

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Bill No. 90, Page 5, Section 376.1227, Line 15,
by inserting after all of said section and line, the following:

"660.023. 1. All in-home services provider agencies shall, by July 1, 2015, have, maintain, and use a telephone tracking system for the purpose of reporting and verifying the delivery of home- and community-based services as authorized by the department of health and senior services or its designee. Use of such system prior to July 1, 2015, shall be voluntary. The department of health and senior services, in collaboration with other appropriate agencies, including in-home services providers, shall establish a telephone tracking system pilot project, implemented in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants, and a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants. The department may sub-contract with a statewide vendor as necessary for the purchase of products or services required to administer the telephone tracking system pilot project under this section. The pilot shall be implemented and operational by July 1, 2012. At a minimum, the telephone tracking system shall:

- (1) Record the exact date services are delivered;
- (2) Record the exact time the services begin and exact time the services end;
- (3) Verify the telephone number from which the services were registered;
- (4) Verify that the number from which the call is placed is a telephone number unique to the client;
- (5) Require a personal identification number unique to each personal care attendant; and
- (6) Be capable of producing reports of services delivered, tasks performed, client identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service.

2. The telephone tracking system shall be used to [process payroll for employees] track payroll hours and for submitting claims for reimbursement to the MO HealthNet division.

1 3. The department of health and senior services shall promulgate by rule the minimum
2 necessary criteria of the telephone tracking system. Any rule or portion of a rule, as that term is
3 defined in section 536.010, that is created under the authority delegated in this section shall
4 become effective only if it complies with and is subject to all of the provisions of chapter 536 and,
5 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
6 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
7 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
8 rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and
9 void.

10 4. As new technology becomes available, the department may allow use of a more
11 advanced tracking system, provided that such system is at least as capable of meeting the
12 requirements listed in subsection 1 of this section.

13 5. [The department of health and senior services, in collaboration with other appropriate
14 agencies, including in-home services providers, shall establish telephone tracking system pilot
15 projects, implemented in two regions of the state, with one in an urban area and one in a rural
16 area. Each pilot project shall meet the requirements of this section.] The department of health
17 and senior services shall, by December 31, 2013, submit a report to the governor and general
18 assembly detailing the outcomes of [these] the pilot [projects] project. The report shall take into
19 consideration the impact of a telephone tracking system on the quality of the services delivered to
20 the consumer and the principles of self-directed care.

21 6. In the event that a consensus between in-home service providers and representatives
22 from the executive branch cannot be reached, the telephony report issued to the general assembly
23 and governor shall include a minority report which will detail those elements of substantial dissent
24 from the main report.

25 [7. No interested party, including in-home service providers, shall be required to contract
26 with any particular vendor or provider of telephony services nor bear the full cost of the pilot
27 program.]" ; and
28

29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.