second Read and Referred to Veterans Committee (H) Chair: Davis, Vice Chair: Wilson
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

CRIME**SB 791 - Nasheed**

Provides that knowingly inciting another to commit suicide is involuntary manslaughter in the second degree

Under current law, the offense of involuntary manslaughter in the second degree occurs when a person acts with criminal negligence to cause the death of any person.

Under this act, involuntary manslaughter in the second degree also occurs when a person knowingly incites any person to commit suicide, including through the use of telephone or electronic communications, and such incitement results in the death of such person.

Status:

1/3/18 Introduced and First Read (S)
12/11/17 Pre-filed (S)

EDUCATION**HB 1363 - Kidd**

Requires teachers and principals to complete two hours of suicide prevention education each school year

Beginning in the 2019-2020 school year, the practicing teacher assistance program must offer and include at least two hours of inservice training provided by each local school district for all practicing teachers in the district regarding suicide prevention. All teachers, principals, and licensed educators in each district must attend such a training or complete training on suicide prevention through self-review of suicide prevention materials. The Department of Elementary and Secondary Education may develop materials to be used for such training or may offer districts materials developed by a third party.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1365 - Gannon

Creates an advisory council to make recommendations to the state board of education regarding standards and testing for certain students

This act creates the Advisory Council on Special Education. The advisory council will develop an alternative assessment for students with disabilities that it will recommend the state board of education adopt. It will also recommend alternate academic achievement standards for high school students with the most significant cognitive disabilities. These standards will focus on academic and transition related skills. The act specifies advisory council membership and administrative information.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1417 - Kelley

Establishes a reading intervention program for K-3 students with reading deficiencies

The act is designed to assist students who do not have a documented disability. It includes retention for those students under certain circumstances and

indicates good cause exemptions can be implemented for certain students with disabilities.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/4/17 Pre-filed (H)

SB 559 - Chappelle-Nadal

Modifies several provisions relating to elementary and secondary education

This bill contains several parts. Only those parts that address students with disabilities are included.

All underperforming districts in St. Louis County are prohibited from promoting any student from the fifth grade to the sixth grade or from the eighth grade to the ninth grade who is two years or more below grade level as measured by quantifiable student performance data designated by the local district. However, this provision does not apply to any student with an individualized education program or any student with a Section 504 Plan.

When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the transfer student's district of residence 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 transfer student's district of residence shall 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 a district operating an unaccredited school for the provision of transportation. A special school district shall continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from a district operating an unaccredited school within the same or a different component district.

When the St. Louis City School District operates an unaccredited school, 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. A district operating an unaccredited school may contract with a receiving district that is not part of a special school district for transportation. When districts other than St. Louis City operate unaccredited schools, they may contract with a receiving district that is not part of a special school district for the reimbursement of special education services.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 587 - Sifton

Modifies several provisions relating to elementary and secondary education

This bill contains several parts. Only those parts that address students with disabilities are included.

When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the transfer student's district of residence shall remain responsible for paying the excess cost to the receiving district or charter school. When the receiving district is a component district of a special school district, the transfer student's district of residence shall 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 a district operating an unaccredited school for the provision of transportation of a student with a disability. A special school district shall continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from an unaccredited school within a component district to an accredited school within

the same or a different component district within the special school district.

When the St. Louis City School District operates an unaccredited school, it shall remain responsible for the provision of special education and related services, including transportation, to students with disabilities. A special school district in an adjoining county may contract with the St. Louis City School District for the reimbursement of special education services provided by the special school district for transfer students who are residents of the unaccredited district.

Regardless of whether transportation is identified as a related service within a student's individualized education program, a receiving district that is not part of a special school district shall not be responsible for providing transportation to a student transferring under these provisions. A district operating an unaccredited school may contract with a receiving district that is not part of a special school district for transportation of students with disabilities. When a district other than St. Louis City operates an unaccredited school, it may contract with a receiving district that is not part of a special school district in the same or an adjoining county for the reimbursement of special education and related services provided by the receiving district for transfer students who are residents of the district operating an unaccredited school.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 681 - Hummel

Relating to school instruction in Braille

This act requires a student to receive instruction in Braille reading and writing as part of his or her individualized education plan (IEP) unless, as a result of an assessment, instruction in Braille or the use of Braille is determined not appropriate for the child. This act creates a definition of "assessment" and modifies the definition of "student".

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

EMPLOYMENT

HB 1784 - Ellington

Increases the state minimum wage to \$15 per hour

This act increases the minimum wage to \$15 per hour beginning January 1, 2019.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/27/17 Pre-filed (H)

FUNDING/TAX RELIEF

HB 1237 - Stacy

Changes the laws regarding the low-income housing tax credit so that the program is capped at fifty million dollars per year

This bill limits the total annual authorized and redeemed amount of low-income housing tax credits to a \$50 million maximum in any fiscal year.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1604 - Merideth

Authorizes a tax credit for health care professionals serving in rural areas

This bill creates a tax credit for health care professionals servicing a rural area. To qualify for the tax credit, at least 20% of a health care professional's practice must consist of Medicare participating patients and 15% Missouri HealthNet participants. If a health care professional services an area at least 10 miles, but less than 20 miles, from a major population center in a metropolitan area then the tax credit shall be for \$3,000. If a health care professional services an area at least 20 miles, but less than 50 miles, from a major population center in a metropolitan area then the tax credit shall be for \$4,000. If a health care professional services an area at least 50 miles from a major population center in a metropolitan area

then the tax credit shall be for \$5,000. This bill also creates a tax credit of \$250 for emergency medical technicians (EMT) servicing a rural area located at least 25 miles from any city with a population of at least 30,000. The tax credits authorized by the bill shall not be refundable nor transferable. Both tax credits shall sunset in six years, unless they are reauthorized.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/12/17 Pre-filed (H)

HB 1639 - Stacy

Establishes the Missouri Empowerment Scholarship Accounts Program

The act establishes the MO Empowerment Scholarship Accounts Program. Starting with fiscal years on or after July 1, 2019 it allows a taxpayer to make a contribution to a qualifying educational assistance organization and claim a tax credit. The act outlines the requirements that must be met for an organization to qualify as an educational assistance organization under the act. Students are eligible to receive funds from the established accounts if they have a disability and have attended public school with certain circumstances or will be beginning kindergarten. Parents and guardians are allowed to only use the funds for certain educational expenses.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/15/17 Pre-filed (H)

HB 1694 - Unsicker

Specifies that money in an individual's ABLE account shall not be considered an asset for purposes of the asset limits of the blind pension program

This act states that any money in an ABLE account will be excluded from the asset limits for the blind pension program.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/19/17 Pre-filed (H)

HB 1747 - Wood

Extends the expiration date on various federal reimbursement allowances

This act extends the expiration date for the pharmacy reimbursement allowance and the Intermediate Care Facility for the Intellectually Disabled reimbursement allowance to September 30, 2023.

Status:

1/4/18 Second Read and Referred Budget

Committee (H) Chair: Fitzpatrick, Vice Chair:

Alferman

1/3/18 Introduced and First Read (H)

12/27/17 Pre-filed (H)

HB 1796 - Ruth

Establishes the First-Time Home Buyer Savings Account Act and authorizes a tax deduction for contributions to a savings account dedicated to buying a first home

This act allows a tax deduction for all tax years beginning with tax year 2019 for contributions made by a taxpayer to a first-time home buyer savings account. The deduction can be equal to fifty percent of the contribution. The act also allows individuals to establish savings accounts exclusively for first-time home buying. Individual contributions cannot be more than \$1,600 per year and \$3,200 per year for joint tax filers. Total contributions in all years cannot exceed \$25,000 and the total amount in the account cannot exceed \$50,000.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/28/17 Pre-filed (H)

HJR 57 - Carpenter

Proposes a constitutional amendment exempting from taxation certain real and personal property owned by a veteran with a total service-connected disability

Upon voter approval, this proposed Constitutional amendment authorizes an exemption from property tax for the real and personal property of a veteran with a total service-connected disability up to \$200,000 in actual value for 2018 and indexed for inflation in subsequent years.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

SB 565 - Emery

Establishes the Missouri Empowerment Scholarship Accounts Program

The act establishes the MO Empowerment Scholarship Accounts Program. Starting with fiscal years on or after July 1, 2019 it allows a taxpayer to make a contribution to a qualifying educational assistance organization and claim a tax credit. The act outlines the requirements that must be met for an organization to qualify as an educational assistance organization under the act. Students are eligible to receive funds from the established accounts if they have a disability and have attended public school with certain circumstances or will be beginning kindergarten. Parents and guardians are allowed to only use the funds for certain educational expenses.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 567 - Cunningham

Modifies provisions relating to tax credits and funds for vulnerable populations

This act modifies the Senior Citizens Property Tax Credit for claimants who are claiming the credit as a resident citizen of at least 65 years of age by reducing the maximum allowed credit from \$1,100 to \$750 for homeowners and from \$750 to \$450 for renters. This act also reduces the maximum income threshold for claimants who are claiming the credit as a resident citizen of at least 65 years of age to 100% of federal poverty level, and reduces the minimum base for such applicants from \$14,300 to \$5,000. The definition of "claimant" is also modified

to exclude from eligibility a taxpayer who is receiving federal or state housing assistance, a taxpayer who lives in tax-exempt non-profit housing, and a taxpayer who lives in a skilled nursing facility. The definition of "rent constituting property taxes accrued" is modified for claimants who are claiming the credit as a resident citizen of at least 65 years of age by reducing the amount from 20% of gross rent paid to 8% of gross rent paid. This act also requires the Director of the Department of Revenue to calculate the amount of tax credits claimed under the Senior Citizens Property Tax Credit during calendar year 2016 as such program existed on January 1, 2018, and subtract from such amount the amount of tax credits which would have been claimed in such year under the provisions of this act. Such difference shall annually be deposited in the Missouri Senior Services Protection Fund. By July 1, 2018, the Treasurer shall also perform a one-time transfer into the Missouri Senior Services Protection Fund of \$2 million from the Nursing Facility Quality of Care Fund, \$1.5 million from the Healthy Families Trust Fund, \$1 million from the Life Sciences Research Trust Fund, and \$1 million from the Missouri Public Health Services Trust Fund. The Department of Social Services shall expend the funds appropriated by in section 11.470 of CCS/SCS/HCS/HB 11 (2017) to increase the MO HealthNet fee-for-service reimbursement rate to nursing homes by June 30, 2018. This act contains an emergency clause.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 591 - Hegeman

Implements a cap on the Low Income Housing Tax Credit

This act implements a cap of \$50 million on the amount of tax credits that may be authorized in a given fiscal year under the Missouri Low-Income Housing Tax Credit program.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 612 - Koenig

Establishes the Missouri Empowerment Scholarship Accounts Program

The act establishes the MO Empowerment Scholarship Accounts Program. Starting with fiscal years on or after July 1, 2019 it allows a taxpayer to make a contribution to a qualifying educational assistance organization and claim a tax credit. The act outlines the requirements that must be met for an organization to qualify as an educational assistance organization under the act. Students are eligible to receive funds from the established accounts if they have a disability and have attended public school with certain circumstances or will be beginning kindergarten. Parents and guardians are allowed to only use the funds for certain educational expenses.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 775 - Brown

Extends the sunset on certain healthcare provider reimbursement allowance taxes

This act extends the sunsets from September 30, 2018, to September 30, 2021, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Mentally Retarded Reimbursement Allowance Taxes.

Status:

1/3/18 Introduced and First Read (S)

12/6/17 Pre-filed (S)

SJR 23 - Silvey

Allows for a property tax exemption for one hundred percent disabled veterans

This constitutional amendment, if approved by the voters, expands the current exemption from real property taxes for 100% disabled former prisoners of war to all 100% disabled veterans of the Armed Forces of the United States.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

HEALTH CARE/PERSONAL ASSISTANCE**HB 1310 - Quade**

Requires the Department of Health and Senior Services to promulgate regulations consistent with CDC guidelines for prescribing opioids for chronic pain

This bill requires the Department of Health and Senior services to create regulations for all health care professionals with the authority to prescribe opioids. The regulations must be consistent with the Centers for Disease Control and Prevention's Guideline for Prescribing Opioids for Chronic Pain. The department must review the regulations, and update them if necessary, every five years.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1319 - Roberts

Establishes the Death with Dignity Act to allow patients with terminal illnesses to end their life in a humane and dignified manner

This act establishes the "Missouri Death with Dignity Act" which allows patients with terminal illnesses who are MO residents and meet requirements outlined to make a written request for medication to end his or her life in a humane and dignified manner. It specifies the responsibilities of the patient and the attending and consulting physicians. It states that disability cannot be a sole qualification for this act.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1350 - Smith

Modifies provisions relating to background check requirements of in-home service providers and personal care attendants

This bill modifies the laws regarding background check requirements of in-home service providers

and personal care attendants. An agency is guilty of a class A misdemeanor for hiring a person who has been found guilty of or has pled guilty or nolo contendere to specified felony offenses as outlined in the bill, is listed on the Department of Health and Senior Services employee disqualification list, is listed on the Department of Mental Health disqualification registry, or has a finding on the child abuse and neglect registry. No state or federal financial assistance shall be authorized to pay for personal care assistance services provided by a personal care attendant who has not undergone a background screening process.

Status:

1/4/18 Second Read and Referred to Health and Mental Health Policy Committee (H) Chair:

Frederick, Vice Chair: Morris

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1361 - 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 treatment within the health care facility or agency upon the request of a current or prospective patient or resident. The bill prohibits a health care facility, nursing home, physician, nurse, or medical staff from withholding or restricting life sustaining procedures, food, medication, or nutrition for any patient, resident, or ward under 18 years of age who is not emancipated without the written permission of at least one parent or legal guardian. A do-not-resuscitate 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 patient or resident if he or she is under 18 years of age and is not emancipated. Permission previously given under the provisions of the bill may be revoked in writing by the legal guardian or

either parent of the patient. If parents are unable to agree, either parent may petition a specified court to resolve the conflict based on a presumption in favor of the provision of life-sustaining procedures, food, medication, nutrition, and resuscitation unless there is clear and convincing evidence that such provision is contrary to the best interest of the child and a trial must commence, as specified in the bill. The requirements for written permission to withhold life-sustaining procedures, food, medication, or nutrition or to institute a do-not-resuscitate order must not apply if the provision of resuscitation, food, medication, or nutrition would be futile or medically inappropriate. 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 patients under 18 years of age who are not emancipated or adult patients, residents, or wards.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1440 - Evans

Permits the use of hemp oil for the treatment of certain impairments

Currently, the law allows people with intractable epilepsy to possess and use hemp extract to treat the condition. This bill expands the current law to allow individuals with other serious conditions to use hemp extract as well. Serious condition is defined as Cancer, HIV, AIDS, Amyotrophic lateral sclerosis, Rheumatoid Arthritis, Parkinson's disease, Multiple sclerosis, spinal cord damage, Epilepsy, Inflammatory bowel disease, neuropathies, Huntington's disease, or certain specified symptoms or complications associated with the conditions listed above. Currently, 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 bill requires the department to also issue registration cards to people who provide certification signed by a

physician that the person suffers from one of the previously mentioned serious conditions. The physician must also indicate to the department that he or she is qualified to treat the condition, and that the patient is under the practitioner's continuing care. The maximum level of Tetrahydrocannabinol (THC) permitted in hemp extract under current law is 0.3% by weight. This bill raises the maximum level to 0.9% by weight. This bill also lowers the minimum level of cannabidiol required in hemp extracted from 5% by weight to 1.5% by weight. The civil liability of a doctor or hospital that provides medical treatment to a patient pursuant to this bill will not be determined according to the normal standards for medical malpractice but can only be found upon a showing that the damages were caused by gross negligence or willful or wanton acts or omissions on the part of the doctor or hospital. A maximum of 10 licenses may be issued for the cultivation of cannabis to be used in the production of hemp extract.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/4/17 Pre-filed (H)

HB 1476 - Brattin

Requires all inmates receiving an on-site non-emergency medical examination or treatment from correctional center personnel to be charged fifty 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 staff referred health care, staff approved 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:

1/4/18 Second Read and Referred to Corrections and Public Institutions Committee (H) Chair: Roden

1/3/18 Introduced and First Read (H)

12/5/17 Pre-filed (H)

HB 1502 - Kelly

Changes provisions relating to advanced practice registered nurses

This act modifies provisions relating to the licensing of advanced practice registered nurses (APRN) and collaborative practice arrangements. The act creates a license for advanced practice registered nursing and specifies that the practice of advanced practice nursing includes the practice of professional nursing, conducting advanced assessments beyond those authorized for a registered nurse, ordering and interpreting diagnostic procedures, establishing primary and differential diagnoses, prescribing, ordering, administering, dispensing, and furnishing therapeutic measures, and providing referrals. APRNs shall wear identification that clearly identifies the nurse as an APRN when providing patient care. If an APRN meets certain requirements set forth in the act, he or she may practice advanced practice nursing without a collaborative agreement. An APRN has the authority to prescribe, dispense, and administer nonscheduled legend drugs and nonscheduled legend drug samples. Currently, the Board of Nursing may grant a certificate of controlled substance prescriptive authority to an APRN who completes an advanced pharmacology course, a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, and a minimum of one thousand hours of practice in an advanced practice nursing category, and has a controlled substance prescribing authority delegated in a collaborative practice arrangement. This act provides that the Board may grant a certificate of controlled substance prescriptive authority to an advanced practice registered nurse to prescribe certain scheduled drugs within the parameters of a collaborative practice arrangement. APRNs shall not administer certain scheduled drugs for procedures outside the APRN's scope of practice. In addition to other requirements, an applicant for an APRN license shall complete the required post-graduate education as provided in the act and provide

documentation of certification in one of the four APRN roles from a nationally recognized certifying body.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/5/17 Pre-filed (H)

HB 1516 - Wiemann

Specifies that licensed chiropractic physicians may treat and be reimbursed for conditions currently reimbursed under MO HealthNet

This act authorizes MO HealthNet reimbursement for services provided to MO HealthNet participants by licensed chiropractic physicians.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/6/17 Pre-filed (H)

HB 1524 - Neely

Allows pharmaceutical companies to communicate off-label treatment uses to health care professionals

This act allows pharmaceutical companies or their representatives to engage in the truthful promotion of an off-label use of a drug, biological product, or device as a treatment option. It does not require insurance coverage for the off-label use.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/6/17 Pre-filed (H)

HB 1527 - Walker

Establishes the Mo HealthNet Buy-In for Workers with Disabilities Program

This act changes the Ticket to Work Health Assurance Program to the "MO HealthNet Buy-in for Workers with Disabilities Program". MO HealthNet Buy-In differs from the Ticket to Work Health Assurance Program in the following ways: (1) removes asset limits from qualification calculations; (2) modifies the income calculation from a net/gross calculation to a broader definition

that would consider income for those disabled persons with incomes up to 300% of the federal poverty level, while retaining the requirement that persons with incomes over 100% of the federal poverty level pay a premium; (3) all earned income of a spouse shall be disregarded from income calculations; (4) if the Department elects to pay the person's costs of employer-sponsored health insurance, MO HealthNet assistance shall be provided as a secondary or supplemental policy; (5) the Department shall provide an annual report to the General Assembly concerning the number of participants and outreach and education efforts; and (6) the expiration provision for the program of August 29, 2019, has been removed.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/6/17 Pre-filed (H)

HB 1554 - Neely

Allows persons with certain serious medical conditions to use medical cannabis

INVESTIGATIONAL DRUG USE BY TERMINAL PATIENTS This bill expands the definition of investigational drug, biological product, or device so that it can include medical cannabis. Under this provision a dispensing organization or manufacturer of an investigational drug, biological product, or device that has successfully completed phase one of a clinical trial but has not been approved for general use by the FDA and remains under investigation in a clinical trial can be made available to certain eligible patients who have terminal illnesses and meet all the other requirements of the section. This bill makes it a class A misdemeanor for any official, employee, or agent of the state to block or attempt to block the access of an eligible patient to an investigational drug, biological product, or device. **MEDICAL CANNABIS AND HEMP EXTRACT REGISTRATION CARDS** This bill changes the law regarding the use of hemp extract to treat intractable epilepsy to authorize the legal use of medical marijuana to treat terminal illnesses. This bill authorizes the Department of Health and Senior Services to issue medical cannabis registration cards to any Missouri

resident, 18 years old or older, who can provide a statement signed by a doctor stating that the individual suffers from a terminal illness and may benefit from treatment with medical cannabis and that the individual has considered all other treatment options currently approved by the FDA and all relevant clinical trials conducted in Missouri. Parents of minor children suffering from intractable epilepsy or a terminal illness or condition can also obtain medical cannabis cards on behalf of their children. These registration cards will only be valid for one year but can be renewed. The department will publish a list of debilitating diseases or conditions for which a medical cannabis or hemp extract registration card can be issued. A medical cannabis registration card may only be issued for terminal illnesses and a hemp extract registration card may only be issued for intractable epilepsy. Any physician who signs a statement for a patient to obtain a medical cannabis registration card must keep a record of his or her evaluation and observation of that patient, including the patient's response to medical cannabis, and transmit such record to the department. The department must maintain a database of these records, which it can share with a higher education institution for the purpose of studying medical cannabis. The department is also required to maintain a record of each person it issues a registration card to. The department can also authorize clinical trials involving medical cannabis. ADVERSE ACTION The bill specifies that no individual or health care entity shall be subject to adverse action by the state if the individual or health care entity, acting in its normal course of business, acts in good faith upon an order relating to the medical use of hemp extract or medical cannabis. THE USE OF MEDICAL CANNABIS An individual who has been issued a medical cannabis registration card can only possess or use medical cannabis to treat a terminal illness. An individual who has been issued a medical cannabis registration card may possess up to 20 ounces of medical cannabis. An individual may be allowed to apply for a waiver of this limit under the rules established by the Department of Health and Senior Services. The individual must also have a certificate of analysis detailing the ingredients of the medical cannabis. THE CULTIVATION AND

PRODUCTION OF MEDICAL CANNABIS The Department of Agriculture shall issue cultivation and production facility licenses to grow or cultivate medical cannabis. The department will maintain a list of all licensed growers. The department is responsible for establishing rules relating to application requirements, including submission of fingerprints and criminal background checks; security requirements for cultivation and production premises; cannabis monitoring systems; the submission of medical cannabis to an approved testing facility; and the manufacture, storage, and transportation of medical cannabis. NOXIOUS WEED This bill exempts licensed hemp oil or medical cannabis production under Chapter 261 from the requirement that a person destroys marijuana plants growing on his or her land.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/7/17 Pre-filed (H)

HB 1574 - Rowland

Modifies provisions relating to advanced practice registered nurses in collaborative practice arrangements

This bill expands the geographic proximity waiver for collaborative practice arrangements so that it no longer applies to just rural health clinics. It also removes the restriction limiting the waiver to only 28 days a year. This bill also increases the number of nurses a physician can be in collaborative practice arrangements with from three to five.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/11/17 Pre-filed (H)

HB 1588 - Helms

Establishes a pilot program to allow MO HealthNet participants to receive services through direct primary care arrangements

This act establishes a pilot program in Greene and Christian counties in which MO HealthNet participants including those with disabilities will receive health services through a direct primary

care arrangement. The pilot program will begin January 1, 2019 and end December 31, 2024. The act outlines what will be included in each direct primary care provider plan. The MO Department of Social Services will submit an annual program report to the general assembly.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/11/17 Pre-filed (H)

HB 1617 - Barnes

Modifies provisions relating to telehealth

This act changes definitions, outlines reimbursement by the MO Department of Social Services, and specifies the restrictions that cannot be placed on telehealth services.

Status:

1/4/18 Second Read and Referred to Health and Mental Health Policy Committee (H) Chair:

Frederick, Vice Chair: Morris

1/3/18 Introduced and First Read (H)

12/13/17 Pre-filed (H)

HB 1647 - Schroer

Modifies provisions relating to workers' compensation for firefighters and police officers

Currently, the law provides that certain diseases of the respiratory and cardiovascular systems, including carcinoma, may be recognized as occupational diseases if a paid firefighter is exposed to certain substances. This bill includes volunteer firefighters, paramedics, and emergency medical technicians in this definition of occupational disease. Mental disorders may also qualify as an occupational disease. The bill also provides for a rebuttable presumption that a paid or volunteer firefighter, paramedic, or emergency medical technician who contracts certain diseases, including cancer, has a compensable occupational disease under specified circumstances. A rebuttable presumption is created when a paid or volunteer firefighter, paramedic, emergency medical technician, or police officer who is diagnosed with post-traumatic stress disorder or other mental disorder is eligible for compensation under

specified circumstances. The presumption arises if a firefighter, paramedic, or emergency medical technician is diagnosed with carcinoma and was exposed to a known or probable carcinogen and has been assigned to at least five years of hazardous duty. The bill also requires the Division of Workers Compensation to prepare a biannual report containing specified information about presumed cancer claims filed under the provisions of this bill.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/18/17 Pre-filed (H)

HB 1658 - Basye

Changes the laws regarding health care for persons with disabilities

This bill prohibits any third-party payer for health care services from limiting coverage or denying reimbursement for treatment for physical, cognitive, emotional, mental, or developmental disabilities in specified situations. The bill also designates the Children's Special Health Care Needs Service as the appropriate agency to administer services to children with physical or developmental disabilities.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/18/17 Pre-filed (H)

HB 1773 - Morgan

Changes provisions relating to advanced practice registered nurses

This act modifies the definition, licensing, prescriptive authority, and collaborative practice agreements for advanced practice registered nurses.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/27/17 Pre-filed (H)

HB 1833 - 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:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
1/2/18 Pre-filed (H)

HB 1837 - Rhoads

Changes the laws regarding dispensations of maintenance medications

This act changes the supply amount to no more than one hundred and eighty days and includes provisions for military and non-Missouri residents and physicians.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
1/2/18 Pre-filed (H)

HB 1856 - Trent

Requires MO HealthNet participants to participate in work activities, with certain exceptions

This act requires everyone participating in MO HealthNet to be engaging in work activities specified in the act. Individuals who are medically certified as mentally or physically unfit for employment or who are the parent or a caretaker of a dependent child with a serious medical condition or disability are included in the groups exempt from these requirements.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)

HB 1867 - Dogan

Prohibits certain selective abortions relating to sex, race, or Down Syndrome

This act prohibits performing or inducing abortions solely because of a test or screening showing the potential for Down Syndrome or a diagnosis of Down Syndrome. The attending physician must certify in a report that he/she has no knowledge that it was the sole reason the abortion was sought is required by the act. Any physician or other person who performs or induces abortions related to this act can face civil and criminal penalties.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HB 1870 - Barnes

Allows certain medications in multidose containers used by a patient during a hospital stay to be sent with the patient at discharge

This act allows multidose medications including inhalers, insulin pens and vials, wearable or on-body medication systems, certain infusions, and others that were used during a hospital stay to be sent with the patient when he/she is discharged from the hospital. The act allows controlled substances to be sent under certain circumstances. The act specifies the labeling requirements for any medications sent with the patient.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

SB 562 - Sater

Relating to the Medicaid global waiver

Under this act, the Department of Social Services shall apply for a global waiver for the MO HealthNet program designed to give the state greater flexibility to implement a patient-centered, sustainable, and cost-effective market-based health care system that emphasizes competitive and value-based purchasing. Such flexibility may include: (1) eligibility determinations that include work requirements for certain able-bodied adults; (2) initiatives to promote healthy outcomes and personal responsibility, including co-payments, premiums, and health savings accounts; and (3) accountability and transparency measures. The Joint Committee on Public Assistance shall review the federal waiver application process. Prior to the submission of the waiver application to the federal government, the Department shall submit the application to the Joint Committee. The Joint Committee shall then hold a public hearing on the application and hear testimony from the Department, after which the Joint Committee shall, if necessary, propose modifications to or recommendations for the waiver application. If the waiver application is accepted by the federal

government, the Department shall propose the necessary statutory changes to implement the waiver. Until such time as the proposed changes are enacted by the General Assembly, the existing laws relating to MO HealthNet shall remain in effect. The Joint Committee shall hold public meetings on proposed statutory changes to determine if such changes satisfy the goals of this act and would result in substantial new opportunities for the MO HealthNet program on a cost-neutral basis. The Joint Committee is also authorized to meet at least twice a year to provide oversight on the global waiver; communicate as necessary with departments within the scope of the MO HealthNet program; recommend services for the MO HealthNet program; issue subpoenas, subpoenas duces tecum, and orders for production of documents, as necessary; and recommend to the General Assembly any amendments to the waiver or clarifying legislation that may be necessary. In the event that the global waiver is suspended or terminated or expires for any reason, the Department shall apply for an extension of the global waiver or any new waivers that, at a minimum, ensure the continuation of the waiver authorities in place prior to the acceptance of the global waiver. The Department shall ensure that any such actions are conducted in accordance with applicable federal statutes and regulations. The Department shall, to the fullest extent possible, ensure that the waiver authorities are reinstated prior to any suspension, termination, or expiration of the global waiver.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 563 - Sater

Modifies provisions relating to the MO RX Plan Under current law, only Medicaid dual eligible individuals meeting certain income limitations are eligible to participate in the Missouri RX Plan. This act removes the Medicaid dual eligible requirement, while retaining the income limitations.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 597 - Riddle

Requires licensed chiropractors to be reimbursed for the provision of MO HealthNet services

This act authorizes MO HealthNet reimbursement for services provided to MO HealthNet participants by licensed chiropractic physicians.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 646 - Wallingford

Enacts provisions relating to advanced practice registered nurses

This act modifies provisions relating to the licensing of advanced practice registered nurses (APRN) and collaborative practice arrangements. The act creates a license for advanced practice registered nursing and specifies that the practice of advanced practice nursing includes the practice of professional nursing, conducting advanced assessments beyond those authorized for a registered nurse, ordering and interpreting diagnostic procedures, establishing primary and differential diagnoses, prescribing, ordering, administering, dispensing, and furnishing therapeutic measures, and providing referrals. APRNs shall wear identification that clearly identifies the nurse as an APRN when providing patient care. If an APRN meets certain requirements set forth in the act, he or she may practice advanced practice nursing without a collaborative agreement. An APRN has the authority to prescribe, dispense, and administer nonscheduled legend drugs and nonscheduled legend drug samples. Currently, the Board of Nursing may grant a certificate of controlled substance prescriptive authority to an APRN who completes an advanced pharmacology course, a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, and a minimum of one thousand hours of practice in an advanced practice nursing category, and has a controlled substance prescribing authority delegated in a collaborative practice arrangement. This act provides that the Board may grant a certificate of controlled substance prescriptive

authority to an advanced practice registered nurse to prescribe certain scheduled drugs within the parameters of a collaborative practice arrangement. APRNs shall not administer certain scheduled drugs for procedures outside the APRN's scope of practice. In addition to other requirements, an applicant for an APRN license shall complete the required post-graduate education as provided in the act and provide documentation of certification in one of the four APRN roles from a nationally recognized certifying body.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 699 - Sifton

Creates the MO HealthNet Buy-In for Workers with Disabilities program

The Ticket to Work Health Assurance Program provides medical assistance through MO HealthNet for employed disabled persons who meet certain qualifications, including asset limits and earned, net, and gross income calculations. Under current law, disabled individuals whose income exceeds one hundred percent of the federal poverty level pay a premium for participation in the program. If an eligible person's employer offers employer-sponsored health insurance and the Department of Social Services determines the employer-sponsored insurance is more cost effective, the department will instead pay that person's costs for the employer-sponsored health insurance.

This act changes the Ticket to Work Health Assurance Program to the "MO HealthNet Buy-in for Workers with Disabilities Program". MO HealthNet Buy-In differs from the Ticket to Work Health Assurance Program in the following ways: (1) modifies the asset limit calculation to be \$10,000 for individuals and \$20,000 for married couples, with a cost of living increase each year beginning in fiscal year 2020; (2) modifies the income calculation from a net/gross calculation to a broader definition that would consider income for those disabled persons with incomes up to 300% of

the federal poverty level, while retaining the requirement that persons with incomes over 100% of the federal poverty level pay a premium; (3) \$75,000 of earned income of a spouse shall be disregarded from income calculations; (4) if the Department elects to pay the person's costs of employer-sponsored health insurance, MO HealthNet assistance shall be provided as a secondary or supplemental policy; (5) the Department shall provide an annual report to the General Assembly concerning the number of participants and outreach and education efforts; and (6) the expiration provision for the program of August 29, 2019, has been removed.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 722 - Sater

Requires the Department of Health and Senior Services to conduct a study regarding the importation of certain prescription drugs by the state

Under this act, the Department of Health and Senior Services shall study the processes by which the state may import certain prescription drugs from other countries for Missouri consumers. The act details the goals of the study, including how the state may be certified to operate a prescription drug importation program, what drugs may be imported, the cost savings associated with importation, how imported drugs may be distributed and to whom, and consultation with experts. The Department shall report the study's findings and recommendations to the General Assembly by December 31, 2019.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 724 - Sater

Prohibits certain selective abortions relating to sex, race, or Down Syndrome

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, 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 the sex or race of the unborn child. 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, as well as a certification that the physician does not have any knowledge that the woman sought the abortion solely because of the sex or race of the 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:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 745 - Sater

Modifies provisions relating to advanced practice registered nurses in collaborative practice agreements

This act expands the geographic proximity waiver for collaborative practice arrangements between physicians and advanced practice registered nurses so that it no longer applies only to rural health clinics. The act also removes the restriction limiting the waiver to 28 days a year. Additionally, the number of nurses a physician can enter into collaborative practice arrangements is increased from three to five.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

LEGAL RIGHTS/RESPONSIBILITIES**HB 1314 - White**

Modifies provisions relating to unlawful discrimination

This bill modifies certain provisions of the Missouri Human Rights Act. For discriminatory causes of action related to housing or public accommodations, the bill modifies the definition of "because" to be that the protected criterion was a contributing factor of the adverse decision or action. For employment related actions, the definition of "because" is modified to be that the protected criterion was a motivating factor of the adverse decision or action. The bill further modifies the definition of "employer" to include any person directly acting in the interest of an employer, but excluding an individual employed by the employer who was not directly or proximately involved in the proscribed conduct. The bill further modifies the definition of "motivating factor," removes a provision stating that Chapters 213, 285 and 287, RSMo, provide the exclusive remedies for any employment related claims, and modifies the damages available under a Chapter 213 action by imposing a cap of actual back pay and interest on back pay, plus \$150 thousand. This bill further modifies the Whistleblower's Protection Act. The bill modifies the definition of "because" to be that a protected person's status was a motivating factor of the adverse decision or action. The bill further modifies the definition of "employer" to include any person directly acting in the interest of an employer, but excluding an individual employed by the employer who was not directly or proximately involved in the proscribed conduct. The bill further modifies the definition of "protected person," removes the definition of "motivating factor," and removes a provision stating that Chapters 213, 285 and 287 provide the exclusive remedies for any employment related claims.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1317 - Mitten

Modifies provisions relating to unlawful discriminatory practices

This bill removes housing related discrimination provisions from the Missouri Human Rights Act and establishes the Missouri Fair Housing Act for such claims. The Missouri Human Rights Act as amended applies only to employment and public accommodation discrimination claims. MISSOURI HUMAN RIGHTS ACT The bill modifies the definition of "because" to be that the protected criterion was a contributing factor to the adverse decision or action, and modifies the definition of "employer" to include any person acting in the interest of an employer. The bill removes a jurisdictional condition precedent to filing a civil action and provides that a person aggrieved by an unlawful discriminatory practice may file a complaint with the Missouri Commission on Human Rights. The bill repeals provisions of the act which abrogated certain court decisions related to the act, which established a legal standard to use in deciding summary judgment motions, and which mandated or abrogated the use of certain jury instructions. The bill further repeals a provision of the act which limited the time that the commission could issue a letter indicating a complainant's right to bring a civil action. An aggrieved person may bring a civil action in circuit court notwithstanding the fact that the person has not filed a complaint with the commission. The bill provides that a prevailing respondent may only be awarded court costs upon a showing that the case was without foundation, and removes certain limits on the damages recoverable by a prevailing plaintiff. The bill repeals a provision which stated that Chapters 213, 285 and 287, RSMo, provide the only remedies for a claim arising out of the employment relationship. MISSOURI FAIR HOUSING ACT The repealed provisions of the Missouri Human Rights Act relating to discrimination in housing practices are reenacted in substantially the same form as part of the Missouri Fair Housing Act. The bill provides that certain housing practices are unlawful if taken because of a person's race, color, religion, national origin, ancestry, sex, disability or familial status. The term "because" is defined to mean that the protected criterion was a contributing factor in the adverse decision or action.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1553 - Neely

Modifies provisions relating to guardianship and conservatorship proceedings

This act makes changes to definitions, requirements of guardians, appointments of attorneys, guardians, and conservators for people with disabilities.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/7/17 Pre-filed (H)

HB 1584 - Franks Jr.

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 to provide recommendations to local election authorities regarding automatic registration of eligible voters. The act instructs the Department of Revenue's Motor Vehicle and Driver Licensing Division to provide the Secretary of State's office with 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.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/11/17 Pre-filed (H)

HB 1635 - Bernskoetter

Modifies mandated reporting requirements for sexual assault victims in long-term care facilities

This act requires that law enforcement and the MO Department of Health and Senior Services be notified when there is reasonable cause to believe a suspected sexual assault of a resident has occurred.

Status:

1/3/18 Introduced and First Read (H)

12/14/17 Pre-filed (H)

HB 1787 - Ellington

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 statewide, general assembly, or local election in order to comply with federal law. Any additional costs incurred for maintenance and 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:

1/4/18 Second Read and Referred to General Laws Committee (H) Chair: Cornejo, Vice Chair: Mathews

1/3/18 Introduced and First Read (H)

12/27/17 Pre-filed (H)

HB 1851 - Newman

Modifies provisions relating to unlawful discriminatory practices

This act changes several of the employment aspects of the Missouri Human Rights Act.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HB 1907 - Spencer

Guarantees the right to utilize working animals for the mutual benefit and welfare of the animals and those they serve

This act guarantees the right to use any type of working animals for the mutual benefit and welfare of the animals and those they serve and that no law, rule, or ordinance shall be enacted to terminate the animals job.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

SB 574 - Wallingford

Modifies mandated reporting requirements for sexual assault victims in long-term care facilities

This act amends the provision relating to reporting of suspected abuse and neglect of a resident of a long-term care facility who is sixty years of age or older or other certain eligible adults. Current law requires a report to be made to the Department of Health and Senior Services in the event of suspected abuse and neglect. Under this act, in the event of suspected sexual assault of the resident, specified mandated reporters shall also report to local law enforcement under the procedures of the federal Elder Justice Act of 2009.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 585 - Nasheed

Modifies provisions relating to unlawful discriminatory practices

Under the Missouri Human Rights Act (MHRA), the term "employer" is defined to exclude any individual employed by an employer. This act modifies that so that only individuals who were not involved in an alleged unlawful discriminatory practice are excluded from the definition of "employer." The act modifies the MHRA to stipulate that any person or other entity accused in a complaint of an unlawful housing practice is subject to the general prohibitions on unlawful discriminatory practices. Current law provides that the MHRA, the chapter on workers' compensation, and the general employment law chapter shall provide the exclusive remedy for any and all claims for injury or damages arising out of an employment relationship. This act modifies that provision such

that those chapters are the exclusive remedy for any and all unlawful employment practices articulated under the MHRA. Current law limits the amount of damages that may be recovered under cases brought under the MHRA. This act exempts claims of unlawful discriminatory housing practices from those limits.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 605 - Schupp

Modifies provisions relating to unlawful discriminatory practices in housing

This act repeals certain provisions of the Missouri Human Rights Act that relate to discrimination in housing practices and creates instead the Missouri Fair Housing Act. These provisions are replicated in substantially the same form as they appear in current law.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 620 - Hummel

Modifies and creates new provisions relating to unlawful discriminatory practices

This act modifies and creates several provisions relating to unlawful discriminatory practices. The Missouri Human Rights Act (MHRA) currently applies to discrimination in employment, public accommodations, and housing. This act amends the MHRA to apply only to discrimination in employment and public accommodations. Currently, under the MHRA a practice is unlawful when the protected trait is the motivating factor in the decision to discriminate. This act changes that standard to "a contributing factor." Current law provides that the entities subject to prohibitions on certain unlawful discriminatory practices are limited to employers, employment agencies, labor organizations, or places of public accommodations. This act repeals that limitation. Furthermore, the act modifies the definition of employer to include persons acting in the interest of employers and also removes various exemptions for other entities. The

definition of employment agency is modified to include any person acting in the interest of a person or agency that regularly undertakes to procure employees for an employer or to procure for employees opportunities to work for an employer is considered to be an employment agency. Current law provides that the MHRA, the Workers' Compensation chapter, and the general employment law chapter shall be the exclusive remedy for any and all claims for injury or damages arising out of the employment relationship. This act repeals that provision. Current law states that any person claiming to be aggrieved by an unlawful discriminatory practice shall make, sign, and file with the Missouri Human Rights Commission a verified complaint in writing as a condition precedent to filing a civil action under the MHRA. This act repeals that requirement. Current law requires complaints to be filed with the Commission within 180 days of the alleged act of discrimination. Failure to timely file shall deprive the Commission of jurisdiction over the action and may be raised as a complete defense by a respondent or defendant at any time. This act repeals each of those provisions. The act repeals the abrogation of *McBryde v. Ritenour School District*. Furthermore, the act repeals the presumption that for a fair presentation of a case, a jury shall be given an instruction expressing the "business judgment rule." The act repeals provisions recommending the use of the burden shifting analysis used by the U.S. Supreme Court in *McDonnell-Douglas Corp. v. Green*. The act repeals the express abrogation of all existing Missouri approved jury instructions concerning the MHRA. Current law caps the amount of actual damages that may be recovered by an aggrieved person under the MHRA. This act repeals that provision. The act allows a prevailing respondent under a case brought under the MHRA to be awarded court costs. This act repeals certain provisions of the Missouri Human Rights Act that relate to discrimination in housing practices and creates instead the Missouri Fair Housing Act. These provisions are replicated in substantially the same form as they appear in current law. This act outlines various housing practices that are unlawful. Specifically, with exceptions, the following are unlawful housing practices if made because of

a person's race, color, religion, national origin, ancestry, sex, disability, or familial status:

- Refusing to sell or rent after the making of a bona fide offer, refusing to negotiate for the sale or rental of or denying or otherwise making unavailable a dwelling;
- Discriminating against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in providing services or facilities in connection therewith;
- Making, printing, or publishing, or causing to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on protected criterion;
- Representing to a protected person that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available;
- Inducing or attempting to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a protected person or persons;
- Discriminating in the sale or rental of, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability; and
- Discriminating against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in providing services or facilities in connection with such dwelling, because of a disability.

The act stipulates that a homeowner's association shall not enforce a restrictive covenant that would be the equivalent of an unlawful housing practice. Furthermore, the act requires the board of directors of any homeowner's association to amend any governing document that includes a restrictive covenant that would be an unlawful housing practice. The act prohibits any entity whose

business consists in whole or in part in the making of commercial real estate loans from denying, or discriminate in making a loan or other financial assistance to a person because of race, color, religion, national origin, ancestry, sex, disability, or familial status. No person shall be denied access to or membership or participation in any multiple listing service, real estate brokers' organization or other service organization, or facility relating to the business of selling or renting dwellings, because of race, color, religion, national origin, ancestry, sex, disability, or familial status.

The act stipulates that the following are unlawful discriminatory practices:

- Aiding, abetting, inciting, compelling, or coercing the commission of acts prohibited under the Missouri Fair Housing Act, or to attempting to do so;
- Retaliating or discriminating in any manner against any other person because such person has opposed any practice prohibited by the Missouri Fair Housing Act or because such person has filed a complaint, testified, assisted, or participated in any manner in any investigation, proceeding or hearing conducted pursuant to the Missouri Fair Housing Act;
- For the state or any political subdivision of this state to discriminate in housing on the basis of race, color, religion, national origin, sex, ancestry, disability, or familial status; and
- Discriminating in any manner against any other person because of such person's association with any person protected under this act.

An act is an unlawful discriminatory practice under this act when the protected classification is a contributing factor in the decision to discriminate. Any person claiming to be aggrieved by an unlawful action under this act may file a claim within 180 days of the alleged act. Once a complaint has been filed with the Missouri Commission on Human Rights, the process for disposing of the complaint

follows a substantially similar process as in the Missouri Human Rights Act. If, after the filing of a complaint, and the person aggrieved so requests in writing, the Commission shall issue to the person claiming to be aggrieved a letter indicating his or her right to bring a civil action within ninety days of such notice against the respondent named in the complaint. A court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual and punitive damages, and may award court costs and reasonable attorney fees to the prevailing party. Even if a person has failed to file a complaint with the Commission, he or she may nevertheless bring a civil action in any circuit court in the county in which the alleged unlawful discriminatory action occurred. Furthermore, any party to an action brought under this act may demand a trial by jury. Any person who willfully violates an order of the Commission is guilty of a class C misdemeanor. The Commission on Human Rights is charged with jurisdiction and power to seek to eliminate and prevent discrimination in housing because of race, color, religion, national origin, ancestry, sex, disability, or familial status. To that end, it is required to receive, investigate, initiate, and pass upon complaints alleging discrimination in housing and to require the production for examination of any books, papers, records, or other materials relating to any matter under investigation. The commission shall issue publications and the results of studies and research which will tend to promote goodwill and minimize or eliminate discrimination in housing.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 693 - Wallingford

Modifies procedures in guardianship and conservator proceedings for incapacitated or disabled persons

This act provides that in guardianship and conservator proceedings, a court must determine that the incapacitated or disabled person's choice, spouse, or family member is deficient in his or her

ability to serve prior to selecting a third person as a guardian of the incapacitated person or conservator of a disabled person. If there is a claim that a person is deficient because of the living conditions, then the court shall require an investigation by the Department of Health and Senior Services of the living conditions. A court must also make a determination that the living conditions are dangerous or unsanitary prior to making the finding that a person is deficient for the purposes of guardianship. The act also states that, prior to a hearing on a petition for the appointment of a guardian or conservator, notice must be provided to certain parties by certified mail and published in a newspaper of general circulation in the county in which the hearing is held.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 806 - Crawford

Modifies various provisions regarding guardianship and conservator proceedings

This act modifies various provisions regarding guardianship and conservator proceedings. Under current law in guardianship and conservator proceedings the court is to consider the suitability of a list of persons for appointment. This act provides that such persons are listed in the order of priority. The court may not appoint an unrelated third party unless there is no relative suitable and willing to serve, or if the appointment of a relative or a nominee is not in the best interest of the incapacitated or disabled person. Notice of a petition to appoint a guardian or conservator for a minor must be served to the person or entity nominated to serve. When the petition for the appointment of a guardian or conservator is filed based on grounds other than minority and a public administrator is nominated, the public administrator shall receive certain documents such as the petition and medical opinions and shall have an opportunity to be heard at the hearing. Currently, a conservator has sixty days to make final settlement of the conservatorship. The act makes an exception to the sixty day requirement for when the protectoree has

died and the court has ordered that no letters of administration are to be granted.

Status:

1/3/18 Introduced and First Read (S)
12/15/17 Pre-filed (S)

MENTAL HEALTH**HB 1419 - Haefner**

Requires certain health care professionals to complete two hours of suicide prevention training as a condition of licensure

This bill allows health care professionals to annually complete up to two hours of suicide assessment, referral, treatment, and management training as part of the continuing education requirements for licensure as a health care professional.

Psychologists are required to complete two hours of such training as a condition of initial licensure.

The bill also requires behavior analysts, professional counselors, social workers, baccalaureate social workers, and marital and family therapists to complete two hours of suicide assessment, referral, treatment, and management training as a condition of initial licensure and as a condition of license renewal. The training shall count toward any continuing education required for such license.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/4/17 Pre-filed (H)

HB 1451 - May

Prohibits the use of electroconvulsive therapy on children under 16 years of age

This bill prohibits administering electroconvulsive therapy to anyone under 16 years of age. Any person or mental health facility that administers electroconvulsive therapy to someone under 16 years of age will be fined up to \$100,000 or imprisoned for two years, or both, and will be liable for compensation to the person that was given the electroconvulsive therapy.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)
12/4/17 Pre-filed (H)

HB 1626 - Morris

Establishes the Tricia Leann Tharp Act, which requires certain pharmacists to receive two hours of continuing education on suicide prevention

This act requires all pharmacists employed at a licensed retail pharmacy to receive two hours of continuing education on suicide prevention during each license renewal period in order to renew a license. The Board of Pharmacy will develop guidelines for suitable training materials that can be used by schools of pharmacy, organizations, and courses approved by the American Council of Pharmaceutical Education. The requirement can be met through self-review of materials as long as they meet the guidelines established by the Board of Pharmacy. Schools of pharmacy may approve materials used for staff and employee training.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/14/17 Pre-filed (H)

HB 1698 - Washington

Designates July as Minority Mental Health Awareness Month

This act states that July will be designated as "Minority Mental Health Awareness Month" and MO citizens are encouraged to participate in activities to raise awareness of how mental illness affects minorities.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/20/17 Pre-filed (H)

HB 1707 - Green

Changes the laws regarding notice requirements for when a patient is admitted to a mental health facility

This act specifies which individuals should be entered in a patient's record when he or she is admitted to a mental health facility. It states the

patient's rights regarding selection of a representative and who should be given preference in selection. It stipulates other requirements regarding notice following admission. It discusses appointment of a guardian advocate including information to be provided to them, training, who should be given preference in selection, and when they will be discharged from duties.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/20/17 Pre-filed (H)

HB 1896 - Swan

Establishes the Psychology Interjurisdictional Compact

This act establishes the Psychology Interjurisdictional Compact in Missouri. It is intended to regulate the practice of day-to-day telepsychology, the temporary, in-person face-to-face practice of telepsychology across state borders, for up to 30 days in a calendar year, and to allow MO psychological regulatory authorities to afford legal recognition to psychologists licensed in another state. The act sets out the guidelines and parameters of the compact.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)

SB 660 - Riddle

Modifies the law relating to working hours for employees at certain mental health facilities

This act exempts the first Sunday of November each year when Daylight Saving Time ends from current law requirements that limit the number of hours a state employee may work in a 24 hour period in certain secured mental health facilities.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 661 - Riddle

Authorizes legal counsel for the Department of Mental Health to have standing in certain hearings

involving a person unable to stand trial due to lack of mental fitness

This act provides that after a person accused of committing a crime has been committed to the Department of Mental Health due to lack of mental fitness to stand trial, the legal counsel for the Department shall have standing to participate in hearings regarding involuntary medications for the accused.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 733 - Sifton

Establishes the Psychology Inter-jurisdictional Compact

This act establishes a new psychology interjurisdictional compact for the practice of telepsychology. The compact does not apply to permanent in-person practice, but regulates the temporary practice of psychology and the day to day practice of telepsychology. Telepsychology is defined in the compact as the provision of psychological services using telecommunication technologies.

Psychologists licensed in a compact state, also known as the home state, are allowed to practice telepsychology into other compact states, referred to as receiving states, where the psychologist is not licensed under an authority to practice interjurisdictional telepsychology. In order to obtain this authority the psychologist must:

- Meet certain education requirements;
- Possess a current license to practice psychology from a compact state;
- Have no history of adverse action against his or her license and no criminal record in violation of Psychology Interjurisdictional Compact Commission rules;

- Possess a current E. Passport, as defined in the compact;
- Attest to conformity with standards of practice and competence in telepsychology technology, and knowledge of legal requirements in home and receiving states; and
- Meet any other criteria as required by the Commission and defined by rule.

The home state maintains authority over the license of the psychologist practicing telepsychology into a receiving state, but the psychologist is subject to the receiving state's scope of practice requirements. The receiving state may limit or revoke a psychologist's authority to practice interjurisdictional telepsychology into the receiving state.

A psychologist may practice in a receiving state under the authority to practice interjurisdictional telepsychology only in performance of the scope of practice for psychology as assigned by a state psychology regulatory authority and when the psychologist initiates patient contact from a home state via telecommunications technologies with a patient in the receiving state and in accordance with rules promulgated by the Commission.

A psychologist licensed in a compact state may also practice temporarily in other compact states where the psychologist is not licensed, referred to in the compact as distant states. In order to obtain temporary authorization to practice a psychologist must:

- Meet certain education requirements;
- Possess a current license to practice psychology from a compact state;
- Have no history of adverse action against his or her license and no criminal record in violation of Commission rules;

- Possess a current interjurisdictional practice certificate (IPC);
- Attest to intended areas of practice and work experience; and
- Meet any other criteria as required by the Commission and defined by rule.

The psychologist practicing under a temporary authorization to practice must practice within the scope of practice as authorized by the distant state. The psychologist is subject to the distant state's laws, and the distant state may limit or revoke the psychologist's temporary authorization to practice in the distant state.

When a home state takes adverse action against a psychologist's license the psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice is terminated and his or her E. Passport or IPC is revoked. A compact state must report actions against a licensee to the Commission. When a complaint is filed against a licensee for conduct occurring in a receiving state, the licensee's home state psychology regulatory authority must investigate and take appropriate action as if the conduct had occurred within the home state. In such cases the home state's law shall be used to determine any adverse action against the psychologist's license.

When a psychologist's conduct is reported who is practicing under a temporary authorization practice and such conduct occurred in a distant state, then the distant state's psychology regulatory authority shall investigate and take appropriate action. In these types of cases the distant state's law shall control in determining any adverse action against a psychologist's temporary authorization to practice.

The compact allows compact state psychology regulatory authorities to issue subpoenas and cease and desist orders in order to revoke a psychologist's authority to practice interjurisdictional telepsychology and temporary authorization to practice.

A psychologist may not change his or her home state licensure during any investigation. Once an investigation is completed, the home state shall report the conclusions of the investigation to the Commission and the psychologist may then change his or her home state licensure. All information provided to the Commission by a compact state shall be confidential.

The Commission must develop and maintain a coordinated licensure information system or coordinated database, which contains licensure and disciplinary action information on all psychologists practicing under the compact. Compact states must submit a uniform data set to the coordinated database on all licensees which includes information as provided in the compact such as identifying information and any adverse actions taken against the licensee. Compact states may designate information that may not be shared with the public without express permission from the compact state reporting the information.

The compact creates the Psychology Interjurisdictional Compact Commission. Each compact state's psychology regulatory authority shall appoint one delegate to serve as a commissioner. The delegate will have the authority to act on behalf of the compact state. The Commission must meet once a year and all meetings are open to the public. The Commission may close a meeting to discuss certain matters as established in the compact. All documents of a closed meeting will remain closed unless a majority of the commissioners vote to release such records or upon court order.

The Commission shall create bylaws and rules in order to govern its conduct and carry out the purposes of the compact. The compact requires the Commission to promulgate certain rules including rules which establish a fiscal year for the Commission and procedures for meetings and the election of officers. The Commission must publish the bylaws and file a copy with each compact state.

The Commission shall have the authority to:

- Bring and prosecute legal proceedings in the name of the Commission;
- Purchase and maintain insurance and bonds;
- Contract for services of personnel;
- Hire employees;
- Accept donations and grants;
- Lease or purchase property;
- Establish a budget and make expenditures;
- Borrow money;
- Appoint committees;
- Cooperate with law enforcement including providing and receiving information; and
- Adopt and use an official seal.

The Commission may also collect an annual fee from each compact state to cover the cost of operations. All receipts and disbursements of funds handled by the Commission shall be audited yearly.

The Commission shall elect officers and such officers shall serve as the executive board. The board shall have the power to act on behalf of the Commission according to the terms of the compact. The board shall be composed of five voting members and one ex-officio nonvoting member. The board shall recommend to the Commission changes in the bylaws, rules, compact legislation, annual dues paid by compact states, and any other applicable fees. The board shall also maintain the Commission's financial records and prepare and recommend the budget. The board has the responsibility of monitoring compact compliance by member states and prepare and submit compliance reports to the Commission.

The members, officers, executive director, employees and representatives of the Commission

shall be immune from civil suit and liability, both personally and in their official capacity, for any claim arising out of an act or omission committed within the scope of Commission employment. However, immunity from civil liability shall not exist if the person's misconduct was intentional, willful, or wanton. The Commission shall defend any member, officer, executive director, employee or representative in any civil action seeking to impose liability arising out of an act or omission that occurred within the scope of Commission employment or duties.

The compact provides the procedures the Commission must follow in order to promulgate a rule which include public notice and hearing requirements. A majority of compact states may reject a rule promulgated by the Commission by enacting a statute or resolution in the same manner used to adopt the compact.

The government of each compact state must enforce the compact and take all actions necessary to effectuate the compact's purposes and intent. The Commission shall be entitled to receive service of process and standing to intervene in any judicial or administrative proceeding pertaining to the subject matter of the compact which may affect the powers, responsibilities, or actions of the Commission. If the Commission is not provided service of process, then any judgment or order shall be void as to the Commission, the compact, or promulgated rules.

The compact provides procedures the Commission is to follow when a compact state defaults in required performance of its obligations or responsibilities under the compact or promulgated rules. A compact state shall only be terminated from the compact after all other means of securing compliance have been exhausted. A compact state may withdraw from the compact by repealing the compact statutes.

The compact shall go into effect after seven states have enacted the compact legislation.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 785 - Nasheed

Creates provisions relating to student mental health at public institutions of higher education

This act establishes the Coordinating Board for Mental Health Issues in Higher Education (CBMHI). Each public institution of higher education in Missouri shall have one representative, who is either an administrator or counseling director, on the CBMHI. Prior to January 1, 2020, the CBMHI shall set forth reasonable standards and regulations for student counseling facilities, as defined in the act, at public institutions of higher education that relate to mental health problems within the academic community. After such standards are established, the CBMHI shall develop a process for measuring an institution's ability to meet student mental health needs. Beginning with the 2020-2021 school year, each public institution of higher education shall publish a report that measures compliance with the standards for student counseling facilities, with details as set forth in the act.

Status:

1/3/18 Introduced and First Read (S)
12/7/17 Pre-filed (S)

SB 846 - Schupp

Requires certain health care professionals to complete two hours of suicide prevention training as a condition of initial licensure and as a condition of license renewal

This act allows health care professionals, as defined in the act, to annually complete up to two hours of suicide assessment, referral, treatment, and management training as part of the continuing education requirements for licensure as a health care professional. Psychologists are required to complete two hours of such training as a condition of initial licensure. The act also requires behavior analysts, professional counselors, social workers, baccalaureate social workers, and marital and family therapists to complete two hours of suicide

assessment, referral, treatment, and management training as a condition of initial licensure and as a condition of license renewal. The training shall count toward any continuing education required for such license.

Status:

1/3/18 Introduced and First Read (S)
1/2/18 Pre-filed (S)

OLMSTEAD

No pending bills

SAFETY/PREVENTION

HB 1297 - 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

Currently, an individual 21 years of age or younger is prohibited from sending, reading, or writing a text message or electronic message from a hand-held electronic wireless communications device while operating a moving motor vehicle on any highway in this state. This bill prohibits anyone, regardless of age, from these activities and from making or taking part in a phone call unless the device is equipped with technology allowing for hands-free operation or equipped for voice-recognition hands-free texting and is being used in that manner.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1298 - 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

Currently, an individual 21 years of age or younger is prohibited from sending, reading, or writing a text message or electronic message from a hand-held electronic wireless communications device while operating a moving motor vehicle on any highway in this state. This bill prohibits anyone,

regardless of age, from these activities unless the device being used is equipped with technology allowing for voice-recognition hands-free texting and is being used in that manner while operating a noncommercial motor vehicle.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1302 - Higdon

Prohibits the use of hand-held electronic wireless communications devices while driving non-commercial and commercial motor vehicles; but allows the use of such devices when used hands-free by operators of non-commercial motor vehicles who are fully licensed and eighteen years of age or older

This bill prohibits an individual operating a motor vehicle upon the highways of this state from using a hand-held electronic wireless communication device, defined in the bill, while operating such vehicle. Prohibited uses include, but are not limited to, reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; or manually typing data into an electronic wireless communication device. The bill provides exceptions to the prohibition. The bill does not prohibit an individual operating a noncommercial vehicle from using a hands-free electronic wireless communication device as long as the person is not holding such device in his or her hands. The bill also does not prohibit the use of either hand merely to activate, deactivate, or initiate a function of a handsfree electronic wireless communication device while the individual is operating a noncommercial motor vehicle. The state preempts the field of regulating the use of hand-held electronic wireless communication devices by motor vehicle operators and the provisions of this bill shall supersede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices. No person under the age of 18, or with an instruction permit or intermediate license regardless of age, shall use an electronic

wireless communications device, whether it's hand-held or handsfree, except to contact emergency services. The bill specifies penalties for various violations of the bill's provisions.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/1/17 Pre-filed (H)

HB 1426 - Kelley

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

This bill makes it unlawful for a law enforcement agent to stop, inspect, or detain a motorcyclist to solely enforce the requirement that he or she be wearing a helmet.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/4/17 Pre-filed (H)

HB 1456 - Lauer

Changes the laws regarding 911 emergency communication services

There are several parts to the bill. The part related to people with disabilities is the creation of the Missouri 911 Service Board. One of the board's responsibilities will be to ensure access to 911 services for individuals with disabilities.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/4/17 Pre-filed (H)

HB 1489 - Matthiesen

Prohibits the use of hand-held electronic wireless communications devices while driving non-commercial and commercial motor vehicles; but allows the use of such devices when used hands-free by operators of non-commercial motor vehicles who are fully licensed and eighteen years of age or older.

This bill prohibits an individual operating a motor vehicle upon the highways of this state from using a hand-held electronic wireless communication

device, defined in the bill, while operating such vehicle. Prohibited uses include, but are not limited to, reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; or manually typing data into an electronic wireless communication device. The bill provides exceptions to the prohibition. The bill does not prohibit an individual operating a noncommercial vehicle from using a hands-free electronic wireless communication device as long as the person is not holding such device in his or her hands. The bill also does not prohibit the use of either hand merely to activate, deactivate, or initiate a function of a handsfree electronic wireless communication device while the individual is operating a noncommercial motor vehicle. The state preempts the field of regulating the use of hand-held electronic wireless communication devices by motor vehicle operators and the provisions of this bill shall supersede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices. No person under the age of 18, or with an instruction permit or intermediate license regardless of age, shall use an electronic wireless communications device, whether it's hand-held or handsfree, except to contact emergency services. The bill specifies penalties for various violations of the bill's provisions.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/5/17 Pre-filed (H)

HB 1519 - Reiboldt

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

This act allows law enforcement officers to enforce the seat belt law without having to enforce any other offense.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/6/17 Pre-filed (H)

HB 1600 - Higdon

Establishes the Fair Fare Passenger Safety Act that prohibits any person operating a motor vehicle for compensation from using a hand-held wireless device

This act establishes the "Fair Fare Passenger Safety Act of 2018." It prohibits the driver of any motor vehicle who is receiving compensation and is carrying at least one passenger from using a hand-held wireless device while driving. This includes sending or receiving texts, electronic messages, and phone calls with the device.

Status:

1/4/18 Second Read and Referred to Crime Prevention and Public Safety Committee (H) Chair: Phillips, Vice Chair: Hill
1/3/18 Introduced and First Read (H)
12/12/17 Pre-filed (H)

HB 1622 - Reiboldt

Prohibits the use of hand-held electronic wireless communications devices while driving non-commercial and commercial motor vehicles; but allows the use of such devices when used hands-free by operators of non-commercial motor vehicles who are fully licensed and eighteen years of age or older.

This bill prohibits an individual operating a motor vehicle upon the highways of this state from using a hand-held electronic wireless communication device, defined in the bill, while operating such vehicle. Prohibited uses include, but are not limited to, reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; or manually typing data into an electronic wireless communication device. The bill provides exceptions to the prohibition. The bill does not prohibit an individual operating a noncommercial vehicle from using a hands-free electronic wireless communication device as long as the person is not holding such device in his or her hands. The bill also does not prohibit the use of either hand merely to activate, deactivate, or initiate a function of a handsfree electronic wireless communication device while the individual is operating a noncommercial motor vehicle. The state preempts the field of regulating the use of

hand-held electronic wireless communication devices by motor vehicle operators and the provisions of this bill shall supersede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices. No person under the age of 18, or with an instruction permit or intermediate license regardless of age, shall use an electronic wireless communications device, whether it's hand-held or handsfree, except to contact emergency services. The bill specifies penalties for various violations of the bill's provisions.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/14/17 Pre-filed (H)

HB 1640 - Bangert

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

This act prohibits all drivers of non-commercial vehicles from making or taking a phone call and texting unless hands-free technology is being used.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/15/17 Pre-filed (H)

HB 1745 - Hansen

Prohibits text messaging while driving for all drivers

This act prohibits text messaging by drivers of noncommercial motor vehicle regardless of age.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/21/17 Pre-filed (H)

HB 1916 - McDaniel

Establishes the Authorized Electronic Monitoring in Long-Term Care Facilities Act

This act establishes the "Authorized Electronic Monitoring in Long-Term Care Facilities Act." It allows a patient or a patient's representative 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:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

SB 556 - Brown

Specifies when persons operating or riding a motorcycle or motor-tricycle must wear protective headgear

This act provides that persons under the age of 18 who are operating or riding as a passenger on a motorcycle or motortricycle shall wear a helmet when the vehicle is in motion. Similarly, a person who is 18 or older, is operating a motorcycle or

motorcycle, and who has been issued an instruction permit shall wear a helmet when the vehicle is in motion. This act also provides that qualified operators who are 18 or older may operate a motorcycle or motorcycle without a helmet if he or she has medical payment insurance coverage of at least \$1 million. Proof of such coverage shall be provided on request of law enforcement by showing a copy of the qualified operator's insurance card.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 760 - Schupp

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

This act requires that all employees and volunteers of certain inspected health care facilities receive an influenza vaccination every year between October 1 and March 1. 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 or the facility shall not be required to pay for these vaccinations. Exemptions may be granted in specified situations. The Department may request proof of vaccinations or exemptions during the course of any inspection of the facility. Employees and volunteers shall provide such proof or proof of an exemption to the facility within seven days of the Department's request and the facility shall make such proof available to the Department. If less than 95% of employees have provided proof, the facility shall be deemed not in compliance and the Department may choose to request proof of vaccinations or exemptions again within three months. Nothing in this act shall require the Department to conduct an inspection for the sole purpose of determining compliance with vaccination requirements and the Department shall not issue any citation or penalty for failure to comply with the requirements of this act. The facility shall post a sign with information about the vaccination requirements as specified in this act.

The provisions of this act shall be terminated on August 28, 2024, unless reauthorized.

Status:

12/1/17 Pre-filed (S)

SB 784 - Nasheed

Modifies the prohibition on certain use of electronic wireless communication devices while operating a motor vehicle

Currently, only drivers under the age of 22 and drivers of commercial motor vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. Drivers of commercial motor vehicles are further prohibited from using hand-held cell phones to make telephone calls. This act expands the ban on use of hand-held cell phones to all drivers for the purposes of sending, reading, or writing text messages or electronic messages and making telephone calls. Cell phones are permitted to be used by drivers in a hands-free or voice activated mode, which includes the use of a headset.

Status:

1/3/18 Introduced and First Read (S)

12/7/17 Pre-filed (S)

SB 749 - Wallingford

Modifies provisions relating to the operation of motor vehicles while using electronic devices

Currently, drivers under the age of 22 are prohibited from using electronic communications devices to send text messages or electronic messages while driving. This act extends the prohibition to drivers of all ages.

This act exempts motor vehicles responding in a commercial capacity to another vehicle's request for roadside assistance from the prohibition against commercial motor vehicle operators using hand-held mobile telephones and sending text or electronic messages. This act also allows for use of a hand-held electronic wireless communication device to contact emergency services. Individuals under the age of 18 or who have an intermediate license or instruction permit are prohibited from

using the devices for any purpose other than to contact emergency services.

A violation of the prohibition against using electronic communication devices while driving shall be an infraction punishable by a \$50 fine, or by a \$100 if in a school zone or in a work zone when workers are present. Violations committed while operating a commercial vehicle shall constitute a serious traffic violation for purposes of commercial motor vehicle license suspensions.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SB 760 - Schupp

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

This act requires that all employees and volunteers of certain inspected health care facilities receive an influenza vaccination every year between October 1 and March 1. 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 or the facility shall not be required to pay for these vaccinations. Exemptions may be granted in specified situations. The Department may request proof of vaccinations or exemptions during the course of any inspection of the facility. Employees and volunteers shall provide such proof or proof of an exemption to the facility within seven days of the Department's request and the facility shall make such proof available to the Department. If less than 95% of employees have provided proof, the facility shall be deemed not in compliance and the Department may choose to request proof of vaccinations or exemptions again within three months. Nothing in this act shall require the Department to conduct an inspection for the sole purpose of determining compliance with vaccination requirements and the Department shall not issue any citation or penalty for failure to comply with the requirements of this act. The facility shall post a sign with information about the

vaccination requirements as specified in this act. The provisions of this act shall be terminated on August 28, 2024, unless reauthorized.

Status:

1/3/18 Introduced and First Read (S)
12/1/17 Pre-filed (S)

SERVICES

HB 1572 - Rowland

Modifies provisions relating to driver's licenses for persons who are deaf or hard of hearing

This act allows individuals who are deaf or hard of hearing to have a "DHH" designation placed on their drivers' license by the MO Department of Revenue. The act requires the Department of Revenue to establish the criteria and requires the MO Commission for the Deaf and Hard of Hearing to create an informational video explaining the designation and criteria.

Status:

1/4/18 Second Read and Referred to Transportation Committee (H) Chair: Reiboldt, Vice Chair: Ruth
1/3/18 Introduced and First Read (H)
12/11/17 Pre-filed (H)

HB 1613 - Kelley

Allows Missouri driver's license applicants to elect to have a medical alert notation placed on the person's driver's license

This act allows MO residents to have a medical alert notation placed on drivers' licenses to signify to emergency medical responders that the individual has an emergency medical card.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/13/17 Pre-filed (H)

HB 1746 - Wood

Modifies provisions relating to MO HealthNet liens

This act concerns the MO HealthNet Division being able to collect for medical expense compensation from third party benefits, settlements, etc. from any MO HealthNet participant. This right is

automatically assigned to the MO HealthNet Division when an individual applies for MO HealthNet.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/27/17 Pre-filed (H)

HB 1798 - Fitzwater

Establishes an advisory committee to monitor the tracking of language development milestones of children who are deaf or hard of hearing

This act establishes an advisory committee under the MO Commission for the Deaf and Hard of Hearing to monitor the tracking of language development for children who are deaf or hard of hearing from birth through the age of 8. The program will be coordinated by the Missouri Commission for the Deaf and Hard of Hearing. Starting on July 1, 2020 annual language assessments shall be given to children who are under 9 years of age and who are deaf or hard of hearing. The assessments shall be provided either through early intervention services administered by the commission or through the child's school district provided the child is 3 years or older. The act outlines the membership, meetings, and responsibilities of the advisory council. The Commission will publish a report on or before January 31, 2020 and subsequent years specific to the language and literacy development milestones.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/28/17 Pre-filed (H)

HB 1868 - Kelley

Establishes a statewide hearing aid distribution program for low-income individuals

This act requires the MO Commission on Deaf and Hard of Hearing to establish a statewide hearing aid distribution program to provide financial assistance for obtaining hearing aids to deaf or hard of hearing individuals whose household income is at or below the federal poverty limit. The

act allows the Commission to enter into contracts to provide the program.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HB 1885 - 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, 2019.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HB 1900 - Swan

Provides that music therapists who have completed certain education and training requirements shall be deemed certified music therapists by the department of elementary and secondary education for the purpose of providing certain services

This act states that certified music therapists who have met education and clinical requirements from the American Music Therapy Association and passed the certification exam will be deemed certified for the purposes of providing services under the First Steps program.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

SB 814 - Riddle

Requires the Missouri Commission for the Deaf and Hard of Hearing to make an informative video

explaining the deaf or hard of hearing license notation

This act changes, from "J88" to "DHH", the notation on a person's driver's license that indicates the person has a diminished capacity to discriminate speech when spoken in a normal conversational tone. This act also requires the Missouri Commission for the Deaf and Hard of Hearing to make an informational video in American Sign Language explaining deaf or hard of hearing license notations. A QR code linking to the video shall be posted conspicuously in every license office in the state.

Status:

1/3/18 Introduced and First Read (S)
12/20/17 Pre-filed (S)

SJR 33 - Eigel

Prohibits implementation of any program providing a public benefit without an appropriation

This constitutional amendment, if approved by the voters, prohibits state departments and agencies from implementing any program which confers a state public benefit without an appropriation for such program. This amendment defines "state public benefit" as any grant, contract, loan, or tax credit provided by an agency of state government; or any retirement, welfare, health, disability, housing, or food assistance benefit under which payments, assistance, credits, or reduced rates or fees are provided.

Status:

1/3/18 Introduced and First Read (S)
1/2/18 Pre-filed (S)

OTHER

HB 1247 - Pike

Designates the month of November as "Diabetes Awareness Month" in Missouri

This bill designates November as "Diabetes Awareness Month" in Missouri and encourages citizens to participate in awareness activities.

Status:

1/4/18 Second Read and Referred to Special Committee on Tourism (H) Chair: Justus, Vice Chair: Gannon
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1375 - Ruth

Designates June 27 of each year as "Post Traumatic Stress Injury Day" in Missouri

This bill designates June 27 of each year as "Posttraumatic Stress Awareness Day" in Missouri and encourages citizens to observe the day through activities which will increase awareness of posttraumatic stress.

Status:

1/4/18 Second Read and Referred to Special Committee on Tourism (H) Chair: Justus, Vice Chair: Gannon
1/3/18 Introduced and First Read (H)
12/1/17 Pre-filed (H)

HB 1641 - Roden

Establishes a presumption that a firefighter assigned to a certain number of years of hazardous duty, exposed to certain agents, and disabled as a result of cancer incurred the cancer in the course of employment as a firefighter

This act establishes a presumption that cancer is an occupational disease if it was developed by a paid firefighter who worked five years hazardous duty or a volunteer firefighter who worked hazardous duty for ten years and was exposed to a group 1 or 2A carcinogen.

Status:

1/4/18 Second Read (H)
1/3/18 Introduced and First Read (H)
12/18/17 Pre-filed (H)

HB 1704 - Green

Requires gas corporations to repair pipelines and equipment necessary for a customer to benefit from the service even if the customer is not up to date with payments

This bill requires gas corporations to promptly repair pipelines and other infrastructure connecting

individual homes to gas lines if repair or replacement is necessary to receive safe and adequate service. Such repairs must be made even if there is a delinquency in customer payment, but the continuance of gas service may not be restored in the absence of payment for said service.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

12/20/17 Pre-filed (H)

HB 1871 - Johnson

Allows testing of driverless motor vehicles until August 28, 2021

This act allows for testing of driverless motor vehicles until August 28, 2021 if certain requirements are met.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HCR 59 - May

Designates the month of August as "Minority Organ Donor Awareness Month" in Missouri

This concurrent resolution designates the month of August as "Minority Organ Donor Awareness Month" in MO and encourages citizens to engage in activities that promote organ donor awareness among minorities.

Status:

1/4/18 Second Read (H)

1/3/18 Introduced and First Read (H)

HCR 62 - Walker

Designates the month of September as Sickle Cell Awareness Month in Missouri

This concurrent resolution designates the month of September as "Sickle Cell Awareness Month" in MO and encourages citizens to participate in activities to increase awareness.

Status:

1/4/18 Introduced and First Read (H)

SB 703 - Hegeman

Modifies bidding procedures for state purchasing from qualified organizations for the blind and sheltered workshops

This act changes the bidding preference for state purchasing from qualified nonprofit organizations for the blind and sheltered workshops from a flat 10-point bonus award to a sliding scale from 5 to 15 bonus points based on the revenue generation for and utilization of the qualified nonprofit organizations for the blind and sheltered workshops, as determined in rule by the Commissioner of Administration.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 719 - Chappelle-Nadal

Requires long-term care facilities to institute policies facilitating familial involvement in the well-being and support of its residents

This act requires the Department of Health and Senior Services to strongly encourage all long-term care facilities licensed in this state to institute policies that will facilitate familial involvement in the well-being and support of residents of long-term care facilities.

Status:

1/3/18 Introduced and First Read (S)

12/1/17 Pre-filed (S)

SB 811 - Munzlinger

Enacts provisions relating to automated driving systems

This act specifies that operation of vehicles equipped with an automated driving system (ADS) may operate without a conventional human driver present, subject to certain requirements. When engaged, an ADS shall be deemed to perform any physical acts required of a conventional human driver operating the vehicle. Before an ADS-equipped vehicle may operate on public roads in this state, a person shall submit to the Department of Revenue proof of financial responsibility for the vehicle. Vehicles capable of operation without a

driver present may be used to transport persons or goods for compensation, including for-hire transportation, public transportation, prearranged rides, and shared transportation for multiple passengers. Political subdivisions are prohibited from imposing taxes and requirements specific to ADS-equipped vehicles, automated driving systems, or transportation services provided under the act.

Status:

1/3/18 Introduced and First Read (S)
12/20/17 Pre-filed (S)

SB 812 - Wallingford

Allows eligible persons to register multiple vehicles with disabled veteran license plates

This act provides that a person may license a second or subsequent motor vehicle for disabled veteran plates, subject to the regular registration and personalized license plate fees.

Status:

1/3/18 Introduced and First Read (S)
12/20/17 Pre-filed (S)

SB 843 - Riddle

Modifies the composition, duties or repeals outright certain administrative boards, commissions, and councils

Only the one related to disabilities is included.

The Director of the Department of Mental Health, rather than the Governor, shall appoint certain members of the Missouri Commission on Autism Spectrum Disorders and such members may be reappointed.

Status:

1/3/18 Introduced and First Read (S)
1/2/18 Pre-filed (S)

SB 848 - Riddle

Modifies the membership of the Board for Certification of Interpreters

This act changes the membership of the Board for Certification of Interpreters from five members to three. One of the members shall be deaf, one shall

be a certified interpreter, and one shall be either deaf or a certified interpreter.

Status:

1/3/18 Introduced and First Read (S)
1/2/18 Pre-filed (S)

APPROPRIATIONS

No pending bills