

LEGISLATIVE UPDATE

Issue 2, January 13, 2012

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Welcome to the second issue of the 2012 Legislative Update with the 96th 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://www.mo.gov/disability/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://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://www.mo.gov/disability/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
SCA.....	Senate Committee Substitute
SA.....	Senate Amendment
SS.....	Senate Substitute
SR.....	Senate Resolution
SJR.....	Senate Joint Resolution
CCR.....	Conference Committee Substitute
CCS.....	Conference Committee Substitute
BC.....	Budget Control Committee

ASSISTIVE TECHNOLOGY

No pending legislation

CRIME

SB 537 - Chappelle-Nadal **Issue 1**

Increases the penalty for the crime of harassment

Status:

1/5/12 Second Read and Referred to Judiciary and Civil and Criminal Jurisprudence committee (S)

Chair: Goodman, Vice Chair: Schmitt

1/4/12 Introduced and First Read (S)

12/9/11 Pre-filed (S)

EDUCATION

***HB 1229 - Curtman**

Gives students at certain institutions of higher education the right to record public lectures that are presented in a classroom environment for personal use

This act gives students at Missouri institutions of higher education which are funded in part by state revenue the right to record public lectures presented in a classroom environment for personal use. This act does not waive or infringe upon any institutional policies related to copyright, trademark, or intellectual property interests. It also does not permit the recordings to be disseminated.

Status:

1/11/12 Second Read (H)

1/10/12 Introduced and First Read (H)

***SB 595 - Kraus** **Issue 1**

Modifies eligibility requirements for members serving on a special education due process panel

Status:

1/12/12 Second Read and Referred to Education committee (S) Chair: Pearce, Vice Chair: Nieves

1/4/12 Introduced and First Read (S)

1/3/12 Pre-filed (S)

EMPLOYMENT

***HB 1219 - Elmer**

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

This act defines the definition of employer. It discusses how the courts should analyze the merits of summary judgments. It places the burden on the employer when the plaintiff submits direct evidence of discrimination. When the plaintiff does not submit direct evidence of discrimination the burden rests with the plaintiff to establish an allegation of discrimination. The act states that either party may demand a jury trial. It states what should be considered and included in damage awards. The act also includes sections called the Whistleblower's Protection Act.

Status:

1/17/12 Hearing Scheduled (H)

1/11/12 Second Read and Referred to Workforce Development and Workplace Safety committee (H)

Chair: Fisher, Vice Chair: Brown

1/10/12 Introduced and First Read (H)

***HB 1265 - Kander**

Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses

This act creates the Veteran Workforce Act. It establishes regulations that each state government agency, department, and executive branch position shall use to ensure Missouri has a uniform hiring preference to appoint and employ veterans, disabled veterans, and surviving spouses. For merit positions, all veterans and surviving spouses who are on a register of eligibles and made a passing grade will have five points added to their final grade and will have their rank determined off the augmented grade. Disabled veterans who meet the criteria will have ten points added to their grade, and their register rank based on the augmented grade. For non-merit system agencies, the above mentioned groups are assessed positively when considering an otherwise qualified candidate and that additional consideration will be given to qualified candidates who are disabled veterans. If a

veteran with a disability is not employed by the state and is unable to enter state service because of his or her disability, the spouse of a veteran with a disability will be given the same hiring preference.

Status:

1/12/12 **Second Read** (H)

1/11/12 Introduced and First Read (H)

SB 572 - Dempsey*Issue 1**

Modifies the law relating to workers' compensation

Status:

1/11/12 **Executive Session Scheduled** (S)

1/10/12 Hearing Completed (S)

1/10/12 Hearing Scheduled (S)

1/5/12 Second Read and Referred to Small Business, Insurance and Industry committee (S)

Chair: Rupp, Vice Chair: Parson

1/4/12 Introduced and First Read (S)

12/19/11 Pre-filed (S)

SCS SB 592 - Lager*Issue 1**

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

Status:

1/17/12 **Formal Calendar S Bills for Perfection** (S)

1/12/12 Reported from Committee to Floor (S)

1/12/12 SCS Voted Do Pass by committee (S)

1/11/12 Executive Session Scheduled (S)

1/10/12 Hearing Completed (S)

1/10/12 Hearing Scheduled (S)

1/9/12 Second Read and Referred to Commerce, Consumer Protection, Energy and the Environment committee (S) Chair: Lager, Vice Chair: Lamping

1/4/12 Introduced and First Read (S)

1/3/12 Pre-filed (S)

FUNDING/TAX RELIEF***HB 1172 - Franz****Issue 1**

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

Status:

1/9/12 **Second Read** (H)

1/5/12 Introduced and First Read (H)

***HB 1216 - McNeil**

Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders

This act increases the maximum annual grant amount that the University of Missouri Board of Curators can award for an Alzheimer's disease research project to fifty thousand dollars per year.

Status:

1/10/12 **Second Read** (H)

1/9/12 Introduced and First Read (H)

***HB 1278 - Long**

Sunsets certain tax credits and creates a developmental disability care provider tax credit

This act creates the Developmental Disability Care Provider Tax Credit Program. This act allows a tax payer to claim a tax credit of fifty percent of the eligible donation made by the tax payer to a developmental disability care provider. All providers will submit an application to the Department of Social Services on behalf of tax payers for the tax credit. The Department of Social Services will ensure all requirements are met. The Program will sunset on December 31, 2016.

Status:

1/12/12 **Second Read** (H)

1/11/12 Introduced and First Read (H)

Status:

1/10/12 **Second Read** (H)

1/9/12 Introduced and First Read (H)

HB 1313 - Nolte

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

This act limits the percentage that the assessed valuation of a principal residence can increase if it is owned by a person with a disability. The increase cannot be greater than the increase in an

individual's Social Security benefits in the previous year. This does not include increases due to residential improvements unless the purpose of the improvements was increased accessibility for people with physical disabilities. Those with disabilities will be required to provide proof of disability to the county assessor. This act applies to assessments conducted after December 31, 2012.

Status:

1/12/12 Introduced and First Read (H)

SB 481 - Stouffer Issue 1

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

Status:

1/5/12 Second Read and Referred to Ways and Means and Fiscal Oversight committee (S) Chair: Purgason, Vice Chair: Kraus
1/4/12 Introduced and First Read (S)
12/1/11 Pre-filed (S)

***SB 482 - Stouffer Issue 1**

Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators

Status:

1/11/12 Hearing Completed (S)
1/11/12 Hearing Scheduled (S)
1/5/12 Second Read and Referred to Education committee (S) Chair: Pearce, Vice Chair: Nieves
1/4/12 Introduced and First Read (S)
12/1/11 Pre-filed (S)

***SB 531 - Lamping Issue 1**

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

Status:

1/19/12 Hearing Scheduled (S)
1/5/12 Second Read and Referred to Ways and Means and Fiscal Oversight committee (S) Chair: Purgason, Vice Chair: Kraus
1/4/12 Introduced and First Read (S)
12/8/11 Pre-filed (S)

HEALTH CARE/PERSONAL ASSISTANCE***HB 1058 - Brattin Issue 1**

Establishes Chloe's Law which, subject to appropriations, requires the newborn screening requirements to include pulse oximetry screenings

Status:

1/12/12 Referred to Health Care Policy committee (H) Chair: Sater, Vice Chair: Frederick
1/5/12 Second Read (H)
1/4/12 Introduced and First Read (H)
12/9/11 Pre-filed (H)

HB 1078 - Sater Issue 1

Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet

Status:

1/5/12 Second Read (H)
1/4/12 Introduced and First Read (H)
12/14/11 Pre-filed (H)

HB 1087 - White Issue 1

Establishes the Adult Health Care Consent Act which provides for a priority of person who can make health care decisions for persons unable to consent

Status:

1/5/12 Second Read (H)
1/4/12 Introduced and First Read (H)
12/19/11 Pre-filed (H)

HB 1134 - Scharnhorst Issue 1

Limits the copayments, coinsurance, and office visit deductible charged by a health carrier for services of a physical therapist to the same amount as charged by the health carrier for a primary care physician

Status:

1/5/12 Second Read (H)
1/4/12 Introduced and First Read (H)

HB 1188 - Allen

Allows school nurses to use asthma related rescue medications on students experiencing asthma attacks

This act allows school boards to authorize a school nurse, who is a school employee and for whom the school board is responsible, to maintain a supply of asthma related rescue medications at the school. It also permits the school nurse or other school employee who is trained and supervised by the school nurse to administer the asthma rescue medications on anyone believed to be having a life-threatening asthma episode. The act also states how prescriptions for the medication should be written.

Status:

1/9/12 Second Read (H)

1/5/12 Introduced and First Read (H)

SB 511 - Schaaf**Issue 1**

Provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet

Status:

1/5/12 Second Read and Referred to Health, Mental Health, Seniors and Families committee (S)

Chair: Ridgeway, Vice Chair: Schaaf

1/4/12 Introduced and First Read (S)

12/2/11 Pre-filed (S)

SB 536 - Chappelle-Nadal**Issue 1**

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

Status:

1/5/12 Second Read and Referred to Health, Mental Health, Seniors and Families committee (S)

Chair: Ridgeway, Vice Chair: Schaaf

1/4/12 Introduced and First Read (S)

12/9/11 Pre-filed (S)

SB 617 - Schaaf

Requires the Department of Social Services to promulgate rules specifying the eligibility process for the MO HealthNet Spenddown Program

No later than sixty days after the effective date of this act, the Department of Social Services shall

promulgate rules to specify the process to qualify for MO HealthNet services through the MO HealthNet spenddown program. The rules shall clearly define all eligibility standards, methodologies, calculations and procedures used to define such eligibility.

This act has an emergency clause.

Status:

1/9/12 Introduced and First Read (S)

SB 644 - Schaefer

Relating to insurance reimbursement for physical therapist services

Under this act, reimbursement amounts and copays paid by health carriers for any particular health care service or procedure rendered by a physical therapist shall be in the same amount as reimbursements paid by health carriers to any other licensed physical therapist performing the same or similar procedures. Such uniform reimbursement requirement shall apply regardless of the setting or venue in which the health care services or procedures are rendered.

Status:

1/11/12 Introduced and First Read (S)

LEGAL RIGHTS/RESPONSIBILITIES**HB 1104 - Schoeller****Issue 1**

Establishes photo identification requirements for voting

Status:

1/5/12 Second Read and Referred to Elections committee (H) Chair: Dugger, Vice Chair: Entlicher

1/4/12 Introduced and First Read (H)

12/20/11 Pre-filed (H)

SB 442 - Stouffer*Issue 1**

Establishes photo identification requirements for voting

Status:

1/17/12 Hearing Scheduled (S)

1/5/12 Second Read and Referred Financial and Governmental Organizations and Elections committee (S) Chair: Engler, Vice Chair: Wasson

1/4/12 Introduced and First Read (S)
12/1/11 Pre-filed (S)

***SB 474 - Kraus** **Issue 1**
Requires the Department of Social Services to take steps to mandate the use of photo identification for the food stamp program

Status:
1/11/12 Hearing Completed (S)
1/11/12 Hearing Scheduled (S)
1/5/12 Second Read and Referred to Governmental Accountability committee (S) Chair: Lembke, Vice Chair: Lager
1/4/12 Introduced and First Read (S)
12/1/11 Pre-filed (S)

SB 542 - Chappelle-Nadal **Issue 1**
Establishes a paper ballot as the official ballot

Status:
1/5/12 Second Read and Referred Financial and Governmental Organizations and Elections committee (S) Chair: Engler, Vice Chair: Wasson
1/4/12 Introduced and First Read (S)
12/9/11 Pre-filed (S)

MENTAL HEALTH

***HB 1082 - Wells** **Issue 1**
Changes to the definition of and education requirements for professional counseling (See Services category for bill summary)

HB 1110 - Barnes **Issue 1**
Authorizes the establishment of veterans treatment courts to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel

Status:
1/5/12 Second Read (H)
1/4/12 Introduced and First Read (H)
12/21/11 Pre-filed (H)

SB 518 - Engler **Issue 1**
Creates a mental health assessment pilot program for criminal offenders

Status:

1/5/12 Second Read and Referred to Judiciary and Civil and Criminal Jurisprudence committee (S)
Chair: Goodman, Vice Chair: Schmitt
1/4/12 Introduced and First Read (S)
12/6/11 Pre-filed (S)

OLMSTEAD

***HB 1077 - Wyatt** **Issue 1**
Requires the Department of Mental Health to develop a transition plan for services of a resident of a state developmental disabilities facility to the most appropriate living setting

Status:
1/12/12 Referred to Special Standing Committee on Renewable Energy (H) Chair: Holsman, Vice Chair: Schad
1/5/12 Second Read (H)
1/4/11 Introduced and First Read (H)
12/14/11 Pre-filed (H)

***SB 449 - Rupp** **Issue 1**
Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting

Status:
1/19/12 Hearing Scheduled (S)
1/5/12 Second Read and Referred to Health, Mental Health, Seniors and Families committee (S) Chair: Ridgeway, Vice Chair: Schaaf
1/4/12 Introduced and First Read (S)
12/1/11 Pre-filed (S)

SAFETY/PREVENTION

***HB 1262 - Brown**
Requires the State Board of Education to establish a coordinated health program board to develop a program on the prevention of student obesity, cardiovascular disease, and type II diabetes

This act establishes a coordinated health program board which will develop and make available to each school district a coordinated health program designed to prevent obesity, cardiovascular

disease, and type II diabetes in school-age students. The program will include: health education, physical education and physical activity, nutrition services, and parental involvement. Each school district may participate in the program and related training. The State Board of Education will notify school districts about the program.

Status:

1/12/12 **Second Read** (H)

1/11/12 Introduced and First Read (H)

SERVICES

HB 1082 - Wells

Issue 1

Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and allows the committee for professional counselors to require certain educational coursework

Status:

1/5/12 **Second Read** (H)

1/4/11 Introduced and First Read (H)

12/15/11 Pre-filed (H)

OTHER

No pending legislation

APPROPRIATIONS

No pending legislation