

LEGISLATIVE UPDATE

Issue 1, January 9, 2015

Office of Administration

GOVERNOR'S COUNCIL ON DISABILITY

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Welcome to the first issue of the 2015 Legislative Update with the 98th General Assembly.

The *Legislative Update* will present a new bill by providing a summary description. When significant changes occur on the bill it will be summarized again. Any changes in bill status will be highlighted in red and an asterisk will be placed before the bill number.

- The *Legislative Update* issue number and current bill summary will be inserted each week along with the bill number, title, sponsor, and current status (includes the committee assigned, chair and vice chair of the committee). Online copies of the legislative updates will have a red hyperlink to take you to the description of the bill and sponsors. 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**HB 142 - Sommer**

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

This act adds "psychiatric service dog" to the definition of a service dog. A psychiatric service dog is a dog individually trained to do work or perform tasks that mitigate the difficulties of its owner with a psychiatric disability including, but not limited to, picking up or retrieving objects, aiding with mobility, alerting or responding to episodes such as panic attacks and anxiety, and performing other tasks directly related to the owner's specific psychiatric disability. It lists disabilities that would qualify under this act. They include but are not limited to: major depressive disorder, bipolar disorder, post traumatic stress disorder, autism, anxiety disorder, obsessive compulsive disorder, and schizophrenia.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/3/14 Pre-filed (H)

CRIME

No pending legislation

EDUCATION**HB 42 - Wood**

Establishes a system of school accreditation by building rather than by district and establishes standards for student transfers

This act concerns accreditation of schools by building through attendance centers rather than by district. Special School District is exempt from this requirement. The transfer standards relate to transfers from unaccredited school districts to accredited school districts.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/1/14 Pre-filed (H)

HB 365 - Spencer

Establishes the Student Accountability Act that requires a student score proficient or higher on a state assessment in order to receive a high school academic diploma

This act establishes the Student Accountability Act which requires every public school student to achieve a score of proficient or higher on a comprehensive assessment or assessment taken by the student after completion of the eighth grade. Parents will be given the choice of which assessment the student will complete out of a list outlined in the bill. Beginning with the 2018-2019 school year students must meet these requirements to be given a diploma. A student who has an individualized education plan and receives special education services and for whom the IEP indicates the student's scores on accepted tests of intelligence are at least one standard deviation below average who otherwise meets the requirements for graduation may be awarded a diploma of local achievement. No student who fails to meet these requirements will receive a diploma. All public institutions of higher education in MO will recognize the high school diploma as sufficient for students to be placed in the first college-level English composition and mathematics courses recognized as part of the general education core requirements.

Status:

1/8/15 Second Read (H)

1/7/15 First Read

1/6/15 Pre-filed (H)

HB 381 - Swan

Modifies provisions relating to high school equivalency testing

Along with another provision, this act requires that the Dept. of Elementary and Secondary Education ensure that high school equivalency exams are administered in a way that does not discriminate against individuals with mental health diagnoses which impact learning or learning disabilities that are documented by a qualified professional or an individualized education plan. If individuals have

such disabilities, DESE will accommodate the individual by administering an individualized test.

Status:

1/8/15 Second Read (H)

1/7/15 Introduced and First Read (H)

HB 382 - Swan

Requires school districts to establish comprehensive guidance and counseling programs for students attending school in the district

This act requires each school board in MO to establish a comprehensive guidance and counseling program for the school district beginning with the 2015-2016 school year. The program will focus on academic development, career development, and social and personal development. Students will begin participating in third grade and continue until high school graduation. The bill outlines what counselors will include in the program. It also states school counselors will ensure the program meets the special needs of specific groups. Two of those groups are students who are at risk for committing suicide and those who need modified instructional strategies. The act includes other responsibilities for school counselors related to this program. The act specifies what each of the three focus areas will emphasize. It also requires a counseling center to be set up in each school.

Status:

1/8/15 Second Read (H)

1/7/15 Introduced and First Read (H)

HB 405 - Gannon

Modifies provisions relating to high school equivalency examinations

Along with another provision, this act requires that the Dept. of Elementary and Secondary Education ensure that high school equivalency exams are administered in a way that does not discriminate against individuals with mental health diagnoses which impact learning or learning disabilities that are documented by a qualified professional or an individualized education plan. If individuals have

such disabilities, DESE will accommodate the individual by administering an individualized test.

Status:

1/8/15 Introduced and First Read (H)

HB 458 - Allen

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

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

Status:

1/8/14 Introduced and First Read (H)

SB 1 - Pearce

Modifies provisions relating to elementary and secondary education

This act has several parts all relating to elementary and secondary education. Only those affecting students with disabilities are summarized.

The Special School District in St. Louis County is exempt from the attendance center requirement established in the bill.

All underperforming districts in St. Louis County, as described in the act, are prohibited from promoting any student from the fifth grade to the sixth grade or from the eighth grade to the ninth grade who has not scored at the proficient level or

above on the statewide assessments in the areas of English language arts and mathematics. However, this provision does not apply to any student with an individualized education program or any student with a Section 504 Plan.

This act requires, beginning July 1, 2016, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systemic reading instruction. Beginning on January 1, 2016, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist from this requirement for students with an IEP or a Section 504 Plan. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have consent to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not necessary, the personalized learning plan must remain in place until the student is at grade level. Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade may be promoted to third grade only if: the school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of summer school; if the school provides a "looping" classroom in which the student remains with the same teacher for multiple years and the student is not reading at the third grade level by the end of third grade, the student must

be retained; or the student's parents or guardians may sign a notice that they prefer to have the student promoted except that the school will have final determination to retain.

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

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

When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the unaccredited district is responsible for paying the excess costs to the receiving district. When the receiving district is a component district of a special school district, the unaccredited district must contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation. The special school district may contract with an unaccredited district for the provision of transportation. A special school district must continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from an unaccredited district within the same or a different component district. If the St. Louis City School District is unaccredited, it is responsible for the provision of special education and related services, including transportation to students with disabilities. A special school district may contract with the St. Louis City School District, as described in the act. Regardless of whether transportation is identified as a related service, a receiving district that is not part of a special school district is not

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

Where costs associated with the provision of special education and related services to a student with a disability exceed the established tuition amount, the unaccredited district will remain responsible to pay the excess cost to the nonsectarian private school.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 22 - Chappelle-Nadal

Modifies provisions relating to elementary and secondary education

This act has many sections. Those that impact students with disabilities are summarized.

All underperforming districts in St. Louis County, as described in the act, are prohibited from promoting any student from the fifth grade to the sixth grade or from the eighth grade to the ninth grade who has not scored at the proficient level or above on the statewide assessments in the areas of English language arts and mathematics. However, this provision does not apply to any student with an individualized education program or any student with a Section 504 Plan. This act requires, beginning July 1, 2016, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score

below district benchmarks must be provided with intensive, systemic reading instruction.

Beginning on January 1, 2016, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist from this requirement for students with an IEP or a Section 504 Plan. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have consent to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not necessary, the personalized learning plan must remain in place until the student is at grade level.

Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade may be promoted to third grade only if: the school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of summer school; if the school provides a "looping" classroom in which the student remains with the same teacher for multiple years and the student is not reading at the third grade level by the end of third grade, the student must be retained; or the student's parents or guardians may sign a notice that they prefer to have the student promoted except that the school will have final determination to retain.

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

School districts and charter schools subject to this requirement may provide for a student promotion and retention program and a reading instruction program that are equivalent to those which are described in this section with the oversight and approval of the Department of Elementary and Secondary Education. When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the unaccredited district is responsible for paying the excess costs to the receiving district. When the receiving district is a component district of a special school district, the unaccredited district must contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation. The special school district may contract with an unaccredited district for the provision of transportation. A special school district must continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from an unaccredited district within the same or a different component district. When the St. Louis City School District is unaccredited, it is responsible for the provision of special education and related services, including transportation to students with disabilities. A special school district may contract with St. Louis City School District, as described in the act. Regardless of whether transportation is identified as a related service, a receiving district that is not part of a special school district is not responsible for providing transportation. An unaccredited district may contract with a receiving district that is not part of a special school district for transportation. When districts other than St. Louis City are unaccredited, they may contract with a receiving district that is not part of a special school district for the reimbursement of special education services.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 161 - Nasheed

Modifies requirements for school antibullying policies and modifies provisions relating to reading instruction and student promotion

This act modifies provisions relating to school district procedures.

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

This act requires that antibullying policies treat all students equally.

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

School district administrations must instruct their school counselors to educate students who are victims of bullying on techniques to overcome the negative effects of bullying, including the following:

cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively or effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control.

School district administrations must implement programs and other initiatives to prevent bullying, respond to such conduct so as to not stigmatize a victim, and to make resources or referrals available to victims of bullying.

This section is substantially similar to SCS/HCS/HB 134 (2013). (Section 160.775)

READING INSTRUCTION AND STUDENT PROMOTION: This act requires, beginning July 1, 2016, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systemic reading instruction.

Beginning on January 1, 2016, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist from this requirement for students with an IEP or a Section 504 Plan. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have consent to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not

necessary, the personalized learning plan must remain in place until the student is at grade level.

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

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

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

Status:

1/7/15 First Read (S)
12/17/14 Pre-filed (S)

SB 171 - Romine

Modifies provisions relating to high school equivalency degree testing

This act modifies the laws governing high school equivalency tests.

The Department of Elementary and Secondary Education must ensure that any high school equivalency test be administered in a manner that does not discriminate against students with a diagnosis of a mental health condition that affects learning or students with learning disabilities, as described in the act. If an applicant possesses such a condition or disability, the Department must administer an individualized test to accommodate the applicant.

Beginning January 1, 2016, the Department must offer applicants at least one additional high school equivalency testing option selected by the State Board of Education as an alternative to the HiSET testing program and the Iowa Testing Program. When selecting the additional test option, the State Board of Education must consider the following factors: substantial equivalency of test scope and rigor with a comprehensive high school course of study leading to a diploma; the recognition of the test by other states; the test's portability; the cost to test takers, with priority given to achieving the lowest cost; and other criteria that meet the needs of individual test takers.

The State Board of Education must adopt rules for a waiver of the fees for the high school equivalency examination. The Department must establish a sliding-fee scale. To be eligible for a financial hardship fee waiver, the applicant must demonstrate that he or she has achieved a minimum passing score on a high school equivalency practice test.

Status:

1/7/15 First Read (S)
12/29/14 Pre-filed (S)

EMPLOYMENT

HB 270 - Miller

Changes the laws regarding unlawful employment or discriminatory practices

This act concerns the MO Human Rights Act. It changes the trait to be a motivating factor and states it does not have to be the only reason or factor for an action. The act discusses what will happen if a party files a motion for summary judgment in an employment case. If the plaintiff submits direct evidence of discrimination the employer must prove the same decision would have been made regardless of the plaintiff's evidence. If the plaintiff does not provide direct evidence of discrimination the plaintiff must prove an allegation of discrimination.

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/19/14 Pre-filed (H)

SB 36 - Romine

Modifies the law relating to the Missouri Human Rights Act and employment discrimination

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

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

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

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

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

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

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

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

- a person who reports an unlawful act of the employer or its agent;
- a person who reports to an employer serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, or regulation promulgated under statute;
- a person who refuses to carry out a directive issued by an employer or its agent that, if completed, would be a violation of the law; or
- a person who engages in conduct otherwise protected by statute or regulation where the

statute or regulation does not provide for a private right of action.

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

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

The act abrogates all Missouri case law relating to exceptions to the employment at will doctrine. Employers shall not retaliate or discriminate against employees exclusively as a result of the fact that the employee refused to violate a statute, regulation, constitutional provision, ordinance, or common law at the request of someone employed by the employer who has direct or indirect supervisory authority. The same standard shall apply when employees report an illegal act of the employer. The act establishes caps for damages for such cases identical to those created for MHRA cases with the exception of back pay and interest on back pay which are not allowed.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

FUNDING/TAX RELIEF

HB 192 - Swan

Changes the law requiring tax credits other than the senior citizens property tax credit requiring approval by the senate appropriations and the

house budget committees to approval by the general assembly

This act requires all tax credits other than the senior citizen property tax credit (also known as the circuit breaker) to be approved by a constitutional majority in the House of Representatives and the Senate.

Status:

1/6/15 Withdrawn (H)

12/9/14 Pre-filed (H)

HB 230 - McNeil

Increases, from \$30,000 to \$32,000 the maximum upper limit used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker

This act increases the maximum upper limit used to calculate the Senior Citizens Property Tax Credit to \$32,000 beginning January 1, 2015.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/15/14 Pre-filed (H)

SB 174 - Schmitt

Relating to the Missouri Achieving a Better Life Experience program

This act creates the "Missouri Achieving a Better Life Experience Program". Under this act, a person may make tax-deductible contributions to an account established for the purpose of financing the qualified disability expenses of a beneficiary.

The act defines a beneficiary as an individual who:

1) is receiving, deemed to be, or treated as receiving supplemental security income or disability benefits under the Social Security Act;

2) has a medically determined physical or mental impairment, which results in marked and severe functional limitations, and which can be expected

to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; or

3) is blind.

The act defines qualified disability expenses as expenses made for the benefit of a beneficiary. Such expenses must be related to education, housing, transportation, employment, health, qualify as a miscellaneous expense, or be otherwise approved by the Missouri ABLE Board.

The act creates the Missouri ABLE Board which is charged with establishing and administering the savings program. The Board is given power and authority identical to that delegated to the Missouri Higher Education Savings Program Board.

The act permits the Board to enter into participation agreements with participants on behalf of beneficiaries which are substantially similar to those participation agreements entered into under the Missouri Higher Education Savings Program.

The act permits participants to cancel a participation agreement at any time. However, the assets distributed upon cancellation will be subject to a penalty equal to or greater than ten percent of the earnings of the account if the distributions do not meet the requirements set forth in the section.

The act exempts from taxation the assets of any qualified disability savings account and any income therefrom. Participants may deduct up to \$8,000 per participant (\$16,000 if married filing jointly) from their adjusted gross income.

The act requires the Director of Investment of the State Treasurer's Office to conduct a semiannual review of the program and report his or her findings to the Board.

Status:

1/7/15 First Read (S)

12/30/14 Pre-filed (S)

HEALTH CARE/PERSONAL ASSISTANCE**HB 153 - Gardner**

Changes the laws regarding eligibility for MO HealthNet benefits

This act states that those who are eligible for MO HealthNet benefits and are deemed to be "medically frail" are entitled to all the MO HealthNet benefits they are eligible for. "Medically frail" includes those with physical, intellectual, or developmental disabilities, mental health disabilities, and others. The Departments of Social Services, Mental Health and Health and Senior Services will work together to develop a screening process to determine who will be considered "medically frail." The act specifies under what conditions the eligibility of certain groups can be discontinued. The MO HealthNet Oversight committee will research and investigate any potential health savings and revenues associated with expanding coverage and other issues and provide the general assembly with the information prior to any vote to discontinue eligibility. The MO HealthNet Oversight committee will also research and investigate the federal matching rate below which the state could not maintain the expanded eligibility in this act. If it is greater than 90% this will be reported to the general assembly.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/4/14 Pre-filed (H)

HB 198 - Morris

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

This act instructs health plans to not deny coverage for prescriptions to treat chronic illnesses that are for less than a 30 day supply if the prescriber or pharmacist indicates it is in the patient's best interest or it is for the purpose of synchronizing a patient's chronic medications. The plan should apply a prorated daily cost-sharing rate to these

prescriptions if dispensed by a network pharmacy. Dispensing fees will be determined based on the total number of prescriptions dispensed.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/11/14 Pre-filed (H)

HB 262 - Frederick

Requires health benefit plans cover diagnosis and treatment of eating disorders

This act requires health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders beginning January 1, 2016. The coverage will include psychiatric and medical treatment including nutrition counseling, dietician services, and medical and psychiatric monitoring. This also includes inpatient hospitalization, residential treatment, partial hospitalization, intensive outpatient treatment and follow-up care, and any other treatment if it is deemed medically necessary. If requested by the health insurance carrier or health benefit plan, treatment plans will include all the necessary elements for payment. If an individual is being treated for an eating disorder, the health insurance carrier has the right to review the treatment plan every six months unless more review is deemed necessary by the health insurance carrier and the treating professional. The act specifies on what determinations of medical necessity should be based. The act also states the Department of Insurance, Financial Institutions, and Professional Registration will submit a yearly report to the general assembly beginning June 1, 2017 and ending June 1, 2022 regarding the implementation of the eating disorder coverage. The act states what will be included in the report.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/18/14 Pre-filed (H)

HB 303 - Hicks

Requires the MO HealthNet Division to reimburse licensed chiropractors for specific services

This act states that chiropractors will be reimbursed by MO HealthNet for currently covered services that are within the chiropractor scope of practice.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/23/14 Pre-filed (H)

HB 319 - Barnes

Changes the laws regarding the provision of telehealth services

This act specifies which types of professionals are eligible health care providers for the provision of telehealth services. The act defines the term "originating site" as it relates to telehealth services and specifies what types of locations can be originating sites.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/30/14 Pre-filed (H)

HB 340 - Kendrick

Defines an "originating site" for telehealth services and includes school-based health centers in the definition

This act defines the term "originating site" for the purposes of telehealth services and specifies what types of locations can be telehealth sites.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

1/5/15 Pre-filed (H)

HB 424 - Burlison

Requires the Department of Social Services to terminate a recipient's MO HealthNet benefits if it receives information that such recipient resides out of state

This act requires the Dept. of Social Services to terminate a MO HealthNet recipient's benefits temporarily if information is received that the individual does not reside in MO while an investigation is conducted. If the Dept. finds that the individual is not a MO resident the individual will be notified of termination of benefits, and benefits will be terminated after thirty days.

Status:

1/8/15 Introduced and First Read (H)

SB 9 - Schaaf

Modifies the duties and powers of the Joint Committee on MO HealthNet

This act amends the Joint Committee on MO HealthNet to have as its purpose of study the efficacy of the program as well as the resources needed to continue and improve the MO HealthNet program over time. The committee shall receive and obtain information from the departments of Social Services, Mental Health, Health and Senior Services and Elementary and Secondary Education as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area.

The committee shall meet at least twice a year. The committee is authorized to hire an employee or enter into employment contracts. The compensation of such personnel and the expenses of the committee shall be made from the joint contingent fund or jointly from the Senate and House contingent funds until an appropriation is made. The committee may also hire or contract for an executive director to conduct investigations to fulfill the duties of the committee.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 26 - Sater

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

This act allows a physician to prescribe epinephrine (EPI) auto-injectors in the name of an authorized entity for use in certain emergency situations, and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense EPI auto-injectors under a prescription issued in the name of an authorized entity. An "authorized entity", is defined as any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present, including but not limited to restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas.

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

The act specifies the required training and the procedures for making the EPI auto-injectors available to individuals other than trained persons so long as the auto-injectors are stored in a locked secure container and in accordance with the manufacturer's specifications. The act also delineates the procedures for authorized entities reporting each incident involving use of the EPI

auto-injectors to the Department of Health and Senior Services.

This act protects certain persons and entities from liability for any injuries or related damages that result from the administration of, self-administration of, or failure to administer an EPI auto-injector in accordance with the provisions of the act that may constitute ordinary negligence. The immunity shall not apply to acts or omissions constituting gross, willful, or wanton negligence and shall be in addition to and not in lieu of protections provided under Section 537.037, RSMo, the Good Samaritan emergency law. Also, the administration of the EPI auto-injector under this act shall not constitute the practice of medicine.

Status

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 35 - Wallingford

Requires the Department of Social Services to terminate MO HealthNet services when it receives information that a MO HealthNet recipient resides out of state

This act provides that when the Department of Social Services receives information, including from a MO HealthNet managed care plan, that a MO HealthNet participant resides out of state, such participant's MO HealthNet services shall be terminated as provided for under law. The termination of benefits shall be effective on the last day of the calendar month.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 38 - Romine

Modifies provisions relating to the Joint Committee on MO HealthNet

This act amends the Joint Committee on MO HealthNet to have as its purpose of study the efficacy of the program as well as the resources

needed to continue and improve the MO HealthNet program over time. The committee shall receive and obtain information from the departments of Social Services, Mental Health, Health and Senior Services and Elementary and Secondary Education as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area.

The committee shall meet at least twice a year. The committee is authorized to hire an employee or enter into employment contracts. The compensation of such personnel and the expenses of the committee shall be made from the joint contingent fund or jointly from the Senate and House contingent funds until an appropriation is made. The committee may also hire or contract for an executive director to conduct investigations to fulfill the duties of the committee.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 90 - LeVota

Provides for the expansion of MO HealthNet services beginning on January 1, 2016

Beginning January 1, 2016, this act extends benefits under the MO HealthNet program to persons aged 19 or older, but younger than 65, who are not otherwise eligible for MO HealthNet services, who qualify for MO HealthNet services under the provisions of the Affordable Care Act (ACA) of 2010, and who have income at or below 133 percent of the federal poverty level plus 5 percent of the applicable family size.

This act also provides that the reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this act shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The higher commercial comparable rates shall only

apply for services provided to individuals qualifying under this act.

In the event that the ACA and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this act shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of the ACA, as that section existed on March 28, 2010, this act shall no longer be effective.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 118 - Brown

Requires MO HealthNet participants to pay an eight dollar co-pay for the use of emergency room services for the treatment of a nonemergency condition

Beginning October 1, 2015, the Department of Social Services shall require MO HealthNet participants to pay an eight dollar copayment fee for use of a hospital emergency department for the treatment of a condition that is not an emergency medical condition. The Department shall promulgate rules for the implementation of this act.

Status:

1/7/15 First Read (S)

12/3/14 Pre-filed (S)

SB 125 - Schupp

Authorizes eligibility for an alternative package of benefits for certain individuals under the MO HealthNet program

Beginning January 1, 2016, this act extends eligibility for an alternative package of MO HealthNet benefits to individuals who are between the ages of nineteen and sixty-five, are not pregnant, are not entitled to or enrolled in certain Medicare benefits, are not eligible or enrolled for mandatory coverage under the MO HealthNet

Program, and have a household income that is at or below 133% of the federal poverty level.

Except for medically frail individuals, those eligible for the alternative package of benefits shall receive a package based on regulations promulgated by the MO HealthNet Division that complies with federal law. For medically frail individuals that are eligible for the alternative package of benefits, such individuals shall receive all coverage they are eligible to receive under the MO HealthNet program. The Department of Social Services shall establish a screening process in conjunction with the Department of Mental Health and the Department of Health and Senior Services to determine whether an individual is medically frail.

The Department of Social Services shall discontinue eligibility for the alternative package of benefits if the federal medical assistance percentage is less than ninety percent as specified for 2020 and each year thereafter or an amount determined by the MO HealthNet Oversight Committee to be necessary to maintain state budget solvency, whichever is lower, as well as a vote by the General Assembly to discontinue eligibility. The Department of Social Services must inform eligible individuals that their benefits may be reduced or eliminated if federal funding decreases or is eliminated.

The MO HealthNet Oversight Committee shall conduct research and investigate any potential health-related savings and revenues associated with expanding eligibility to persons under this act and determine the feasibility of different options described in the act.

Status:

1/7/15 First Read (S)
12/3/14 Pre-filed (S)

SB 145 - Pearce

Requires health benefit plans cover diagnosis and treatment of eating disorders

This act requires health benefit plans to provide coverage for the diagnosis and treatment of eating disorders. The act further requires that the provided coverage include a broad array of specialist services as proscribed as necessary by the patient's treatment team. Coverage under this act is limited to medically necessary treatment and the treatment plan must include all elements necessary for a health benefit plan to pay claims. This act limits a health benefit plan's right to review the treatment plan. This act also requires that the Department of Insurance make an annual report to the General Assembly on insured persons diagnosed with an eating disorder and claims for treatment and requires health benefit plans to provide the Department of Insurance with the data necessary to make that report.

Status:

1/7/15 First Read (S)
12/12/14 Pre-filed (S)

SB 186 - Curls

Provides for the expansion of MO HealthNet services beginning on January 1, 2016

Beginning January 1, 2016, this act extends benefits under the MO HealthNet program to persons aged 19 or older, but younger than 65, who are not otherwise eligible for MO HealthNet services, who qualify for MO HealthNet services under the provisions of the Affordable Care Act (ACA) of 2010, and who have income at or below 133 percent of the federal poverty level plus 5 percent of the applicable family size.

This act also provides that the reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this act shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this act.

In the event that the ACA and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this act shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of the ACA, as that section existed on March 28, 2010, this act shall no longer be effective.

Status:

1/7/15 First Read (S)

1/5/15 Pre-filed (S)

SB 197 - Brown

Modifies provisions relating to the Joint Committee on MO HealthNet

This act amends the Joint Committee on MO HealthNet to have as its purpose of study the efficacy of the program as well as the resources needed to continue and improve the MO HealthNet program over time. The Committee shall receive and obtain information from the departments of Social Services, Mental Health, Health and Senior Services and Elementary and Secondary Education as applicable, regarding the projected budget of the entire MO HealthNet program including projected MO HealthNet enrollment growth, categorized by population and geographic area.

The Committee shall meet at least twice a year. The Committee is authorized to hire or contract for employees, and shall hire an investigator to conduct an audit, special review or investigation of the MO HealthNet program in order to assist the Committee with its duties. The compensation of such personnel and the expenses of the Committee shall be paid from the Joint Contingent Fund or jointly from the Senate and House Contingent Funds until an appropriation is made.

Status:

1/7/15 Introduced and First Read (S)

LEGAL RIGHTS/RESPONSIBILITIES**HB 30 - Dugger**

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

This act establishes the requirement that individuals wishing to vote must show acceptable personal identification. The election authorities will be reimbursed through general revenue for any associated costs. The act adds the inability to pay for supporting documentation necessary to obtain the identification to the list of reasons why an individual is unable to obtain photo identification. Someone who casts a provisional ballot because of inability to establish identity can return to the election authority within three days after the election with the identification and the ballot will be counted. The state and all fee offices will provide a form of photo identification to those who do not have one and would like one in order to vote. Anyone who is denied the right to vote a regular ballot because of a lack of photo identification will be allowed to cast a provisional ballot.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/1/14 Pre-filed (H)

HB 240 - Davis

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

This act establishes the requirement that individuals wishing to vote must show acceptable personal identification. The election authorities will be reimbursed through general revenue for any associated costs. The act adds the inability to pay for supporting documentation necessary to obtain the identification to the list of reasons why an individual is unable to obtain photo identification. Someone who casts a provisional ballot because of inability to establish identity can return to the election authority within three days after the election with the identification and the ballot will be counted. The state and all fee offices will provide a form of photo identification to those who do not

have one and would like one in order to vote. Anyone who is denied the right to vote a regular ballot because of a lack of photo identification will be allowed to cast a provisional ballot.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/16/14 Pre-filed (H)

HB 454 - English

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

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

Status:

1/8/14 Introduced and First Read (H)

SB 169 - Schaaf

Modifies the law relating to voting procedures

Currently, in order to vote absentee, voters must provide an excuse for not being able to vote in-person on the designated election day. This act allows any person to vote absentee in person without such an excuse beginning the second Tuesday prior to an election and ending at 5 p.m. on the Monday before the election. Such voting shall occur during regular business hours at the election authority, including for a period of eight consecutive hours on each Saturday during such period. The act requires the General Assembly to

appropriate funds to cover the additional staffing costs for such early voting.

This act establishes identification requirements for voting. Voters shall produce a nonexpired Missouri driver's license; a nonexpired or nonexpiring Missouri nondriver's license; any identification containing a photograph issued by the Missouri National Guard, the United States armed forces, or the United States Department of Veterans Affairs; or any document issued by the State of Missouri or the United States that contains the name of the individual seeking to vote, a photograph of the individual, and an expiration date later than the date of the most recent general election.

Individuals who appear without an approved form of photo identification may vote if they sign an affidavit and present a secondary form of identification. Secondary forms of identification are limited to ID's issued by an institution of higher education; a copy of a current utility bill, bank statement, government check, paycheck, or other government document that contains the name and address of the voter; or a driver's license or state identification card issued by another state.

The election authority shall provide advance notice of the identification requirements to be included in the election authority's elections notices.

The state shall provide one approved form of photo notification required to vote at no cost to any voter who does not already possess such photo identification, who qualifies for such photo identification, and who desires such photo identification in order to vote. Such a voter may apply for a non-driver's license at no cost after signing an affidavit to verify that he or she does not already have any form of photo identification approved for voting. The total cost of providing such photo identification shall be borne by the state of Missouri from funds appropriated to the department of revenue for that specific purpose.

Status:

1/7/15 First Read (S)

12/19/14 Pre-filed (S)

SB 170 - Kraus

Relating to voting procedures

Currently, in order to vote absentee, voters must provide an excuse for not being able to vote in-person on the designated election day. This act allows any person to vote absentee without such an excuse beginning on the fourth Thursday prior to the election.

The act establishes identification requirements for voting. Voters shall produce a nonexpired Missouri driver's license; a nonexpired or nonexpiring Missouri nondriver's license; any identification containing a photograph issued by the Missouri National Guard, the United States armed forces, or the United States Department of Veterans Affairs; or a document issued by the United States or the state of Missouri containing the name of the voter which substantially conforms to the most recent signature in the individual's voter registration records, a photograph, and an expiration date or if expired, the expiration is after the date of the most recent general election.

Those appearing without identification who are unable to obtain one because of a physical or mental disability, an inability to pay for a document necessary to obtain the required identification, a religious belief against forms of identification or the voter was born before January 1, 1941, shall be allowed to vote a provisional ballot, provided the election authority can verify the identity of the individual by comparing the individual's signature to the signature on file with the election authority.

All voters whose identity cannot be established are allowed to cast a provisional ballot which shall not be counted unless the voter returns and provides proper identification.

All costs incurred by the election authority associated with implementing the new identification requirements shall be reimbursed from the general revenue upon appropriation.

The election authority shall provide advance notice of the identification requirements to be included in the election authority's elections notices.

The state shall provide at least one form of identification required to vote at no cost to the voter.

The act requires that provisional ballots be available for all elections except for absentee voting.

This act is contingent on the passage of a constitutional amendment establishing voter photo identification for elections.

Status:

1/7/15 First Read (S)

12/22/14 Pre-filed (S)

HJR 1 - Dugger

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

Upon voter approval, this constitutional amendment specifies that a person seeking to vote in person in a public election may be required by general law to identify himself or herself and verify his or her qualifications as a United States citizen and a Missouri resident by providing election officials with a form of identification that may include requiring valid government-issued photo identification. Exceptions to the identification requirement may also be provided for by general law.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/1/14 Pre-filed (H)

SJR 5 - Kraus

Allows for photographic identification for voting

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

Status:

1/7/15 First Read (S)
12/22/14 Pre-filed (S)

MENTAL HEALTH**HB 49 - Kirkton**

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

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

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/1/14 Pre-filed (H)

HB 90 - Berry

Changes the membership of the Mental Health Commission

This act adds a licensed clinical psychologist or other licensed clinician who is a recognized expert in the evaluation or treatment of individuals with intellectual or developmental disabilities to the list of those who may serve as members of the mental health commission.

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/2/14 Pre-filed (H)

HB 108 - McCaherty

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

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

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/3/14 Pre-filed (H)

HB 200 - Morris

Establishes the "Tricia Leann Tharp Act" that requires pharmacists to receive two hours of continuing education on suicide prevention as a requirement for license renewal

This act requires all pharmacists 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 other courses. The requirement can be met through self-review of materials as long as they meet the guidelines established by the Board of Pharmacy.

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/11/14 Pre-filed (H)

HB 364 - Solon

Authorizes certain licensed social workers and counselors to provide behavioral health services in the MO HealthNet program

This act adds provisionally licensed social workers, licensed social workers, provisionally licensed professional counselors, and licensed professional counselors to the list of professionals who can provide behavioral health services under MO HealthNet.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

1/6/15 Pre-filed (H)

SB 85 - Emery

Authorizes certain social workers and licensed professional counselors to provide behavioral health services in the MO HealthNet program

This act provides that in the MO HealthNet program, all Provisional Licensed Clinical Social Workers (PLCSWs), Licensed Clinical Social Workers (LCSWs), Provisional Licensed Professional Counselors (PLPCs) and Licensed Professional Counselors (LPCs) may provide behavioral health services to all participants in any setting.

Status:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

OLMSTEAD**HB 343 - Lair**

Establishes a committee to assess the continuation of the Money Follows the Person Demonstration Program in order to help disabled or aging individuals transition from nursing facilities to community settings

This act instructs the Department of Social Services, the Department of Health and Senior Services, and the Department of Mental Health to cooperatively establish a committee to assess continuation of support for the Money Follows the Person Demonstration Program. The committee will study the sustainability of the Program beyond September 30, 2019. The act outlines which agencies and groups should be members of the committee. The act states that the Department of Social Services will report to the General Assembly and the Governor regarding recommendations by July 1, 2016.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

1/5/15 Pre-filed (H)

SAFETY/PREVENTION**HB 27 - Kratky**

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

This act prohibits all drivers of non-commercial vehicles from reading, sending, or writing a text message while driving on state highways unless voice-recognition hands-free texting is being used.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/1/14 Pre-filed (H)

HB 290 - Kelley

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

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

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/23/14 Pre-filed (H)

HB 295 - Kelley

Raises the maximum speed limit on rural interstates and freeways of the state from 70 to 75 miles per hour

This act raises the maximum speed limit on all rural interstates and freeways in MO to seventy-five miles per hour.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/23/14 Pre-filed (H)

HB 310 - Roden

Specifies that only motorcycle riders under the age of 18 or operating with a motorcycle training permit shall wear a helmet

This act states that only motorcycle and motortricycle drivers and passengers who are under eighteen years of age or drivers who are age eighteen or older and have been issued an instruction permit must wear a helmet.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/24/14 Pre-filed (H)

HB 398 - Peters

Prohibits texting while operating a moving motor vehicle by drivers of all ages

This act prohibits texting while driving by drivers of all ages not only those who are age twenty-one or younger.

Status:

1/8/14 Introduced and First Read (H)

HB 450 - English

Prohibits anyone from sending, reading, or writing a text message while operating a motor vehicle

This act prohibits texting while driving by drivers of all ages not only those who are age twenty-one or younger.

Status:

1/8/14 Introduced and First Read (H)

HCR 9 - Gardner

Designates May 31 each year as "Missouri No Smoking/Tobacco Day" in order to increase awareness on the dangers of tobacco use

This concurrent resolution designates May 31 as "Missouri No Smoking/Tobacco Day" in order to increase awareness of the dangers of using tobacco. Citizens are encouraged to observe the day with activities and events aimed at preventing people from starting to use tobacco and educating

those who currently use tobacco how to quit as well as why it is important to quit.

Status:

1/8/15 Second Read (H)

1/7/15 Introduced and First Read (H)

SB 3 - Pearce

Expands ban on using cell phones while driving to all drivers and to include telephone calls

Currently, only drivers under the age of 21 and drivers of commercial motor vehicles are prohibited from using hand-held cell phones to send, read, or write text messages or electronic messages. 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 both 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:

1/7/15 First Read (S)

12/1/14 Pre-filed (S)

SB 135 - Holsman

Relating to the operation of motorcycles and motortricycles

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

Status:

1/7/15 First Read (S)

12/8/14 Pre-filed (S)

SERVICES

HB 86 - Walton Gray

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

This act establishes the Sickle Cell Standing Committee. The act outlines what groups should be represented in the membership of the committee. The committee will have members representing various parties interested in or impacted by sickle cell disease. The committee will conduct an assessment of the impact of sickle cell and its trends and populations and existing services and resources. The committee will make recommendations for educational services for schools and public policies and responses, and replacing the eliminated genetic testing and counseling program and submit a report to the governor and general assembly by December 31, 2016. The group will continue to meet after the report has been submitted to continue the study, look at the impact of the recommendations, and make an annual report to the governor and general assembly.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/2/14 Pre-filed (H)

HB 170 - Ellington

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

This act specifies that anyone applying for employment with the State of MO, public assistance, or state housing assistance cannot be required to disclose any prior nonviolent felony plea or conviction unless it was a sexual offense. It does not create liability for individuals who do not disclose or prohibit background checks from being conducted.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/5/14 Pre-filed (H)

HB 189 - Swan

Establishes licensure requirements for music therapists

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

This act states that after January 1, 2017 no individual can use the title music therapist or practice music therapy without a license. The act specifies the requirements individuals must meet to be licensed as a music therapist in MO. Until January 1, 2020, individuals who are board certified music therapists, registered music therapists, certified music therapists, or advanced certified music therapists and in good standing are exempt from the examination requirement. It establishes licensure renewal time periods and requirements and sanctions that can be taken against individuals for violations of this act.

Status:

1/8/15 Second Read (H)

1/7/15 First Read (H)

12/9/14 Pre-filed (H)

HB 288 - Dohrman

Changes the laws regarding speech-language pathologists

This act states that speech-language pathology assistants must be supervised by a speech-language pathologist who has been practicing for at least one year. It adds restricting or limiting an individual's ability to practice for an indefinite period of time to the disciplinary actions that may be taken against a speech-language pathologist. The act requires all speech-language pathology assistants to maintain business information for the supervising speech-language pathologist. The act

changes the reappointment criteria for the Advisory Commission for Speech-Language Pathologists and Audiologists. The act also repeals the section of law related to issuing of provisional licenses for speech-language pathology and audiology.

Status:

1/8/15 **Second Read** (H)

1/7/15 First Read (H)

12/22/14 Pre-filed (H)

HB 441 - 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 so that use of photo identification to continue to be eligible for food stamps can be mandated by the state of MO. One year after a waiver is approved; all electronic benefit cards will have a photo of either the recipient or the protective payee. All cards will expire and be subject to renewal every three years. Retail establishments will not accept the card if the photograph does not match the individual presenting the card.

Status:

1/8/15 **Introduced and First Read** (H)

SB 146 - Pearce

Modifies provisions of law relating to licensing and certification for speech-language pathologists and audiologists

This act modifies provisions of law relating to the licensing of speech-language pathologists and audiologists.

The act provides that a speech-language pathology assistant must work under the direction of a speech-language pathologist who has been practicing for at least one year and is licensed by the state, employed by a federal agency, or

licensed by the Missouri Department of Elementary and Secondary Education.

An applicant for registration with the Board as a speech-language pathology assistant must submit to the Board supervising speech-language pathologist information if employment is confirmed, and if not then such information must be provided after registration. An applicant must complete bachelor's level course work and clinical requirements in the field of speech-language pathology as established by the Board through rules and regulations.

The act repeals the requirement that a corporation engaged in the business of speech-language pathology or audiology who employs licensed persons must file a statement with the Board specifying that the corporation submits itself to the rules and regulations of the Board.

Current licensing requirements do not apply to a person who holds a valid certificate as a speech-language pathologist issued by the Missouri Department of Elementary and Secondary Education. This act states that licensing requirements shall not apply to such persons who hold a current certificate issued by the Department prior to January 1, 2016.

The act repeals provisions of law which require an applicant for licensure as a speech-language pathologist or audiologist to present written evidence of completion of a clinical fellowship.

This act states that following administrative hearing proceedings and a finding that grounds for disciplinary action have been met the Board may restrict or limit the person's ability to practice for an indefinite period of time.

The act also states that no person who has served as a member of the Advisory Commission for Speech-Language Pathologists and Audiologist for two consecutive terms may be reappointed until a lapse of at least two years has occurred following

the completion of the persons two consecutive terms.

Status:

1/7/15 First Read (S)

12/12/14 Pre-filed (S)

SB 151 - Sater

Sets a reimbursement rate for primary care physicians under Medicaid and requires MO HealthNet to contract with a third party for eligibility verification

This act requires that during the 2016 fiscal year, primary care physicians providing Medicaid services shall be reimbursed at the same rate as those providing Medicare services. This provision is subject to an appropriation for such purpose.

By January 1, 2016, the MO HealthNet Division is required to contract with a private vendor to verify that eligibility requirements are being met by Medicaid recipients. The Division will retain final determination of eligibility. The Division and the contractor are required to file a quarterly report with the Governor and the General Assembly regarding the work of the contractor.

Status:

1/7/15 First Read (S)

12/15/14 Pre-filed (S)

SB 154 - Wallingford

Requires those practicing music therapy to have a license issued by the Director of the Division of Professional Registration

This act provides that after January 1, 2017, no person shall use the title "music therapists" or practice music therapy without a license. The Director of the Division of Professional Registration shall issue the license to applicants who hold a degree in music therapy from an approved program, have completed clinical training, passed an examination offered by the Certification Board for Music Therapists, and submit an application. A license shall be renewed biennially upon the

payment of a renewal fee, proof of maintenance of the applicant's status as a board certified music therapist, and proof of completion of at least forty hours of continuing education.

Until January 1, 2020, the Director shall waive the examination requirement for an applicant who is a board certified music therapist or a registered music therapist and in good standing with the National Music Therapy Registry.

The act also establishes the Music Therapy Advisory Group which shall consist of five members appointed by the Director who shall serve without compensation. The Advisory Group may facilitate the development of materials that the Director may use to educate the public concerning music therapists licensure. The Advisory Group shall also provide an analysis of disciplinary actions at least once a year.

The Director may issue a sanction for certain conduct specified in the act, and may investigate allegations of such conduct. Sanctions imposed by the Director include suspension, revocation, denial, refusal to renew a license, probation, reprimand, or a fine not less than one hundred dollars and not more than one thousand dollars for each violation.

Status:

1/7/15 First Read (S)

12/16/14 Pre-filed (S)

OTHER

HB 83 - Curtman

Requires a utility to offer to residential customers on a fixed income the opportunity to pay their utility bill on a reasonable schedule that is adjusted for their periodic receipt of income

This act requires that all utilities offer residential customers who are on a fixed income the opportunity to pay their bills on a schedule that is reasonable and adjusted for the customers' periodic receipt of income. The companies may institute a late payment charge if payment is not made within thirty days of the scheduled due date. The act

defines fixed income as social security benefits, supplemental security income, disability payments, or other financial aid through government-sponsored assistance programs.

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/1/14 Pre-filed (H)

HB 307 - Gardner

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

This act establishes the Missouri Death with Dignity Act. It will allow patients with terminal illnesses to end their life in a humane and dignified manner by way of medication. The act defines what constitutes a terminal illness and states that age and disability alone do not qualify. A patient with a terminal illness must make a request for the medication using a form identical to or substantially similar to the form provided in the act. The form must be signed and dated and by the patient and two witnesses. The act outlines the qualifications for individuals to be witnesses. The act outlines the role and responsibilities of the attending physician when a request is received. A consulting physician will examine the patient and all relevant medical records before confirming in writing the attending physicians diagnosis and that the patient has made a voluntary, informed decision. A patient will be referred for counseling prior to any medication being prescribed if either physician believes the patient has a psychiatric disorder which is causing impaired judgment. Medication can be prescribed after the disorder no longer impairs judgment. Two oral and one written request must be made to the attending physician before medication is prescribed. The last oral request must be made fifteen days after the first oral request. The act states what is appropriate documentation for the patient's medical record and what documents can be used to prove the individual is a Missouri resident. The act also outlines the responsibilities of the Department of Health and Senior Services.

Status:

1/8/15 Second Read (H)
1/7/15 First Read (H)
12/23/14 Pre-filed (H)

HB 400 - Peters

Designates the month of November each year as "Epilepsy Awareness Month"

This act designates the month of November as "Epilepsy Awareness Month" and encourages Missourians to participate in activities and events to increase awareness.

Status:

1/8/15 Introduced and First Read (H)

SB 82 - Chappelle-Nadal

Requires long-term care facilities to be encouraged 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:

1/7/15 First Read (S)
12/1/14 Pre-filed (S)

SCR 2 - Nasheed

Designates the month of November as Pica Awareness Month in Missouri

This resolution designates the month of November as Pica Awareness Month in Missouri

Status:

1/8/15 Referred Rules, Joint Rules, Resolutions and Ethics Committee (S) Chair: Richard, Vice Chair: Dempsey
1/7/15 Introduced and First Read (S)

APPROPRIATIONS

No pending legislation