

LEGISLATIVE UPDATE

Issue 3, January 25, 2013

Office of Administration

GOVERNOR'S COUNCIL ON DISABILITY

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Welcome to the third 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***SCS SB 33 - Lamping**

Issue 1

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

Status:

1/22/13 SCS Voted Do Pass by committee (S)

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***HB 270 - Walton Gray**

Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits

This act states that an offender with a sentence which is five years or longer and who has or acquires a physical or mental disability or becomes infirm, incompetent, or incapacitated and requires permanent placement in an infirmary, health, or mental health care facility while completing his or her sentence and is eligible for federal medical, psychological, and financial benefits may be released on parole and placed in the required facility. The board of probation and parole will determine who is eligible to be released based on criteria set forth in the act.

Status:

1/24/13 Second Read (H)

1/23/13 Introduced and First Read (H)

EDUCATION**SB 211 - Rupp**

Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes

This act requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes by January 15, 2014. The Department must develop the training guidelines in conjunction with the Department of Health and Senior Services, the State Board of Nursing, and organizations dealing with diabetes. Required activities to be included in the training are described in the act. School districts and charter schools may adopt and implement the training guidelines for all school nurses and diabetes care personnel.

If a school district or charter school adopts the training guidelines, at least three school employees at a school attended by a student with diabetes must undergo the diabetes training. Procedures are outlined in the event fewer than three school employees have been trained. School employees will not be subject to any penalty or disciplinary action for refusing to be trained. Training will be coordinated by a school nurse, if one is employed, and provided by a school nurse or other healthcare professional with expertise in diabetes. Training must occur prior to the start of the school year or when a student is newly enrolled at the school or when a student is newly diagnosed with diabetes. Training must also include the recognition of hypoglycemia and hyperglycemia and responses to emergency situations for school personnel and bus drivers responsible for the transportation of students with diabetes.

The parent or guardian of each student with diabetes who seeks diabetes care at school should submit a diabetes medical management plan to the school. The school must review it. Each school district and charter school may ensure that all students with diabetes receive appropriate diabetes care as specified in the diabetes medical management plan. Diabetes care functions are described in the act. The school nurse or at least one of the trained diabetes care personnel may be on site and available to provide care during regular school hours, during all school sponsored activities,

and on buses when the bus driver has not completed training.

Diabetes care functions described in the act do not constitute the practice of nursing and will be exempt from all statutory and regulatory provisions restricting activities that can be delegated to or performed by a person who is not a licensed health care professional. A licensed health care professional may provide training to and supervise school employees with diabetes care functions.

Students with diabetes will be permitted to perform certain diabetes care functions themselves at school, with written permission by a parent or guardian, as described in the act.

No physician, nurse, school employee, charter school or school district will be liable for civil damages or subject to disciplinary action when acts are committed as an ordinarily reasonably prudent person would have acted under the same or similar circumstances.

Status:

1/24/13 Introduced and First Read (S)

EMPLOYMENT

HB 320 - Elmer

Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act

This act changes some of the definitions involved with these acts. This allows any of the parties involved to request a jury trial. Courts may award actual and punitive damages to the plaintiff and court costs and attorney fees to the prevailing party. The Missouri Commission on Human Rights will not review or adjudicate on the Missouri Human Rights Act cases. This act sets limits for back pay, equitable relief, damages, and interest.

Status:

1/24/13 Introduced and First Read (H)

HB 321 - Haahr

Modifies provisions relating to the second injury fund

This act states that an entity which pays the surcharge required under certain provisions of this act should be allowed to have a tax credit. The act states the amount of the tax credit. The tax credit section will sunset on October 31, 2019. This act specifies the type of cases that can no longer be filed against the second injury fund after July 1, 2015. Any injuries which occur on or after July 1, 2013, the compensation for the balance of the combined permanent disability will be paid by the employer or the employer's insurer not the Second Injury Fund. Other provisions are established through this act. These include the order in which liabilities should be paid and what should occur when those liabilities have ended.

Status:

1/24/13 Introduced and First Read (H)

***SCS SB 1 - Rupp**

Issue 1

Modifies the law relating to workers' compensation

Status:

1/24/13 SCS Voted Do Pass by committee

1/22/13 Hearing Completed (S)

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)

SB 180 - Kraus

Changes the goal of 3% of government contracts awarded to service-disabled veteran businesses to 4%, and appropriates \$100,000 to veteran organizations

Under current law, the Office of Administration must have a goal of awarding three percent of all job or service contracts to qualified service-disabled veteran businesses. This act provides that the Office of Administration shall grant four percent of all contracts to service-disabled veteran businesses. Subject to appropriations, the Office of

Administration is to provide one hundred thousand dollars to veteran organizations in order to promote this program.

Status:

1/22/13 Introduced and First Read (S)

FUNDING/TAX RELIEF

*HB 87 - Burlison

Issue 2

Changes the law regarding certain benevolent tax credits

Status:

1/29/13 Executive Session Scheduled (H)

1/22/13 Hearing Completed (H)

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

Issue 2

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

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:

1/24/13 Bill Combined with SB 19 and SB 20 (S)

1/23/13 Hearing Completed (S)

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:

1/24/13 Bill Combined with SB 15 and SB 20 (S)

1/23/13 Hearing Completed (S)

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)

*SCS SB 20 - Dixon

Issue 1

Modifies provisions of law regarding certain benevolent tax credits

Status:

1/28/13 Formal Calendar S Bills for Perfection (S)

1/24/13 Reported from Committee to Floor (S)

1/24/13 SCS Voted Do Pass by committee (S)

1/24/13 Bill Combined with SB 15 and SB 19 (S)

1/23/13 Hearing Completed (S)

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)

***HB 274 - Brattin**

Establishes Chloe's Law which requires the newborn screening requirements to include critical congenital heart disease screening

This act will be known as "Chloe's Law." This act would require the Department of Health and Senior Services to include critical congenital heart disease screening as part of the newborn screening requirements completed prior to a newborn being discharged from a health care facility. This would be done before January 1, 2014.

Status:

1/24/13 Second Read (H)
1/23/13 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 **Issue 2**

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

Status:

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

SB 159 - Schmitt **Issue 2**

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

Status:

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

SB 160 - Pearce **Issue 2**

Requires insurers to provide coverage for eating disorders

Status:

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

SB 161 - Pearce **Issue 2**

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

Status:

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

SB 199 - Chappelle-Nadal

Requires long-term care facilities to be encouraged to institute policies encouraging 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 encourage familial involvement in the well-being and support of residents of long-term care facilities.

Status:

1/23/13 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:

1/29/13 Executive Session Scheduled (H)

1/29/13 Hearing Scheduled (H)

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**

Issue 2

Establishes identification requirements for voting

Status:

1/22/13 Second Read (H)

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

***HB 232 - Barnes**

Requires election authorities to establish a voluntary electronic voter registration system for voters with no form of state-issued photographic identification

This act requires, as long as funding is appropriated by the Secretary of State, election authorities to have an interactive, computerized registration list for those voters who do not have a form of state-issued photo identification. It include all registration information required by law and will

be able to store and display voter photographs. Voters will not be required to register with the system, but will be informed by the election authority that registering would result in a decrease the amount of time spent identifying the voter. Anyone who chooses not to register will still be able to vote. Separate lines may be established by the election authorities to register individuals using this system. This act also states that the Secretary of State may establish rules to implement the act's provisions.

Status:

1/23/13 Second Read (H)

1/22/13 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:

1/29/13 Executive Session Scheduled (H)

1/29/13 Hearing Scheduled (H)

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)

12/20/12 Pre-filed (H)

***HJR 12 - Cox**

Proposes a constitutional amendment permitting the requirement of photo identification to vote in elections

This joint resolution states that an individual wishing to vote in an election may be required to prove his/her identity, citizenship, and residency status by providing election officials with a valid, government-issued photo identification.

Status:

1/22/13 Second Read (H)

1/17/13 Introduced and First Read (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:

1/24/13 Second Read and Referred to Judiciary and Civil and Criminal Jurisprudence committee (S)

Chair: Dixon, Vice Chair: Emery

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

1/7/13 Pre-filed (S)

SB 178 - Schaaf

Modifies provisions relating to safety provisions in mental health facilities

Under current law, physical or chemical restraints, isolation, or seclusion cannot be used on patients, residents or clients of a mental health facility or mental health program unless it is determined by the head of the facility or the attending licensed physician that it is necessary to protect the health and safety of the individual or others and that it provides the least restrictive environment. This act allows such orders to also be made by the attending advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

If the attending advanced practice registered nurse orders the use of restraints, isolation or seclusion, it shall be reviewed in person by the attending licensed physician if the episode of restraint extends beyond 4 hours duration for a person under 18 years of age, or beyond 8 hours duration for a person 18 years of age or older.

Depending on the circumstances under which an individual has been committed to the facility, security escort devices may be used when such individuals are transported outside a mental health facility based on the determination of the head of the facility or the attending licensed physician. This act allows such determinations to also be made by the attending advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

All orders made by the attending advanced practice registered nurse under this act shall be reviewed in person by the attending licensed physician of the facility within 24 hours or the next regular working day of the order being issued, and such review shall be documented in the clinical record of the patient, resident, or client. The attending advanced practice registered nurse shall also document the use of the restraint, isolation or seclusion.

Status:

1/22/13 Introduced and First Read (S)

OLMSTEAD

No pending legislation

SAFETY/PREVENTION

***HB 173 - Hodges**

Issue 2

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

Status:

1/16/13 Second Read (H)

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

HB 317 - Phillips

Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination

This act will be known as "Molly's Law." This act specifies all individuals administering vaccines to children younger than age seven to inform the parents or legal guardians of the ingredients contained in the vaccine before it is administered. The parent or legal guardian will also be informed how he/she can obtain additional information. It will be documented in the child's medical record that information was provided.

Status:

1/24/13 Introduced and First Read (H)

SB 187 - Brown

Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle

This act exempts persons 21 years of age or older from wearing protective headgear when operating or riding motorcycles or motortricycles

Status:

1/22/13 Introduced and First Read (S)

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)

***HB 297 - English**

Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program

This act requires the Department of Social Services to seek a waiver from the federal government to mandate that someone must use photo identification to continue to be eligible for the food stamp program. One year after a waiver has been approved; the Department of Social Services will issue a photo ID to all eligible household members who are at least sixteen years old. Individuals will present the ID when requested.

Status:

1/24/13 Second Read (H)

1/23/13 Introduced and First Read (H)

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**Issue 2**

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

Status:

1/16/13 Second Read (H)

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

HB 185 - Kirkton**Issue 2**

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

Status:

1/17/13 Second Read (H)

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

***HB 262 - Walton Gray**

Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs

This act establishes the Sickle Cell Standing Committee. The act outlines what groups should be represented in the membership of the committee. The committee will have nine members. The committee will conduct an assessment of the impact of sickle cell and existing services and resources. The committee will make recommendations based on this assessment and submit a report to the governor and general assembly by December 31, 2013. The group will continue to meet after the report has been submitted to continue the study and look at the impact of the recommendations.

Status:

1/24/13 Second Read (H)

1/23/13 Introduced and First Read (H)

***SCR 3 - Walsh**

Recognizes September 26th as Mesothelioma
Awareness Day in Missouri

This resolution recognizes September 26th as
Mesothelioma Awareness Day in Missouri.

Status:

1/23/13 Referred to Rules, Joint Rules, Resolutions

and Ethics committee (S) Chair: Richard, Vice

Chair: Dempsey

1/22/13 Introduced and First Read (S)

APPROPRIATIONS

No pending legislation