# **Governor's Council on Disability**

# LEGISLATIVE UPDATE

Issue 2, January 18, 2019

Welcome to Issue 2 of the Legislative Update.

- The weekly Legislative Update provides information on disability related bills. For more details on a specific bill, please click on the bill number.
- If there has been action on a bill in the current week, the status is listed in red.
- To learn more about the legislative process consider attending the <u>Legislative Education Project</u> training or watching our online modules and videos.
- Please contact our office (Laura.Mueth@oa.mo.gov) if you need a different format.
- The Legislative Updates are available online at: http://disability.mo.gov/gcd, click on Legislative Updates
- Access to individual bill information is available on the Missouri Senate's website at http://www.senate.mo.gov/BTSSearch/Default.aspx
- A glossary of legislative terms can be found at Missouri House of Representatives
- Most of the summaries are prepared by the Research Staff of the Missouri House of Representatives and Missouri Senate and are used by permission.

Note: When "incapacitated," "handicapped," etc. 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 JR Senate Joint Resolution CCR Conference Committee Report CCS Conference Committee Substitute

# Bills are listed 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

## **ASSISTIVE TECHNOLOGY**

HB 205 Kelley Issue 1

This bill requires insurance companies to cover hearing aids

Status: 1/10/19 Second Read (H)

HB 222 Kelley Issue 1

Establishes a statewide hearing aid distribution program

Status: 1/10/19 Second Read (H)

SB 101 Riddle Issue 1

Establishes a statewide hearing aid distribution program

Status: 1/9/19 Introduced and First Read (S)

# **CRIME**

\*HB 166 McCreery Issue 1

Changes the laws regarding unlawful actions by persons knowingly infected with communicable diseases

Status: 1/16/19 Referred to Health and Mental Health Policy Committee (H)

\*HB 167 Rehder Issue 1

Changes the laws regarding unlawful actions by persons knowingly infected with communicable diseases

Status: 1/16/19 Referred to Health and Mental Health Policy Committee (H)

HB 224 Ellebracht Issue 1

Provides that a person may be charged with promoting a suicide attempt or voluntary manslaughter if such person is convicted of abusing certain persons and such conduct significantly contributed to the suicide or suicide attempt

Status: 1/10/19 Second Read (H)

HB 302 Hicks Issue 1

Modifies weapon offenses by decriminalizing possession of a firearm silencer by persons who obtain a medical certificate for significant hearing loss

Status: 1/10/19 Second Read (H)

\*HB 341 Hicks Issue 1

Allows certain marijuana-related offenses and violations to be expunged if the offenses or violations occurred in Missouri prior to the issuance of a patient identification card

Status: 1/17/19 Referred to Special Committee on Criminal Justice (H)

HB 353 Hannegan Issue 1

Provides that a person cannot be sentenced to death if he or she raises the issue that he or she suffered from a serious mental illness at the time of the commission of the offense

Status: 1/10/19 Second Read (H)

HB 547 Griffith

Requires each judicial circuit to establish a veterans' treatment court

Currently, treatment court divisions oversee veterans treatment courts, adult treatment courts, DWI courts, family treatment courts, and juvenile treatment courts. This bill would require each circuit court to establish a treatment court division.

Status: 1/14/19 Second Read (H)

SB 107 Hoskins Issue 1
Modifies law regarding service dogs

Status: 1/9/19 Introduced and First Read (S)

SB 237 White

Modifies postconviction treatment programs

This act modifies that structured cognitive behavioral intervention program into which a court can order a person on probation to be placed. Additionally, upon a recommendation from a court, the Department of Corrections will have sole discretion on the placement of an offender into a structured cognitive behavioral or institutional treatment program based on the Department's assessment and available space. Finally, this act repeals a section which establishes and governs the current Missouri postconviction drug treatment program.

Status: 1/14/19 Second Read (S)

# **EDUCATION**

HB 54 Bangert Issue 1

Requires school districts to provide instruction in cursive writing

Status: 1/10/19 Second Read (H)

HB 342 Washington Issue 1

Modifies provisions relating to prefilled epinephrine auto syringes in schools

Status: 1/10/19 Second Read (H)

HB 485 Dogan Issue 1

Requires the state board of education to modify accreditation standards for special school districts

Status: 1/10/19 Second Read (H)

SB 73 O'Laughlin Issue 1

Requires each local school district and charter school to have on file a policy for reading intervention plans for any pupils of the district and charter schools in grades kindergarten through four

**Status:** 1/9/18 Introduced and First Read (S)

SB 249 Koenig

Creates the Alternative Disability Services Act

This act creates the Alternative Disability Services Act. The act allows a parent, guardian, or student ages 18-21 to initiate the negotiation of an agreement for an alternative provider of special education services. The public

school must negotiate agreements for the educational costs of students with disabilities in good faith, and the agreements may include provisions for partial or full enrollment of the child in public school, and services and supplementary aids the public school shall provide. The terms of such an agreement negotiated between a public school and the parent or guardian of a student with disabilities, or a student ages 18-21 may exist until the end of the student's annual Individualized Education Program (IEP) or Individualized Services Plan (ISP) cycle, but may be extended or modified with agreement from the parent or guardian, and the public school. An agreement may be initiated by a parent, guardian, or student ages 18-21 when the IEP or ISP goals are not being met, the IEP or ISP accommodations or modifications are not being provided, or special education services are not available from certified personnel through the public school. The education of children with disabilities shall, to the maximum extent appropriate, be with children who do not have disabilities, and shall attend regular class, except in the case of a disability resulting in violent behavior which causes substantial likelihood of injury to the students or others. The public school must provide to parents, guardians, or students ages 18-21 information regarding where alternative services and supplementary aids may be obtained, the public school's criteria for such services, the public school's criteria under which the alternative services and supplementary aids are obtained. The public school is required to reimburse alternative providers for services or supplementary aids pursuant to the agreement.

Status: 1/14/19 Introduced and First Read (S)

#### SB 272 Emery

Excludes any money reimbursed to school districts for the costs of special education from the calculation of average daily attendance

Under current law, the Department of Elementary and Secondary Education (DESE) will reimburse school districts for the costs of special education for high-needs children with an Individualized Education Program (IEP) exceeding three times the current expenditure per average daily attendance as calculated on the district annual secretary of the board report for the year in which the expenditures are claimed. Under this act, any money reimbursed to a school district under current law is excluded from such calculation. Under this act a school district shall submit the cost of serving any high-needs student with an IEP to DESE.

Status: 1/17/19 Introduced and First Read (S)

#### **EMPLOYMENT**

#### HB 48 Bangert Issue 1

Establishes a presumption that an emergency worker diagnosed with post-traumatic stress disorder incurred the disorder in the course of employment as an emergency worker

Status: 1/10/19 Second Read (H)

#### HB 61 Unsicker Issue 1

Repeals a provision relating to waivers by blind employees

Status: 1/10/19 Second Read (H)

# HB 89 Green Issue 1

Creates a tort cause of action for injuries that result from harassment in the workplace

Status: 1/10/19 Second Read (H)

HB 241 Neely Issue 1

Requires certain training and testing accommodations for Commercial Driver's License applicants who are deaf or hard of hearing

Status: 1/10/19 Second Read (H)

HB 517 Unsicker Issue 1

Requires state agencies to support competitive integrated employment for persons with disabilities

Status: 1/10/19 Second Read (H)

SB 156 Wallingford Issue 1

Creates new provisions relating to workers' compensation proceedings

Status: 1/9/18 Introduced and First Read (S)

SB 162 Schupp Issue 1

Creates new provisions of law relating to leave from employment

Status: 1/9/19 Introduced and First Read (S)

SB 212 Sifton Issue 1

Modifies provisions relating to occupational diseases under workers' compensation laws

Status: 1/9/19 Introduced and First Read (S)

SB 233 Sater Issue 1

Modifies provisions relating to sheltered workshops

Status: 1/9/19 Introduced and First Read (S)

SB 234 White

Enacts provisions relating to disability accommodations for commercial driver's license applicants

This act specifies that a hearing test shall not be required for commercial driver's license (CDL) applicants who are deaf or hard of hearing, and provides for a process by which CDL applicants with disabilities can request testing accommodations for the written and driving tests. The act also specifies that any entity providing training to persons preparing to apply for a CDL shall provide reasonable accommodations for persons who are deaf or hard of hearing.

Status: 1/14/19 Second Read (S)

# **FUNDING/TAX RELIEF**

HB 33 Stacy Issue 1

Creates a new funding mechanism for Bryce's Law

Status: 1/10/19 Second Read (H)

HB 34 Stacy Issue 1

Establishes the Missouri Empowerment Scholarship Accounts Program

Status: 1/10/19 Second Read (H)

HB 176 Washington Issue 1

Modifies provisions regarding property tax relief for senior citizens

Status: 1/10/19 Second Read (H)

HB 227 Swan Issue 1

Specifies that all new and existing tax credits shall be approved by the General Assembly as part of the budget process

Status: 1/10/19 Second Read (H)

HB 256 Wood Issue 1

Modifies provisions relating to certain donation options when applying for a motor vehicle registration and when applying for a driver's license

Status: 1/9/18 Introduced and First Read (H)

HB 476 Bailey Issue 1

Creates a new funding mechanism for Bryce's Law

Status: 1/10/19 Second Read (H)

HB 478 Christofanelli Issue 1

Establishes the Missouri Empowerment Scholarship Accounts Program

Status: 1/10/19 Second Read (H)

HJR 22 Carpenter

Proposes a constitutional amendment exempting from taxation certain real and personal property owned by a veteran with a total service-connected disability

Upon voter approval, this proposed Constitutional amendment authorizes an exemption from property tax for the real and personal property of a veteran with a total service-connected disability up to \$200,000 in actual value for 2020 and indexed for inflation in subsequent years.

Status: 1/14/19 Second Read (H)

\*SB 11 Cunningham Issue 1

Modifies provisions relating to Medicaid per diem reimbursement rates

Status: 1/17/19 Second Read and Referred to Appropriations Committee (S)

\*SB 28 Hegeman Issue 1

Places a cap on the Low-Income Housing Tax Credit

Status: 1/17/19 Second Read and Referred to Economic Development Committee (S)

\*SB 29 Hegeman Issue 1

Extends the sunset on certain healthcare provider reimbursement allowances and modifies the managed care organization reimbursement allowance

Status: 1/17/19 Second Read and Referred to Appropriations Committee (S)

SB 160 Koenig Issue 1

Establishes the Missouri Empowerment Scholarship Accounts Program

Status: 1/9/19 Introduced and First Read (S)

SB 208 Wallingford Issue 1

Modifies provisions relating to the Senior Citizens Property Tax Credit

Status: 1/9/19 Introduced and First Read (S)

SB 269 Eigel

Modifies provisions relating to low-income housing tax credits

This act places a cap of \$130 million on the aggregate amount of tax credits that may be authorized in a given fiscal year under the Missouri Low-Income Housing Tax Credit program.

Status: 1/17/19 Introduced and First Read (S)

# **HEALTH CARE/PERSONAL ASSISTANCE**

\*HB 138 Kidd Issue 1

Establishes "Simon's Law," which changes the laws regarding life-sustaining or nonbeneficial treatment policies of health care facilities

Status: 1/16/19 Referred to Health and Mental Health Policy Committee (H)

\*HB 183 Trent Issue 1

Modifies provisions relating to public assistance benefits

Status: 1/16/19 Referred to Children and Families Committee (H)

HB 226 Swan Issue 1

Removes the sunset on advanced practice registered nursing telehealth programs

Status: 1/10/19 Second Read (H)

HB 233 Helms Issue 1

Establishes a pilot program to allow MO HealthNet participants to receive services through direct primary care arrangements

Status: 1/10/19 Second Read (H)

HB 238 Schroer Issue 1

This bill prevents the state government from sharing medical marijuana user or registry info with the federal government

Status: 1/10/19 Second Read (H)

HB 245 Neely Issue 1

Requires insurance companies to cover fertility preservation procedures for insureds who are at least 18 years old and are diagnosed with cancer but have not started cancer treatment

Status: 1/10/19 Second Read (H)

HB 252 Morris Issue 1

Modifies provisions relating to the MO Rx plan

Status: 1/10/19 Second Read (H)

HB 308 Walker Issue 1

Establishes the Mo HealthNet Buy-In for Workers with Disabilities Program

Status: 1/10/19 Second Read (H)

HB 377 Kelly Issue 1

Modifies the laws in regards to personal care assistance services

Status: 1/10/19 Second Read (H)

HB 399 Basye Issue 1

Changes the laws regarding health care for persons with disabilities

Status: 1/10/19 Second Read (H)

HB 405 Messenger Issue 1

Establishes the Missouri Freedom to Choose Health Care Act

Status: 1/10/19 Second Read (H)

\*HB 410 Gregory Issue 1

Allows physical therapists to treat patients without a prescription

Status: 1/16/19 Referred to Professional Registration and Licensing Committee (H)

HB 466 Wood Issue 1

Allows structured family care giving as a covered service under MO HealthNet, subject to the approval of federal waivers

Status: 1/10/19 Second Read (H)

HB 569 Wood

Changes provisions of law relating to personal care assistance services

This bill extends the expiration of the personal care assistance financial assistance program to June 30, 2025.

Status: 1/16/19 Second Read (H)

SB 45 Hoskins Issue 1

Enacts provisions relating to health care for persons with disabilities

Status: 1/9/19 Introduced and First Read (S)

SB 70 Hough Issue 1

Modifies provisions relating to personal care assistance services

Status: 1/9/19 Introduced and First Read (S)

SB 76 Sater Issue 1

Requires certain MO HealthNet participants to comply with work and community engagement requirements

Status: 1/9/19 Introduced and First Read (S)

SB 77 Sater Issue 1

Requires the Department of Social Services to apply for a global waiver for MO HealthNet

Status: 1/9/19 Introduced and First Read (S)

SB 78 Sater Issue 1

Modifies provisions relating to the Missouri Rx plan

Status: 1/9/19 Introduced and First Read (S)

SB 127 Sater Issue 1

Requires the Department of Health and Senior Services to conduct a study regarding the importation of certain prescription drugs by the state

Status: 1/9/19 Introduced and First Read (S)

SB 128 Sater Issue 1

Modifies provisions relating to consumer-directed services in the MO HealthNet program

Status: 1/9/19 Introduced and First Read (S)

SB 232 Sater Issue 1

Extends the expiration date of the Ticket to Work Health Assurance Program

Status: 1/9/19 Introduced and First Read (S)

# **LEGAL RIGHTS/RESPONSIBILITIES**

HB 285 Franks Jr. Issue 1

Creates civil rights for homeless persons

Status: 1/10/19 Second Read (H)

HB 354 Plocher Issue 1

Changes the law regarding the financial protection of vulnerable populations

Status: 1/10/19 Second Read (H)

\*HB 368 McGaugh Issue 1

Modifies voting procedures for absentee voting and voter identification

Status: 1/16/19 Referred to Elections and Elected Officials Committee (H)

HB 567 Hicks

Provides that placement of a child in an adoptive home shall not be delayed or denied on the basis that a prospective adoptive parent has a medical marijuana card or works in the medical marijuana industry

This bill states adoptive home placements will not be delayed or denied because the adoptive parent has a medical marijuana card or works in the industry.

Status: 1/16/19 Second Read (H)

HJR 5 Merideth Issue 1

Modifies voter eligibility and creates provisions for early voting and automatic voter registration

Status: 1/10/19 Second Read (H)

SB 142 Eigel Issue 1

Modifies provisions of the Senior Savings Protection Act

Status: 1/9/19 Introduced and First Read (S)

SB 191 Schupp Issue 1

Modifies provisions relating to unlawful discriminatory practices in housing

Status: 1/9/19 Introduced and First Read (S)

SB 230 Crawford Issue 1

Modifies provisions relating to venue in guardianship and conservatorship proceedings

Status: 1/9/19 Introduced and First Read (S)

# **MENTAL HEALTH**

\*HB 108 Sommer Issue 1

Designates May as "Mental Health Awareness Month" in Missouri

Status: 1/17/19 Referred to Special Committee on Tourism (H)

HB 171 Washington Issue 1

Designates July as Minority Mental Health Awareness Month

Status: 1/10/19 Second Read (H)

HB 177 Washington Issue 1

Requires long-term care facilities to have on staff one person trained in suicide assessment, treatment, and management

Status: 1/10/19 Second Read (H)

HB 251 Morris Issue 1

Establishes the Tricia Leann Tharp Act, which requires certain pharmacists to receive two hours of continuing education on suicide prevention

Status: 1/10/19 Second Read (H)

SB 164 Schupp Issue 1

Requires marital and family therapists to complete two hours of suicide management training as a condition of licensure

Status: 1/9/19 Introduced and First Read (S)

SB 204 Riddle Issue 1

Modifies provisions relating to psychologist licensees

Status: 1/9/19 Introduced and First Read (S)

# **OLMSTEAD**

No pending bills

# **SAFETY/PREVENTION**

#### HB 50 Bangert Issue 1

Prohibits anyone from using a hand-held electronic wireless communication device while driving a non-commercial motor vehicle unless the device is equipped for hands-free operation and is being used in that manner

Status: 1/10/19 Second Read (H)

#### HB 68 Dinkins Issue 1

Prohibits the use of a hand-held wireless communications device within a school zone

Status: 1/10/19 Second Read (H)

#### HB 74 Tate Issue 1

Prohibits the use of hand-held electronic wireless communications devices while driving non-commercial and commercial motor vehicles; but allows the use of such devices when used hands-free by operators of non-commercial motor vehicles who are fully licensed and eighteen years of age or older

Status: 1/10/19 Second Read (H)

# HB 207 Kelley

Allows Missouri driver's license applicants to elect to have a medical alert notation placed on the person's driver's license

This bill allows residents of Missouri to have a medical alert notation placed on their driver's license to indicate that they have an emergency medical card in their possession.

Status: 1/24/19 Hearing Scheduled (H)
Assigned Committee: Transportation

#### HB 211 Razer Issue 1

Prohibits the use of hand-held electronic wireless communications devices while driving non-commercial and commercial motor vehicles; but allows the use of such devices when used hands-free by operators of non-commercial motor vehicles who are fully licensed and eighteen years of age or older

Status: 1/10/19 Second Read (H)

# HB 223 Hansen Issue 1

Prohibits text messaging while driving for all drivers

This bill prohibits all non-commercial drivers from text messaging while driving no matter their age.

Status: 1/10/19 Second Read (H)

HB 522 Roden Issue 1

Specifies when persons operating or riding a motorcycle or motortricycle must wear protective headgear and imposes certain insurance requirements for persons who elect to ride without protective headgear

Status: 1/10/19 Second Read (H)

SB 15 Wallingford Issue 1

Enacts provisions relating to the operation of motor vehicles while using electronic devices

Status: 1/9/19 Introduced and First Read (S)

SB 120 Burlison Issue 1

Specifies when persons operating or riding a motorcycle or motortricycle must wear protective headgear

Status: 1/9/19 Introduced and First Read (S)

#### **SERVICES**

HB 144 Ellington Issue 1

Establishes the Customer Utility Protection Act

Status: 1/10/19 Second Read (H)

HB 474 Eggleston Issue 1

Modifies provisions for temporary assistance to needy families and supplemental nutrition assistance programs.

Status: 1/10/19 Second Read (H)

HB 475 Kelly Issue 1

Modifies provisions for temporary assistance to needy families and supplemental nutrition assistance programs.

Status: 1/10/19 Second Read (H)

SB 261 Nasheed

Provides that lawful consumption of medical marijuana shall not render a person ineligible for TANF benefits

Under current law, applicants and recipients for Temporary Assistance for Needy Families (TANF) benefits who test positive for a controlled substance, which was not prescribed for the applicant or recipient, or who refuse to submit to a drug test shall be declared ineligible for TANF benefits for 3 years. Under this act, applicants or recipients who test positive for marijuana consumed lawfully pursuant to the Missouri Constitution shall not be declared ineligible for TANF benefits on the basis of that consumption.

Status: 1/16/19 Introduced and First Read (S)

SJR 6 Eigel Issue 1

Prohibits implementation of any program providing a public benefit without an appropriation

Status: 1/9/19 Introduced and First Read (S)

**OTHER** 

HB 107 Sommer Issue 1

Modifies provisions relating to service dogs

Status: 1/10/19 Second Read (H)

HB 123 DeGroot Issue 1

Modifies provisions relating to permanent total disability benefits

Status: 1/10/19 Second Read (H)

HB 261 Taylor Issue 1

Modifies provisions relating to second injury fund liabilities and self-insurance regulations

Status: 1/10/19 Second Read (H)

HB 301 Schroer Issue 1

Changes provisions relating to advanced practice registered nurses

Status: 1/10/19 Second Read (H)

HB 316 Barnes Issue 1

Designates the month of September as Deaf Awareness Month and the last week of September as Deaf

Awareness Week

Status: 1/10/19 Second Read (H)

\*HB 450 Eggleston Issue 1

Modifies provisions relating to the organ donor registry

Status: 1/16/19 Referred to Health and Mental Health Policy Committee (H)

HB 497 Wood Issue 1

Establishes May 14th as "Apraxia of Speech Awareness Day in Missouri"

Status: 1/10/19 Second Read (H)

# **APPROPRIATIONS**

No pending bills