

LEGISLATIVE UPDATE

Issue 2, January 18, 2013

Office of Administration

GOVERNOR'S COUNCIL ON DISABILITY

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Welcome to the second issue of the 2013 Legislative Update with the 97th 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. Appropriation bill links will have a purple hyperlink.
- The *Legislative Update* will also include an index to assist you in locating the bill's category.
- Each issue of the *Legislative Update* is available on the Governor's Council on Disability's website at <http://disability.mo.gov/gcd/>
- Access to individual bill information is available on the Missouri General Assembly's website at <http://moga.mo.gov/>
- A glossary of terms can be found at <http://house.mo.gov/>
- Please contact our office (Laura.Mueth@oa.mo.gov) if you need a different format.
- To learn more about the legislative process consider attending the *Legislative Education Project* training by registering online.
- Governor's Council on Disability (GCD) welcomes your comments and suggestions. Your comments can be submitted online to the GCD website at <http://disability.mo.gov/gcd/> or call us at (800) 877-8249.

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

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 |
| BC..... | Budget Control Committee |

ASSISTIVE TECHNOLOGY***SB 33 - Lamping** Issue 1

Modifies provisions relating to public accommodations and service dogs for persons with mental disabilities

Status:

1/15/13 Hearing Completed (S)

1/15/13 Hearing Scheduled (S)

1/10/13 Second Read and Referred to Seniors, Families and Pensions committee (S) Chair:

Lamping, Vice Chair: Sater

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

CRIME

No pending legislation

EDUCATION

No pending legislation

EMPLOYMENT***SB 1 - Rupp** Issue 1

Modifies the law relating to workers' compensation

Status:

1/22/13 Hearing Scheduled (S)

1/10/13 Second Read and Referred to Small Business, Insurance and Industry committee (S)

Chair: Rupp, Vice Chair: Parson

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

FUNDING/TAX RELIEF***HB 87 - Burlison**

Changes the law regarding certain benevolent tax credits

This act extends the provisions regarding the residential renovations for disability access tax credit from December 31, 2013, to December 31, 2025 and changes the laws regarding the Tax Credit Accountability Act of 2004 by adding the developmental disability care provider tax credit under Section 135.1180 to the definition of "domestic and social tax credits"

Status:

1/22/13 Hearing Scheduled (H)

1/17/13 Referred to Children, Families, and Persons with Disabilities committee (H) Chair: Grisamore, Vice Chair: Bahr

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/20/12 Pre-filed (H)

***HB 192 - McNeil**

Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker

This act increases the minimum base used to calculate the Senior Citizens Property Tax Credit to \$16,000 starting with the January 1, 2014 calendar year.

Status:

1/17/13 Second Read (H)

1/16/13 Introduced and First Read (H)

SB 5 - Lager**Issue 1**

Modifies several provisions regarding tax credits and the corporate income tax

Status:

1/10/13 Second Read and Referred to Jobs, Economic Development and Local Government committee (S) Chair: Schmitt, Vice Chair: Dixon

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

SB 15 - Richard*Issue 1**

Modifies provisions of law regarding certain benevolent tax credits

This act modifies provisions of law regarding certain benevolent tax credits.

Status:

1/23/13 Hearing Scheduled (S)

1/10/13 Second Read and Referred to Jobs, Economic Development and Local Government committee (S) Chair: Schmitt, Vice Chair: Dixon

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

SB 19 - Wasson*Issue 1**

Extends the sunset on the residential dwelling accessibility tax credit and modifies the allocation of tax credit cap from another tax credit program to this program

Status:

1/23/13 **Hearing Scheduled** (S)

1/10/13 Second Read and Referred to Jobs, Economic Development and Local Government committee (S) Chair: Schmitt, Vice Chair: Dixon

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

SB 20 - Dixon*Issue 1**

Modifies provisions of law regarding certain benevolent tax credits

Status:

1/23/13 **Hearing Scheduled** (S)

1/10/13 Second Read and Referred to Jobs, Economic Development and Local Government committee (S) Chair: Schmitt, Vice Chair: Dixon

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

SB 32 - Lamping**Issue 1**

Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate

Status:

1/10/13 **Second Read and Referred to Jobs, Economic Development and Local Government committee** (S) Chair: Schmitt, Vice Chair: Dixon

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

SB 35 - Wallingford**Issue 1**

Creates an income tax return check-off program to provide funds for CureSearch for Children's Cancer

Status:

1/10/13 **Second Read and Referred to Ways and Means and Fiscal Oversight committee** (S) Chair:

Kraus, Vice Chair: Wallingford

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

HEALTH CARE/PERSONAL ASSISTANCE**HB 29 - Lichtenegger****Issue 1**

Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue

Status:

1/10/13 **Second Read** (H)

1/9/13 Introduced and First Read (H)

12/3/12 Pre-filed (H)

HB 30 - Scharnhorst**Issue 1**

Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians

Status:

1/10/13 **Second Read** (H)

1/9/13 Introduced and First Read (H)

12/3/12 Pre-filed (H)

HB 100 - White**Issue 1**

Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care

Status:

1/10/13 **Second Read** (H)

1/9/13 Introduced and First Read (H)

12/27/12 Pre-filed (H)

HB 131 - Stream**Issue 1**

Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders

Status:

1/10/13 **Second Read** (H)

1/9/13 Introduced and First Read (H)

SB 14 - Schaaf**Issue 1**

Raises Medicaid eligibility for the aged, blind and disabled population by modifying the eligibility for pregnant women and children

Status:

1/10/13 Second Read and Referred to Veterans' Affairs and Health committee (S) Chair: Brown, Vice Chair: Schaaf
1/9/13 Introduced and First Read (S)
12/1/12 Pre-filed (S)

SB 127 - Sater

Issue 1

Authorizes a statewide dental delivery system under MO HealthNet

Status:

1/10/13 Introduced and First Read (S)

SB 131 - Nasheed

Issue 1

Provides for the expansion of MO HealthNet services beginning on January 1, 2014

Status:

1/10/13 Introduced and First Read (S)

SB 156 - Sater

Prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal health care act unless authorized by law

This act prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal Patient Protection and Affordable Care Act unless such acceptance or expenditure is authorized by statute or an appropriations bill. The act specifically provides any taxpayer of this state or any member of the General Assembly with legal standing to bring suit against the state of Missouri or any official, department, division, agency, or political subdivision of this state which is in violation of the act in any court with jurisdiction to enforce the provisions of the act.

The act requires courts to grant attorney's fees, court costs, and reasonable expenses to taxpayers or legislators who are successful in bringing a lawsuit against the state or one of its agencies. The act further provides that in no case shall the award of attorney's fees, court costs, or reasonable expenses be paid from the legal defense fund, nor shall any department, division, agency, or political subdivision of this state request, or be granted, additional appropriations in order to satisfy an award made under this act.

Status:

1/16/13 Introduced and First Read (S)

SB 159 - Schmitt

Requires parity between the out-of-pocket expenses charged for physical therapist services and the out-of-pocket expenses charged for similar services provided by primary care physicians

This act prohibits health carriers from imposing greater copayments, coinsurance, or office visit deductibles to insureds for covered services provided by a licensed physical therapist than those charged for the same covered services provided by licensed primary care physicians. Under the act, health carriers must clearly state the availability of physical therapy coverage under its plan and all related limitations, conditions, and exclusions.

Status:

1/16/13 Introduced and First Read (S)

SB 160 - Pearce

Requires insurers to provide coverage for eating disorders

Under this act, each health carrier must provide coverage for the diagnosis and treatment of eating disorders beginning January 1, 2014. Under the terms of the act, health carriers shall not deny eligibility or continued eligibility to an individual to enroll or renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of the act or deny coverage for

treatment of eating disorders, including coverage for residential treatment of eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders.

Under the act, health carriers shall not provide monetary payments, rebates, or other benefits to individuals to encourage such individuals to accept less than the minimum protections available under the act. In addition, a health carrier shall not penalize or otherwise reduce or limit the reimbursement of a health care provider because such provider provided care to a beneficiary in accordance with this act. The eating disorder health insurance mandate requires the insurer to provide access to psychiatric and medical treatment under the plan and provide coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals, including but not limited to nutrition counseling, physical therapy, dietician services, medical monitoring, and psychiatric monitoring.

Nothing in the act shall be construed as requiring a health carrier to provide coverage of mental illness.

Status:

1/17/13 Introduced and First Read (S)

SB 161 - Pearce

Requires the Joint Committee on Legislative Research to conduct an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders

Under this act, the Oversight Division of the Joint Committee on Legislative Research must conduct an actuarial analysis of the cost impact to consumers, health insurers, and other private and public payers if a state mandate was enacted to provide health benefit plan coverages for the diagnosis and treatment of eating disorders that include residential treatment and access to psychiatric and medical treatments.

Under the terms of the act, the division director must submit a report of the actuarial findings to the Speaker of the House of Representatives, President Pro Tem of the Senate, and the chair of the House Special Committee on Health Insurance and the Senate Small Business, Insurance and Industry Committee by December 31, 2013. The actuarial analysis shall assume that the mandated coverage will not be subject to any greater deductible or copayment than other health care services provided under a health benefit plan and will not apply to a supplemental insurance policy. The cost for each actuarial analysis cannot exceed \$30,000 and the division may utilize any actuary contracted to perform services for the Missouri Consolidated Health Care Plan to perform the analysis required under the act. The provisions regarding the actuarial analysis expire December 31, 2013

Status:

1/17/13 Introduced and First Read (S)

LEGAL RIGHTS/RESPONSIBILITIES

***HB 48 - Dugger**

Issue 1

Establishes photo ID requirement for voting, the acceptable forms of photo ID, and assorted exceptions and rules.

Status:

1/17/13 Referred to Elections committee (H) Chair:

Entlicher, Vice Chair: Neth

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/10/12 Pre-filed (H)

HB 216 - Cox

Establishes identification requirements for voting

This act establishes identification issued by the Missouri National Guard, United States armed forces, or the United States Department of Veterans that has a photo and no expiration date as acceptable proof of identity for purposes of voting. The act includes the inability to pay for a birth certificate or other supporting documentation as a valid reason why an individual cannot obtain a

photo identification in order to vote. It requires that the state provide one form of acceptable identification at no cost to someone who is otherwise qualified to vote, does not have identification, and would like it in order to vote.

Status:

1/17/13 Introduced and First Read (H)

SB 27 - Kraus**Issue 1**

Establishes photo identification requirements for voting

Status:

1/10/13 Second Read and Referred to Financial and Governmental Organizations and Elections

committee (S) Chair: Wasson, Vice Chair: Cunningham

1/9/13 Introduced and First Read (S)

12/1/12 Pre-filed (S)

HJR 1 - Dugger**Issue 1**

Permits requiring some form of identification in order to vote in person in an election.

Status:

12/18/12 Withdrawn (H)

12/10/12 Pre-filed (H)

HJR 5 - Dugger**Issue 1**

Permits requiring some form of identification in order to vote in person in an election.

Status:

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/20/12 Pre-filed (H)

SJR 6 - Kraus**Issue 1**

Relating to voter photo identification

Status:

1/9/13 Introduced and First Read (S)

12/3/12 Pre-filed (S)

MENTAL HEALTH**HB 73 - Barnes****Issue 1**

Empowering circuit courts to establish "veterans treatment courts" to preside over judicial supervision, drug testing, and substance abuse and

mental health treatment for active and retired military personnel.

Status:

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/18/12 Pre-filed (H)

HB 88 - Burlison**Issue 1**

Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel

Status:

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/20/12 Pre-filed (H)

SB 118 - Kraus**Issue 1**

Authorizes the creation of veterans treatment courts

Status:

1/9/13 Introduced and First Read (S)

1/7/13 Pre-filed (S)

OLMSTEAD

No pending legislation

SAFETY/PREVENTION***HB 173 - Hodges**

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

This act requires that each health care facility that provides oxygen tanks or apparatuses to individuals must provide the local fire department with the residential address of each individual and the date the oxygen tanks or apparatuses were supplied to the individual. When the tanks or apparatuses are removed, the health care facility will notify the fire department of the address of the individual and the date the items were removed.

Status:

1/16/13 Second Read (H)

1/15/13 Introduced and First Read (H)

SERVICES

SB 128 - Sater

Issue 1

Modifies the permissible uses of electronic transfer benefits (EBT) cards for food stamp and cash assistance

Status:

1/10/13 Introduced and First Read (S)

OTHER

HB 68 - Kelley

Issue 1

Designates the month of November as Pancreatic Cancer Awareness Month in Missouri

Status:

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/18/12 Pre-filed (H)

HB 103 - Kelley

Issue 1

Allows a municipality to adopt a resolution or ordinance that allows all-terrain and utility vehicles to operate on the streets and highways under its jurisdiction

Status:

1/10/13 Second Read (H)

1/9/13 Introduced and First Read (H)

12/27/12 Pre-filed (H)

***HB 171 - Hodges**

Designates May 7th as "ROHHAD Awareness Day" in Missouri

This act designates May 7 of each year as Rapid-onset with hypothalamic dysfunction, hypoventilation and autonomic dysregulation day in Missouri. On this day, citizens of Missouri should participate in awareness and educational activities regarding the symptoms and impact of this syndrome as well as support ROHHAD programs.

Status:

1/16/13 Second Read (H)

1/15/13 Introduced and First Read (H)

***HB 185 - Kirkton**

Designates December 4 of each year as "PKS Day" in Missouri for awareness and educational activities regarding Pallister-Killian Syndrome

This act designates December 4 of each year as "Pallister-Killian Syndrome or PKS Day" in Missouri. It is recommended that this day be observed by Missouri citizens participating in awareness and educational activities regarding the symptoms and impact of this disorder. Individuals are also encouraged to support related programs.

Status:

1/17/13 Second Read (H)

1/16/13 Introduced and First Read (H)

APPROPRIATIONS

No pending legislation