

# LEGISLATIVE UPDATE

Issue 1, January 10, 2014

Office of Administration  
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Welcome to the first issue of the 2014 Legislative Update with the 97th General Assembly. The *Legislative Update* will present a new bill by providing a summary description. When significant changes occur on the bill it will be summarized again. Any changes in bill status will be highlighted in red and an asterisk will be placed before the bill number.

- The *Legislative Update* issue number and current bill summary will be inserted each week along with the bill number, title, sponsor, and current status (includes the committee assigned, chair and vice chair of the committee). Online copies of the legislative updates will have a red hyperlink to take you to the description of the bill and sponsors. Appropriation bill links will have a purple hyperlink.
- The *Legislative Update* will also include an index to assist you in locating the bill's category.
- Each issue of the *Legislative Update* is available on the Governor's Council on Disability's website at <http://disability.mo.gov/gcd/>
- Access to individual bill information is available on the Missouri General Assembly's website at <http://moga.mo.gov/>
- A glossary of terms can be found at <http://house.mo.gov/>
- Please contact our office (Laura.Mueth@oa.mo.gov) if you need a different format.
- To learn more about the legislative process consider attending the *Legislative Education Project* training by registering online.
- Governor's Council on Disability (GCD) welcomes your comments and suggestions. Your comments can be submitted online to the GCD website at <http://disability.mo.gov/gcd/> or call us at (800) 877-8249.

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

Bills are organized in the following categories:

- Assistive Technology
- Crime
- Education
- Employment
- Funding/Tax Relief
- Health Care and Personal Assistance
- Legal Rights and Responsibilities
- Mental Health
- Olmstead
- Safety/Prevention
- Services for people with Disabilities
- Other
- Appropriations

Note: When "incapacitated," "handicapped," appear in a bill description, it reflects the terminology of the legislation, not the Governor's Council on Disability.

## Abbreviations

HB.....	House of Representatives Bill
HA.....	House Amendment
HS.....	House Substitute
HR.....	House Resolution
HJR.....	House Joint Resolution
HCS.....	House Committee Substitute
SB.....	Senate Bill
SCS.....	Senate Committee Substitute
SA.....	Senate Amendment
SS.....	Senate Substitute
SR.....	Senate Resolution
SJR.....	Senate Joint Resolution
CCR.....	Conference Committee Report
CCS.....	Conference Committee Substitute
BC.....	Budget Control Committee

**ASSISTIVE TECHNOLOGY**

No pending legislation

**CRIME****HB 1134 - Walker**

Specifies that in all criminal cases a \$5 surcharge must be assessed as costs with specified exceptions to be credited to the Brain Injury Fund

This act adds county or municipal traffic violations to the type of violations where the surcharge credited to the Brain Injury Fund will be assessed. This act increases the surcharge assessed by a court from \$2.00 to \$5.00 and specifies that the surcharge may not be waived.

**Status:**

1/9/14 Second Read and Referred Judiciary committee (H) Chair: Cox, Vice Chair: Elmer  
1/8/14 Introduced and First Read (H)  
12/6/13 Pre-filed (H)

**EDUCATION****HB 1066 - Grisamore**

Establishes educational savings accounts as an option for the education of a child with a specified disability

This act allows MO empowerment accounts to be established in which parents can enroll their children with disabilities or who are eligible for special education services who attended a MO public school for a minimum of one hundred days during the prior fiscal year and transferred from the public school to a MO school for children with disabilities in order to provide educational options for the child. In order to enroll in an account the parents must sign an agreement stating they will provide an education for the student in reading, grammar, mathematics, social studies, and science, not enroll the children in a public or charter school and release the school district from educational obligations in respect to the children, and use the money in the account for specified educational expenses. Upon receiving a signed parental agreement, the State will deposit an amount equivalent to ninety percent of the state aid that

would be computed for the students into the accounts. The agreements must be renewed annually. The act also establishes procedures for cases of misuse of money and other administrative matters.

**Status:**

1/9/14 Second Read and Referred Children, Families, and Persons with Disabilities committee (H) Chair: Grisamore, Vice Chair: Bahr  
1/8/14 Introduced and First Read (H)  
12/2/13 Pre-filed (H)

**HB 1084 - McCaherty**

Allows for special education transportation hardship transfers

This act allows the Commissioner of Education to assign a student to a school district closer to the residence of the student if it is believed a financial, educational, safety, or health condition affecting the student would be improved as a result of transferring to another district. It also allows for transfers due to special hardships or detrimental conditions.

**Status:**

1/9/14 Second Read and Referred Elementary and Secondary Education committee (H) Chair: Cookson, Vice Chair: Barnes  
1/8/14 Introduced and First Read (H)  
12/2/13 Pre-filed (H)

**HB 1227 and HB 1246 - Hinson**

Modifies provisions relating to student transfers, school accreditation, and charter schools

These are identical bills. These acts relate to student transfers as a result of unaccredited school districts. There are many sections to the bills. There are a few sections related to students with disabilities. One section states that transfer students with IEPs will be included in the pupil count of the district they reside in for the purposes of state aid. A second section states "The parent or guardian of a student with a disability residing in an unaccredited district may transfer his or her student to an accredited district in the same or an

adjoining county. The receiving accredited district shall follow the student's existing IEP until the student's IEP team at the receiving accredited district, including the parent or guardian, can complete the process for review and revision. Receiving accredited districts that are component districts of a special school district shall have joint responsibility with the special school district to provide special education services. Receiving districts that are not component districts of a special school district shall be responsible for providing special education services for transfer students from unaccredited districts. Special education services for transfer students from an unaccredited district not located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants shall be the responsibility of the receiving accredited district. A student's unaccredited district of residence shall be responsible for the cost of educating a student with an IEP that exceeds the tuition amount." Another section states that the unaccredited school district must pay the transportation costs for any transfer students who have an IEP. A fourth section involves any tuition disputes involving students with IEPs being decided by the state board of education.

**Status:**

1/9/14 Second Read (H)

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

**SB 485 - Rupp**

Modifies provisions relating to student transfers, school accreditation, and charter schools

This act relates to student transfers as a result of unaccredited school districts. There are many sections to the bill. There is a section related to students with disabilities. It reads: "The parent or guardian of a student with a disability residing in an unaccredited district may transfer the student to an accredited district in the same or an adjoining county. The receiving district must follow the student's IEP until the student's IEP team at the receiving district can review and revise it. An unaccredited district will be responsible for providing transportation for a student with an IEP,

even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount."

**Status:**

1/9/14 Second Read and Referred Education

committee (H) Chair: Pearce, Vice Chair: Romine

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

12/1/13 Pre-filed (S)

**SB 495 - Schmitt**

Modifies provisions relating to student transfers, school accreditation, and charter schools

This act relates to student transfers as a result of unaccredited school districts. There are many sections to the bill. There is a section related to students with disabilities. It reads: "The parent or guardian of a student with a disability residing in an unaccredited district may transfer the student to an accredited district in the same or an adjoining county. The receiving district must follow the student's IEP until the student's IEP team at the receiving district can review and revise it. An unaccredited district will be responsible for providing transportation for a student with an IEP, even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount."

**Status:**

1/9/14 Second Read and Referred Education

committee (S) Chair: Pearce, Vice Chair: Romine

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

12/1/13 Pre-filed (S)

**SB 516 - Chappelle-Nadal**

Modifies provisions relating to elementary and secondary education

This bill has many sections. One of the sections relates to student promotion and states "School districts 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, mathematics, and science.”

**Status:**

1/9/14 Second Read and Referred to Education committee (H) Chair: Pearce, Vice Chair: Romine  
1/8/14 Introduced and First Read (S)  
12/1/13 Pre-filed (S)

**SB 534 - Sifton**

Modifies provisions relating to student transfers, school accreditation, and charter schools

This act relates to student transfers as a result of unaccredited school districts. There are many sections to the bill. There is a section related to students with disabilities. It reads: “The parent or guardian of a student with a disability residing in an unaccredited district may transfer the student to an accredited district in the same or an adjoining county. The receiving district must follow the student's IEP until the student's IEP team at the receiving district can review and revise it. An unaccredited district will be responsible for providing transportation for a student with an IEP, even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount.”

**Status:**

1/8/14 Introduced and First Read (S)  
12/1/13 Pre-filed (S)

**SB 545 - Lamping**

Modifies provisions relating to student transfers, school accreditation, and charter schools

This act relates to student transfers as a result of unaccredited school districts. There are many sections to the bill. There is a section related to students with disabilities. It reads: “The parent or guardian of a student with a disability residing in an unaccredited district may transfer the student to an accredited district in the same or an adjoining county. The receiving district must follow the student's IEP until the student's IEP team at the receiving district can review and revise it. An

unaccredited district will be responsible for providing transportation for a student with an IEP, even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount.”

**Status:**

1/8/14 Introduced and First Read (S)  
12/1/13 Pre-filed (S)

**SB 560 - Sifton**

Changes the requirements for school antibullying policies

This act modifies the requirements for school antibullying policies. The definition of "bullying" is modified to include discrimination and to include actions that substantially interfere with a student's educational performance, opportunities, or benefits, or that substantially disrupt the orderly operation of the school. Bullying is prohibited by school employees or students on school property, at school functions, or on school buses. This act removes the requirement that school policies treat all students equally and not identify lists of protected classes of students. Instead, bullying that is based on certain characteristics or categories, as described in the act, is prohibited.

A school employee, student, or volunteer who has witnessed or has reliable information that a student or school employee has been subject to discrimination or harassment must report the incident to the appropriate school official.

School district policies must contain the following: 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 an employee has reliable information; a procedure for reporting an act of bullying, including anonymous reporting, as described in the act; 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; a process for discussing the policy with students and training employees and volunteers; and a procedure for implementing and maintaining annual confidential surveys of students and school employees that measure their perception and experiences of harassment and discrimination.

The State Board of Education must develop model anti-bullying policies to assist school districts no later than September 1, 2015, and has authority to promulgate rules and regulations under this act.

**Status:**

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

12/1/13 Pre-filed (S)

**SB 595 - Walsh**

Modifies provisions relating to student transfers, school accreditation, and charter schools

This act relates to student transfers as a result of unaccredited school districts. There are many sections to the bill. There is a section related to students with disabilities. It reads: "The parent or guardian of a student with a disability residing in an unaccredited district may transfer the student to an accredited district in the same or an adjoining county. The receiving district must follow the student's IEP until the student's IEP team at the receiving district can review and revise it. An unaccredited district will be responsible for providing transportation for a student with an IEP, even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount."

**Status:**

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

12/3/13 Pre-filed (S)

**SB 657 - Kraus**

Prohibits the Administrative Hearing Commission from employing certain individuals for the conducting of special education due process hearings

This act prohibits the Administrative Hearing Commission from employing anyone or using the services of any independent contractor or consultant for due process hearings who, within the past five years, has been employed by or performed work as an independent contractor for a school district, an organization engaged in special education advocacy, the State Board of Education, the Department of Elementary and Secondary Education, or been party to a special education proceeding as an attorney, parent, or child. In addition, this act prohibits the State Board of Education and the Department of Elementary and Secondary Education from entering into a contract with or on behalf of the Administrative Hearing Commission for the purpose of conducting, or providing assistance for the conducting, of due process hearings.

All funds necessary for the payment of expenditures incurred by the Administrative Hearing Commission attributable to due process hearings must be appropriated to the Administrative Hearing Commission Educational Due Process Hearing Fund. These funds are prohibited from being appropriated to the State Board of Education or the Department of Elementary and Secondary Education.

**Status:**

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

1/6/14 Pre-filed (S)

**EMPLOYMENT**

**SB 526 - Cunningham**

Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database

This act requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database that is accessible to potential employers during a pre-hire period and searchable by an employee's name and social security number.

The Division shall maintain a record of claims records reviewed. Those who fraudulently access the database shall be guilty of a Class A misdemeanor.

The provisions of this act shall be fully implemented by July 1, 2015.

**Status:**

1/14/14 Hearing Scheduled (S)

1/9/14 Second Read and Referred Small Business, Insurance and Industry committee (S) Chair: Rupp, Vice Chair: Parson

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

12/1/13 Pre-filed (S)

**FUNDING/TAX RELIEF**

HB 1119 - LaFaver

Increases the maximum amount of the property tax credit, commonly known as the circuit breaker, by 25% for both homeowners and renters

This act increases the maximum amount of the renters' property tax credit to \$937.50 and the maximum amount for homeowners to \$1,375.

**Status:**

1/9/14 Second Read (H)

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

12/4/13 Pre-filed (H)

SB 541 - Munzlinger

Eliminates the renter's portion of the Senior Citizens Property Tax Credit for persons first qualifying after January 1, 2014

Currently, certain individuals may be eligible for a property tax credit. This tax credit is commonly referred to as the circuit breaker and is based on property taxes paid or rents paid. This act prohibits persons who first become an eligible claimant after January 1, 2014, from receiving a tax credit based on rents paid.

**Status:**

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

12/1/13 Pre-filed (S)

**HEALTH CARE/PERSONAL ASSISTANCE**

HB 1117 - LaFaver

Changes the eligibility requirements for medical assistance under the MO HealthNet program

This act states that individuals who are deemed to be "medically frail" will receive all MO HealthNet benefits they are eligible to receive. The definition of "medically frail" includes people with disabilities, serious emotional disturbances, disabling mental disorders, substance abuse disorders (in certain instances), and serious and complex medical conditions. This act states the Department of Social Services will work with the Department of Mental Health and the Department of Health and Senior Services to develop a screening process to determine whether an individual is "medically frail."

**Status:**

1/9/14 Second Read (H)

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

12/4/13 Pre-filed (H)

HB 1146 - White

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

This act establishes a priority list of those who are able to make health care decisions for individuals who are unable to consent. The act specifies what action should be taken if two people of equal priority disagree in terms of what measures should be taken. It specifies to attending physicians and other health care providers when the list should be utilized.

**Status:**

1/9/14 Second Read and Referred Health Care

Policy committee (H) Chair: Frederick, Vice Chair: Franklin

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

12/6/13 Pre-filed (H)

HB 1168 - Butler

Changes the eligibility requirements for medical assistance under the MO HealthNet program

This act states that individuals who are deemed to be "medically frail" will receive all MO HealthNet benefits they are eligible to receive. The definition of "medically frail" includes people with disabilities, serious emotional disturbances, disabling mental disorders, substance abuse disorders (in certain instances), and serious and complex medical conditions. This act states the Department of Social Services will work with the Department of Mental Health and the Department of Health and Senior Services to develop a screening process to determine whether an individual is "medically frail."

**Status:**

1/9/14 Second Read (H)

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

12/12/13 Pre-filed (H)

**HB 1223 - Zerr**

Changes the asset limits to qualify for MO HealthNet benefits to \$5,000 for a single person and \$10,000 for a married couple

This act increases the limit of allowed resources to qualify for MO HealthNet benefits to \$5,000 for someone who is single and \$10,000 for a married couple.

**Status:**

1/9/14 Second Read and Referred Health Care Policy committee (H) Chair: Frederick, Vice Chair: Franklin

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

1/7/14 Pre-filed (H)

**HB 1239 - Kelly**

Changes the income eligibility requirements for medical assistance under the MO HealthNet program

This act states that individuals who are deemed to be "medically frail" will receive all MO HealthNet benefits they are eligible to receive. The definition of "medically frail" includes people with disabilities, serious emotional disturbances, disabling mental disorders, substance abuse disorders (in certain instances), and serious and complex medical

conditions. This act states the Department of Social Services will work with the Department of Mental Health and the Department of Health and Senior Services to develop a screening process to determine whether an individual is "medically frail."

**Status:**

1/9/14 Second Read (H)

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

**SB 518 - Sater**

Extends MO HealthNet managed care statewide for only the current managed care populations

This act extends the MO HealthNet Managed Care program statewide by January 1, 2015, for all eligibility groups currently enrolled in a managed care plan as of January 1, 2014.

**Status:**

1/9/14 Second Read and Referred Seniors, Families and Pensions committee (S) Chair: Lamping, Vice Chair: Sater

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

12/1/13 Pre-filed (S)

**SB 582 - Rupp**

Changes the asset limits to qualify for MO HealthNet benefits to \$5,000 for a single person and \$10,000 for a married couple

This act modifies the amount of cash, securities or other total non-exempt assets an aged or disabled participant is allowed to retain in order to qualify for MO HealthNet benefits from less than \$1,000 to \$5,000 for a single person and from \$2,000 to \$10,000 for a married couple.

**Status:**

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

12/3/13 Pre-filed (S)

**SB 661 - LeVota**

Provides for the expansion of MO HealthNet services beginning on January 1, 2015

Beginning January 1, 2015, 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:**

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

1/6/14 Pre-filed (S)

**SB 663 - Munzlinger**

Requires health benefit plans to establish equal out of pocket costs for covered oral and intravenously administered chemotherapy medications

Currently, insurers often require different out of pocket costs for oral and intravenously administered chemotherapy treatments, often requiring higher payments for oral chemotherapy treatments. This act requires insurers that already offer coverage for both treatment options to

require the same out of pocket costs for each and forbids the raising of out of pocket costs for intravenously administered treatments to meet the requirement.

**Status:**

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

1/7/14 Pre-filed (S)

**SB 668 - Silvey**

Requires health benefit plans to establish equal out of pocket costs for covered oral and intravenously administered chemotherapy medications

Currently, insurers often require different out of pocket costs for oral and intravenously administered chemotherapy treatments, often requiring higher payments for oral chemotherapy treatments. This act requires insurers that already offer coverage for both treatment options to require the same out of pocket costs for each and forbids the raising of out of pocket costs for intravenously administered treatments to meet the requirement.

**Status:**

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

**LEGAL RIGHTS/RESPONSIBILITIES**

**HB 1073 - 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:**

1/9/14 Second Read and Referred Elections committee (H) Chair: Entlicher, Vice Chair: Neth  
1/8/14 Introduced and First Read (H)  
12/2/13 Pre-filed (H)

**HB 1125 - Dugger**

Allows persons with physical disabilities or members of the armed forces on active duty filing declarations of candidacy by certified mail to designate a representative for the ballot order random drawing

This act allows individuals with physical disabilities who are filing a declaration of candidacy by certified mail to designate a representative for purposes of the random drawing which determines the order of candidates' names on the ballot.

**Status:**

1/9/14 Second Read and Referred Elections committee (H) Chair: Entlicher, Vice Chair: Neth  
1/8/14 Introduced and First Read (H)  
12/5/13 Pre-filed (H)

**HB 1278 - English**

Requires election authorities to make available at least one electronic voting machine for blind or visually impaired voters at state and local elections 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:**

1/9/14 Introduced and First Read (H)

**HJR 47 - Cox**

Proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in person in an election

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:**

1/9/14 Second Read and Referred Elections committee (H) Chair: Entlicher, Vice Chair: Neth  
1/8/14 Introduced and First Read (H)  
12/10/13 Pre-filed (H)

**SB 511 - Kraus**

Establishes photo identification requirements for voting

The act establishes identification requirements for voting. Voters shall produce a nonexpired Missouri driver's license; a nonexpired or nonexpiring Missouri nondrivers 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:**

1/9/14 Second Read and Referred Financial and Governmental Organizations and Elections

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

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

12/1/13 Pre-filed (S)

**SB 580 - Kraus**

Allows representatives of military candidates and candidates with disabilities to draw numbers to establish ballot order

This act authorizes a candidate's representative to draw numbers for the purpose of establishing the order of the candidate's name on the ballot for candidates who file a declaration of candidacy by mail because of a physical disability or active duty in the armed forces.

This act contains an emergency clause.

**Status:**

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

12/1/13 Pre-filed (S)

**SB 623 - Nieves**

Establishes the paper ballot as the official ballot and requires audits before election certification

This act requires that all electronic voting systems produce results from paper ballots marked by hand, or in the case of disabled voters who need assistance, from paper ballots marked by a paper ballot marking device designed to assist such voters. The use of remaining direct-record electronic voting machines shall be phased out upon mechanical failure. Elections shall not be certified until an audit is performed.

**Status:**

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

12/9/13 Pre-filed (S)

**SB 630 - Wallingford**

Allows representatives of military candidates and candidates with disabilities to draw numbers to establish ballot order

This act authorizes a candidate's representative to draw numbers for the purpose of establishing the order of the candidate's name on the ballot for candidates who file a declaration of candidacy by mail because of a physical disability or active duty in the armed forces.

This act contains an emergency clause.

**Status:**

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

12/13/13 Pre-filed (S)

**SJR 31 - 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 producing valid, government-issued photo identification. Exceptions may be provided for by general law.

**Status:**

1/9/14 Second Read and Referred to Financial and Governmental Organizations and Elections committee (S) Chair: Wasson, Vice Chair:

Cunningham

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

12/1/13 Pre-filed (S)

**MENTAL HEALTH**

**HB 1083 - 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:**

1/9/14 Second Read and Referred Judiciary committee (H) Chair: Cox, Vice Chair: Elmer

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

12/2/13 Pre-filed (H)

**HB 1130 - Roorda**

Prohibits the denial of mental health care and treatment for children who are alleged victims of abuse or neglect and requires guardians ad litem to have training in child abuse and neglect

This act states that all children who are alleged victims of abuse and neglect will have access to mental health care and treatment. It requires guardians ad litem to have training in abuse or neglect or mental health.

**Status:**

1/9/14 Second Read (H)

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

12/6/13 Pre-filed (H)

**OLMSTEAD**

**HB 1156 - Lair**

Establishes a committee to assess 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, 2018. 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, 2015.

**Status:**

1/9/14 Second Read and Referred Children, Families, and Persons with Disabilities committee

(H) Chair: Grisamore, Vice Chair: Bahr

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

12/10/13 Pre-filed (H)

**SAFETY/PREVENTION**

**SB 572 - Chappelle-Nadal**

Enacts a state-wide smoking ban

This act modifies the provisions of the Missouri Indoor Clean Air Act to prohibit smoking in a public place or a public meeting or within fifteen feet of any entrance to a public place or public meeting.

The definition of public place has been amended to include any building or vehicle owned, leased or operated by a governmental entity as well as bars and restaurants. The provision allowing for a designated smoking area in public places has been repealed.

**Status:**

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

12/1/13 Pre-filed (S)

**SB 596 - Holsman**

Modifies regulation of autocycle operators and exempts such operators from using protective headgear

This act defines an autocycle as an enclosed motorcycle with no more than three wheels in contact with the roadway at any one time and other safety and equipment requirements. Additionally the act exempt autocycle operators from the motorcycle helmet requirement with specific safety equipment requirements. This act also requires autocycle operators to have a driver license without requiring a motorcycle or motortricycle license or endorsement.

**Status:**

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

12/3/13 Pre-filed (S)

**SB 604 - Holsman**

Allows qualified motorcycle operators to operate motorcycles and motortricycles without protective headgear under certain conditions

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 under certain conditions.

**Status:**

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

12/3/13 Pre-filed (S)

**SERVICES****HB 1062 - Grisamore**

Changes the laws regarding services for individuals with disabilities

This act requires the Department of Elementary and Secondary Education to establish a work group to assess the resources that are available to assist youth with disabilities with effective work experiences by September 1, 2014. The group will review interagency coordination of services as it relates to assisting students with disabilities to secure employment. The group will encourage involvement from key stakeholders. The group will determine areas that need to be improved and whether any additional state partnerships are necessary. Prior to January 1, the Department of Elementary and Secondary Education will present recommendations to the General Assembly based on the work group's findings. The Commissioner of Education will choose the members of and administer the work group.

The act adds comprehensive day rehabilitation for traumatic brain injury to the list of services covered by MO HealthNet. The day rehabilitation would begin early after the trauma occurs. The MO HealthNet division will establish the necessary criteria for facility designation, benefit limitations, and payment mechanisms using the expertise of providers and the MO Head Injury Advisory Council. The services will be provided in a community-based setting. The services will be authorized in tier levels based on what the patient requires and the frequency as determined by an appropriate professional. This service is subject to appropriations.

This act adds hearing aids which have been deemed medically necessary and prescribed to the list of services provided under MO HealthNet. An electronic, web-based prior authorization system using the best medical evidence and care and treatment guidelines that are consistent with national standards will be used to verify that there is a medical need for the hearing aids. This service is subject to appropriations.

This act adds with reckless disregard injuring or killing a service dog or allowing a dog one owns or is in immediate control of to injure or kill a service

dog as a class A misdemeanor. It adds with reckless disregard interfering with the use of a service dog through obstruction, intimidation, or jeopardizing safety as a class B misdemeanor. Anyone who intentionally injures or kills a service dog or allows a dog under his or her ownership or control to do so is guilty of a class D felony. An individual found guilty will make full restitution for all damages incurred by the user of the service animal.

Any new parking lot or parking lot that is restriped that contains twenty-five or more parking spaces the parking lot and accessible signs should meet the minimum requirements established under the Americans with Disabilities Act. There should be at least one accessible parking space. It should include an access aisle that is ninety-six inches wide and designated as "van accessible." If the parking space is one hundred thirty-two inches wide or wider than the access aisle should be at least sixty inches wide. If an accessible space is less than one hundred thirty-two inches wide than the access aisle should be at least ninety-six inches wide.

This act requires the MO Departments of Health and Senior Services and Social Services to seek waivers from the Department of Health and Human Services to allow money from the brain injury fund to be used under the MO HealthNet program to provide medical services. Upon a waiver being granted forty percent of the money in the brain injury fund will be designated as MO HealthNet federal match money. A committee will be created to develop service descriptions, regulations, and parity of funding, as needed.

**Status:**

1/9/14 Second Read and Referred Children, Families, and Persons with Disabilities committee (H) Chair: Grisamore, Vice Chair: Bahr  
1/8/14 Introduced and First Read (H)  
12/2/13 Pre-filed (H)

**HB 1213 - Guernsey**

Changes the laws regarding public assistance benefits

The act has many provisions. Some do not apply to people with disabilities. Those that are believed to impact people with disabilities are included in this summary.

This act states that the income and resources of all relatives, household members, and anyone else who is age twenty-one or older will be considered when determining eligibility for federal public assistance programs. The act states that the MO HealthNet Division will screen all individuals who receive MO HealthNet benefits to determine whether they are eligible to participate in the Health Insurance Premium Payment Program. All individuals determined to be eligible for the Health Insurance Premium Payment Program will participate if it is determined to be cost-effective. All food stamp electronic benefit cards will have a photo of the recipient and expire/be subject to renewal every three years. Retail establishments are required to verify identity by matching the photo to the individual presenting the card before allowing card use. The act requires anyone who suspects public assistance fraud to report it to the Department of Social Services. It requires the Department of Social Services to investigate all fraud reports. It outlines specifics of what should be included in an investigation. Anyone who is age eighteen or older and is receiving government assistance is required to have a high school diploma or GED. If an applicant for food stamps or other similar benefits does not meet this requirement he/she will have two years to comply.

**Status:**

1/9/14 Second Read and Referred Government Oversight and Accountability committee (H) Chair: Barnes, Vice Chair: Parkinson  
1/8/14 Introduced and First Read (H)  
1/3/14 Pre-filed (H)

**HB 1229 - Gatschenberger**

Allows moneys deposited into the Brain Injury Fund to be expended for community based services in comprehensive brain injury day rehabilitation therapy as well as home and community support programs

This act adds community-based services to comprehensive brain injury treatment services for purposes of using the money deposited in the Brain Injury Fund. It also states that the surcharge will not be waived for any criminal case including municipal ordinances except if the violation is dismissed or the cost is covered by the state, county, or municipality.

**Status:**

1/9/14 Second Read (H)

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

**HB 1280 - 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:**

1/9/14 Introduced and First Read (H)

**SB 553 - Emery**

Modifies the telephony requirement for certain home-and community-based providers

Current law requires both personal care assistance vendors and in-home services provider agencies to use a telephone tracking system to review and certify the accuracy of reports of delivered services by July 1, 2015. This act exempts from such requirements vendors who provide administrative services for 5 or less personal care attendants and in-home provider agencies who employ 5 or less in-home providers.

**Status:**

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

12/1/13 Pre-filed (S)

**SB 567 - Chappelle-Nadal**

Modifies provisions relating to adult day care programs

This act requires the Division of Senior Services and Regulation within the Department of Health and Senior Services to create an adult day care program manual to establish uniformity across the state and to offer regional training sessions in order to provide technical assistance or consultation to assist applicants for or holders of licenses or provisional licenses in meeting the requirements of staff qualifications, and other aspects involving the operation of an adult day care program, and to assist in the achievement of programs of excellence related to the provision of adult day care. The program manual and regional training sessions required under this act shall be made available to adult day care programs by January 1, 2015.

In addition, if the Division finds that the adult day care program is in violation of the adult day care provisions in law, the Division shall submit a written report of the findings with respect to compliance or noncompliance with such provisions and the standards established by the Division or in rules. The act sets forth the procedures for responding to such inspection reports. If, after a request for reinspection, the program still does not agree with the findings of the Division, the adult day care program may seek a review of the findings by the Administrative Hearing Commission.

The procedures regarding compliance inspections, investigative complaints and license denials, suspensions and revocations shall be provided to the adult day care program upon licensure and also included in the program manual required to be distributed to the programs under this act.

Also, licensed adult day care programs shall receive comparable reimbursement rates as adult day care programs licensed by the Department of Mental

Health which provide care, treatment and habilitation exclusively to adults who have a primary diagnosis of a mental disorder, mental illness, or developmental disability for providing similar day program services.

**Status:**

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

12/1/13 Pre-filed (S)

**OTHER****HB 1064 - Grisamore**

Removes references to the phrases "mentally retarded" and "mental retardation" from statute and replaces them with the phrases "intellectually disabled" and "intellectual disability", respectively

This act repeals twenty-nine sections of statute in which the phrases "mentally retarded" or "mental retardation" is used and replaces those occurrences with the phrases "intellectually disabled" or "intellectual disability."

**Status:**

1/9/14 Second Read and Referred Children, Families, and Persons with Disabilities committee

(H) Chair: Grisamore, Vice Chair: Bahr

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

12/2/13 Pre-filed (H)

**HB 1197 - Elmer**

Designates the month of February as "Turner Syndrome Awareness Month" in Missouri

This bill designates the month of February as "Turner Syndrome Awareness Month" in Missouri. Turner Syndrome only occurs in females and is caused by a chromosomal abnormality that results in all or part of one of the X chromosomes being absent. The physical abnormalities caused include short stature, swelling, broad chest, low hairline, low-set ears, and webbed necks. The bill encourages Missouri citizens to participate in activities and events to increase awareness of the characteristics, diagnosis, and treatment of Turner Syndrome.

**Status:**

1/9/14 Second Read and Referred Tourism and Natural Resources committee (H) Chair: Phillips, Vice Chair: Houghton

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

12/30/13 Pre-filed (H)

**SB 564 - Chappelle-Nadal**

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

This act requires the Department of Health and Senior Services to strongly encourage all long-term care facilities licensed in this state to institute policies that will encourage familial involvement in the well-being and support of residents of long-term care facilities.

**Status:**

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

12/1/13 Pre-filed (S)

**APPROPRIATIONS**

No pending legislation