

Office of Administration

## GOVERNOR'S COUNCIL ON DISABILITY

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Welcome to Issue 2 of the *Legislative Update*. To make tracking the progress of bills easier any change in bill status will be highlighted in red.

As always, we welcome your comments and suggestions. We again have an index to help you find what category each bill is under. Please feel free to contact us with suggestions, questions or comments.

Just as last year, the bill will be summarized the first time it is listed. If significant changes to a bill occur, they will be summarized when the change occurs. The bill number, title, sponsor, and current status will be reported each week along with the *Legislative Update* issue number in which the most recent summary can be found.

Each issue of the *Legislative Update* is available on the Governor's Council on Disability's website at <http://www.disabilityinfo.mo.gov/gcd/>. Access to individual bill information is available on the Missouri General Assembly's website at <http://www.moga.mo.gov/>.

A glossary of terms can be found at <http://www.house.mo.gov/>. If you need a different format please contact our office.

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

If you would like to learn more about the legislative process consider attending the Legislative Education Project training. For more information call 1-800-877-8249.

**Customized Legislative Process training:** The Governor's Council will offer customized one day trainings on the legislative process.

**Bills are organized in the following Categories:**

- Assistive Technology

- Crime
- Education
- Employment
- Funding/Appropriations
- Health Care and Personal Assistance
- Legal Rights and Responsibilities
- Mental Health
- Olmstead
- Prevention
- Services for People with Disabilities

Note: When "incapacitated," "handicapped," etc. appear in a bill description, it reflects the terminology of the legislation, not the GCD.

### 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
SCA.....	Senate Committee Amendment
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

### Need an Alternate Format?

The Update is available in alternate formats: standard print, large print, text file, or cassette. It can be received by one of four methods: mail, fax, e-mail or off our website. Text files can be downloaded from our website:

<http://disabilityinfo.mo.gov/gcd/>

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**CRIME**

[HB 1293 – Hoskins \(R\)](#)

*Adds professional therapy dog to the definition of “service dog” as it relates to crimes against these dogs or crimes of impersonating a disabled person*

**Status:** 1/7/10 Second Read (H) [Issue 1](#)

**EDUCATION**

[SB 654 – Crowell \(R\)](#)

*Creates the MO Special Needs Scholarship Tax Credit Program*

**Status:** 1/6/10 First Read (S)

**1/13/10 Referred: Governmental  
Accountability & Fiscal Oversight (S)**

[Issue 1](#)

[HB 1296 – Lampe \(D\)](#)

*Changes laws regarding the identification, assessment and education of children with autism spectrum disorders*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1450 – Allen \(R\)](#)

*Changes the laws regarding the First Steps Program & the study by the greater St. Louis area point of entry*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1463 – Hodges \(D\)](#)

*Requires public school districts to screen students for Sensory Processing Disorder*

Requires, beginning in the 2011-2012 school year, every public school district to screen its students for Sensory Processing Disorder (SPD) before the end of first grade and again before the end of third grade. The screening method must be approved by the newly established Children's Commission on Sensory Processing Disorder within the Department of Health and Senior Services and must be performed by an appropriately trained school employee. The screening results, with all individual identifying information removed, must be sent to the department to compile the data for review and analysis by the commission or other interested parties. If a student fails the screening, the school district must notify the student's parents or guardians of the results and propose that the student undergo a complete physical exam. The notice

must have a place for the parent's acknowledgment of receipt and an indication of whether the student received a complete physical exam and its results. Any physical exam within the year preceding the school screening will be sufficient for fulfilling the requirements of the bill. If a parent or guardian objects to the screening, the child will be excused upon receipt of a written request to the appropriate school administrator. The screening and its information is not a violation of the federal Health Insurance Portability and Accountability Act (HIPAA), and the department must make a reasonable accommodation for public review and inspection of the data if no information is revealed that could identify any individual student. The commission will consist of five members appointed by the Governor including two physicians, a school nurse, and one representative each from the Department of Elementary and Secondary Education and the Missouri School Boards Association. It must analyze and adopt at least one screening test; develop, in conjunction with the department, a standardized reporting form; design and coordinate appropriate training programs for school district staff who conduct the screening; and conduct a pilot project to track the results of the screenings versus the exams.

**Status:** 1/7/10 Second Read (H) Issue 2

**FUNDING/TAX RELIEF**

[HB 1213 – Dusenberg \(R\)](#)

*Authorizes a state income tax exemption for certain disabled veterans*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1386 – Nolte \(R\)](#)

*Limits increase in assessed valuation of residential property by the percentage of increase in Social Security benefits for the elderly and disabled who own and live in their principal residence*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[SB 608 – Stouffer \(R\)](#)

*Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program*

**Status:** 1/6/10 First Read (S)

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**1/13/10 Referred: Governmental  
Accountability & Fiscal Oversight (S)**

[Issue 1](#)

[SB 654 – Crowell \(R\)](#)

*Creates the MO Special Needs Scholarship Tax  
Credit Program*  
(See Education)

**HEALTH CARE & PERSONAL ASSISTANCE**

[HB 1304 – Hodges \(D\)](#)

*Relating to health insurance coverage for Down  
syndrome*

**Status:** 1/6/10 First Read (H)

[Issue 1](#)

[HB 1311 – Scharnhorst \(R\)](#)

*Requires health carriers to provide coverage for the  
diagnosis and treatment of autism spectrum  
disorders*

**Status:** 1/7/10 Referred: Special Comm. on Health  
Insurance (H)

[Issue 1](#)

[HB 1333 – Lipke \(R\)](#)

*Allows persons who have exhausted their total  
lifetime benefits to be eligible for coverage under  
the MO Health Insurance Pool*

**Status:** 1/6/10 First Read (H)

[Issue 1](#)

[HB 1341 – Grill \(D\)](#)

*Relating to health insurance coverage of autism  
spectrum disorders*

**Status:** 1/7/10 Referred: Special Comm. on Health  
Insurance (H)

[Issue 1](#)

[HB 1357 – Chappelle-Nadal \(D\)](#)

*Increases resource limits for medical assistance*

**Status:** 1/6/10 First Read (H)

[Issue 1](#)

[HB 1374 – Ervin \(R\)](#)

*Changes the laws regarding health insurance to  
comply with the federal Health Insurance  
Portability & Accountability Act*

**Status:** 1/6/10 First Read (H)

**1/13/10 Withdrawn**

[Issue 1](#)

[HB 1464 – Hodges \(D\)](#)

*Relating to oxygen use in residential settings*  
Requires health care facilities to notify the local

fire department of the date and address when they  
provide oxygen tanks or apparatuses to a patient or  
customer in a residential setting. Notification must  
also be given by the facility when these supplies are  
removed.

**Status:** 1/7/10 Second Read (H)

Issue 2

[HB 1480 – Hughes \(D\)](#)

*Establishes the MO Universal Health Insurance Act  
and the Universal Health Insurance Program*

Upon voter approval, this bill establishes the  
Missouri Universal Health Insurance Act and the  
Universal Health Insurance Program within the  
Department of Health and Senior Services to  
provide comprehensive and necessary health care  
services for Missouri residents. No deductibles, co-  
payments, co-insurance, or other cost-sharing  
measures will be imposed. Only public or nonprofit  
institutions meeting state quality and licensing  
guidelines can be a participating provider in the  
program. Private health insurers cannot sell  
insurance coverage that duplicates benefits provided  
by the program. The program will establish and  
maintain regional offices; and the department  
director will provide funding, subject to  
appropriations, for each region's expenditures. The  
program and regional offices will pay the expenses  
of institutional providers of health care, and each  
provider is required to negotiate an annual budget  
with the program which will cover anticipated  
expenses. The program will reimburse independent  
providers of health care on a fee-for-service basis.  
Other insurers and employers may offer benefits  
that do not duplicate those offered by the program.  
The program will be funded: 1. By vastly reduced  
paperwork; 2. By requiring a rational bulk  
procurement of medications; 3. From existing  
sources of state revenue for health care; 4. By  
increasing personal income taxes on the top 5%  
income earners; 5. By instituting a modest payroll  
tax; and 6. By instituting a small tax on stock and  
bond transactions. The State Board of Universal  
Quality and Access is established consisting of 15  
members appointed by the Governor, with the  
advice and consent of the Senate. The board will  
meet at least twice a year to advise the department  
director on a regular basis to ensure quality, access,  
and affordability and to report its recommendations

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twice a year to the department director, Governor, and General Assembly.  
**Status:** 1/7/10 Second Read (H) Issue 2

**[SB 606 – Stouffer \(R\)](#)**

*Adds comprehensive day rehabilitation services as a covered service under the MO HealthNet Program*

**Status:** 1/6/10 First Read (S)  
1/13/10 Referred: Health, Mental  
Mental Health & Families (S) [Issue 1](#)

**[SB 618 – Rupp \(R\)](#)**

*Requires health carriers to provide coverage for the diagnosis and treatment of autism spectrum disorders under certain conditions*

**Status:** 1/6/10 First Read (S)  
1/13/10 Referred: Small Business,  
Insurance & Industry (S)  
1/19/10 Public Hearing Scheduled [Issue 1](#)

**[SB 722 – Bray \(D\)](#)**

*Establishes the MO Universal Health Assurance Program*

**Status:** 1/6/10 First Read (S) [Issue 1](#)

**[SB 742 – Shoemyer \(D\)](#)**

*Modifies membership of MO HealthNet Oversight Committee*

Modifies the membership of the MO HealthNet Oversight Committee by adding an optometrist, a nurse, a mental health professional, a licensed physical therapist, as well as representatives from a not-for-profit health network serving rural counties and providing both patient-based and provider member services, the state association representing the majority of the long-term care facilities licensed in this state, the durable medical equipment industry, a Medicaid managed care organization, a rural health clinic and a federally qualified health clinic. The bill also specifies that the committee shall have three patient advocates rather than two. Of the three advocates, one advocate shall represent children, one the disabled, and one the elderly community. In addition, rather than designating two primary care physicians and two physicians, the act now references four licensed physicians, two each

from rural and urban areas, and board certified in their specialty.  
**Status:** 1/12/10 First Read (S) Issue 2

**LEGAL RIGHTS & RESPONSIBILITIES**

**[HB 1382 – Ervin \(R\)](#)**

*Establishes the MO Patient Privacy Act*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

**[HB 1490 – McGhee \(R\)](#)**

*Establishes additional standards for ballots and voting machines*

Prohibits the Secretary of State from approving an electronic voting system unless it produces the election results from paper ballots that voters have marked by hand or by paper marking devices designed to assist disabled voters. If any election authority uses any direct-record electronic touch-screen vote-counting machine to accommodate disabled voters, it may continue to use the machine until it is removed from its inventory because of mechanical malfunction, wear and tear, or any other reason when it must be replaced with a machine having paper ballot marking devices for the disabled. The bill specifies that the official ballot must be a paper ballot that is hand-marked by the voter or by a paper ballot-marking device designed to be used by disabled voters.

**Status:** 1/7/10 Second Read (H) Issue 2

**[HJR 51 – Cunningham \(R\)](#)**

*Relating to voting a secret ballot*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

**[SB 666 – Shoemyer \(D\)](#)**

*Relating to accessibility in the state capitol building*

**Status:** 1/6/10 First Read (S)  
1/13/10 Referred: Financial &  
Governmental Organizations &  
Elections (S) [Issue 1](#)

**[SB 694 – Wright-Jones \(D\)](#)**

*Modifies laws relating to voter registration*

**Status:** 1/6/10 First Read (S) [Issue 1](#)

**MENTAL HEALTH**

**[HB 1298 –Lampe \(D\)](#)**

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*Relating to the transfer of a mental health patient from one facility to another*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[SB 774 – Lembke \(R\)](#)

*Creates additional measures intended to increase safety at the Department of Mental Health*  
Creates the crime of endangering a Department of Mental Health employee, visitor or other person at a secured facility, or another person ordered to the department. A person ordered to the department as a sexually violent predator commits such act if he or she attempts to cause or knowingly causes any such individual to come into contact with blood, seminal fluid, urine, feces, or saliva. This crime is equivalent to the crime of endangerment by a criminal offender against a Department of Corrections employee, visitor, and other offender. Such offense is a Class D felony unless the substance is unidentified, in which case it is a Class A misdemeanor. If the person is knowingly infected with HIV, Hepatitis B or C and exposes another person to such disease, by committing this crime, it is a Class C felony. This act adds additional criminal offenses, which if a person has committed, disqualifies him or her from being employed in a direct-care position with the Department of Mental Health.

**Status:** 1/13/10 First Read (S) [Issue 2](#)

**OLMSTEAD**

[HB 1358 – Chappelle-Nadal \(D\)](#)

*Requires DHSS to strongly encourage long-term care facilities to institute policies encouraging family involvement in the well-being and support of its residents*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

**PREVENTION**

[HB 1217 – Dusenberg \(R\)](#)

*Relating to the motorcycle helmet law*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[SB 720 – Bray \(D\)](#)

*Relating to MODOT plans, programs & projects*

**Status:** 1/6/10 First Read (S) [Issue 1](#)

**SERVICES**

[HB 1270 – Meiners \(D\)](#)

*Changes the name of the Crippled Children's Service to the Children's Special Health Care Needs Service*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1302 – Lampe \(D\)](#)

*Expands the Amber Alert System to include missing endangered adults*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1334 – Lipke \(R\)](#)

*Establishes the Evan de Mello Reimbursement Program to provide financial assistance for the cost of transportation and ancillary services associated with the medical treatment of an eligible child*

**Status:** 1/6/10 First Read (H) [Issue 1](#)

[HB 1447 – Carter \(D\)](#)

*Requires the development of caseload standards by the Departments of Health & Senior Services and Mental Health*

**Status:** 1/6/10 First Read (H) [Issue 1](#)