

# JOURNAL OF THE HOUSE

First Regular Session, 102nd GENERAL ASSEMBLY

SIXTY-THIRD DAY, MONDAY, MAY 1, 2023

The House met pursuant to adjournment.

Speaker Plocher in the Chair.

Prayer by Representative Donnie Brown.

Our Father in Heaven, we thank You for all the many blessings You so richly give to each one of us. We thank You for this beautiful day and the honor and privilege to represent the people of this great state. We ask that You would be with us during these last two weeks, as the days get long and the stress levels rise. Help us to look to You and be swift to hear, slow to speak, slow to wrath, and let us do all things in love. Forgive us when we fail You. In Jesus's name I pray, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Jackson Packham.

The Journal of the sixty-second day was approved as printed.

## SECOND READING OF SENATE BILLS

The following Senate Bill was read the second time:

**SS#2 SCS SB 88**, relating to professional licensing.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#3 HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HB 402**, **as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 510**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 948 & 915**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (4): Houx, Hudson, Owen and Pollitt

Noes (2): Baringer and Fogle

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 45 & 90**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 72**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SBs 94, 52, 57, 58 & 67**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 103**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 106**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 111**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Baringer, Fogle, Houx, Hudson, Owen and Pollitt

Noes (0)

Absent (1): Kelly (141)

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HBs 903, 465, 430 & 499, as amended**, relating to foreign ownership of real property, was taken up by Representative Haffner.

Representative Haffner moved that the House refuse to adopt **SS SCS HCS HBs 903, 465, 430 & 499, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SS#3 HCS HJR 43**, relating to procedures for ballot measures submitted to the voters, was taken up by Representative Henderson.

Representative Henderson moved that the House refuse to adopt **SS#3 HCS HJR 43** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF HOUSE BILLS

**HCS HB 48**, relating to hand-to-hand combat, was placed on the Informal Calendar.

Representative Van Schoiack assumed the Chair.

**HB 643**, relating to motor vehicle financial responsibility, was taken up by Representative Francis.

On motion of Representative Francis, **HB 643** was read the third time and passed by the following vote:

AYES: 138

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Baker	Banderman	Bangert	Baringer
Barnes	Billington	Black	Bonacker	Bosley
Boyd	Bromley	Brown 149	Brown 16	Brown 87
Buchheit-Courtway	Burger	Burnett	Burton	Busick
Butz	Byrnes	Casteel	Chappell	Clemens
Coleman	Cook	Copeland	Crossley	Davidson
Deaton	Dinkins	Ealy	Evans	Falkner
Farnan	Fogle	Fountain Henderson	Francis	Gallick
Gragg	Gray	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Hein
Henderson	Hicks	Hovis	Hudson	Hurlbert
Johnson 12	Johnson 23	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lavender
Lewis 6	Lonsdale	Mackey	Mann	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Merideth	Morse	Mosley	Myers	Nickson-Clark
Nurrenbern	O'Donnell	Oehlerking	Owen	Patterson
Perkins	Peters	Plank	Pollitt	Pouche

Proudie	Quade	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Sauls	Schnelting	Schulte	Schwadron	Seitz
Sharp 37	Sharpe 4	Shields	Smith 155	Smith 163
Smith 46	Sparks	Stacy	Stephens	Stinnett
Strickler	Taylor 48	Taylor 84	Terry	Thomas
Titus	Toalson Reisch	Unsicker	Van Schoiack	Voss
Waller	Walsh Moore	Weber	Wilson	Woods
Wright	Young	Mr. Speaker		

NOES: 004

Cupps	Davis	Lovasco	West
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PRESENT: 000

ABSENT WITH LEAVE: 020

Aune	Bland Manlove	Boggs	Brown 27	Christ
Christofanelli	Collins	Diehl	Doll	Hinman
Houx	Ingle	Lewis 25	Murphy	Parker
Phifer	Steinhoff	Thompson	Veit	Windham

VACANCIES: 001

Representative Van Schoiack declared the bill passed.

**HCS HB 589, HCS HBs 700 & 445 and HCS HB 719** were placed on the Informal Calendar.

**HB 400**, relating to delinquent tax notices, was taken up by Representative McGirl.

On motion of Representative McGirl, **HB 400** was read the third time and passed by the following vote:

AYES: 147

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Bonacker
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Cook
Copeland	Crossley	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Ealy	Evans
Falkner	Farnan	Fogle	Fountain Henderson	Francis
Gragg	Gray	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Hein
Henderson	Hicks	Houx	Hovis	Hudson
Hurlbert	Ingle	Johnson 12	Johnson 23	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141
Knight	Lavender	Lonsdale	Lovasco	Mackey
Mann	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Merideth	Morse	Mosley	Myers

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Nickson-Clark	Nurrenbern	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Plank
Pollitt	Pouche	Proudie	Quade	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Sauls	Schnelting	Schulte	Schwadron
Seitz	Sharp 37	Sharpe 4	Shields	Smith 155
Smith 163	Smith 46	Sparks	Stacy	Steinhoff
Stephens	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Titus	Toalson Reisch	Unsicker
Van Schoiack	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 003

Gallick	Marquart	Reedy
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PRESENT: 002

Bosley	Lewis 25
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ABSENT WITH LEAVE: 010

Bland Manlove	Boggs	Collins	Doll	Hinman
Lewis 6	Murphy	Phifer	Thompson	Windham

VACANCIES: 001

Representative Van Schoiack declared the bill passed.

**HCS HBs 948 & 915**, relating to moneys received from mineral products, was taken up by Representative Dinkins.

On motion of Representative Dinkins, **HCS HBs 948 & 915** was read the third time and passed by the following vote:

AYES: 151

Adams	Allen	Amato	Anderson	Appelbaum
Aune	Baker	Banderman	Bangert	Baringer
Billington	Black	Bonacker	Bosley	Boyd
Bromley	Brown 149	Brown 16	Brown 27	Brown 87
Buchheit-Courtway	Burger	Burnett	Burton	Busick
Butz	Byrnes	Casteel	Chappell	Christ
Christofanelli	Clemens	Coleman	Collins	Cook
Copeland	Crossley	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Ealy	Evans
Falkner	Farnan	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Hein	Henderson	Hicks	Houx	Hovis
Hudson	Hurlbert	Johnson 12	Johnson 23	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141
Knight	Lavender	Lewis 25	Lewis 6	Lonsdale
Lovasco	Mann	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Merideth	Morse
Mosley	Murphy	Myers	Nickson-Clark	Nurrenbern

O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Phifer	Plank	Pollitt
Pouche	Proudie	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Sauls	Schnelting	Schulte	Schwadron	Seitz
Sharp 37	Sharpe 4	Shields	Smith 155	Smith 163
Smith 46	Sparks	Stacy	Steinhoff	Stephens
Stinnett	Strickler	Taylor 48	Taylor 84	Terry
Thomas	Titus	Toalson Reisch	Unsicker	Van Schoiack
Veit	Voss	Waller	Walsh Moore	Weber
West	Wilson	Woods	Wright	Young

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Atchison	Barnes	Bland Manlove	Boggs	Doll
Hinman	Ingle	Mackey	Quade	Thompson
Windham				

VACANCIES: 001

Representative Van Schoiack declared the bill passed.

**HCS HB 510**, relating to mail sent by state departments, was taken up by Representative Griffith.

On motion of Representative Griffith, **HCS HB 510** was read the third time and passed by the following vote:

AYES: 153

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Bonacker
Bosley	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Copeland	Crossley	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Ealy
Evans	Falkner	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Hein
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Ingle	Johnson 12	Johnson 23
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lavender	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Merideth	Morse	Mosley	Murphy	Myers
Nickson-Clark	Nurrenbern	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Phifer

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Plank	Pollitt	Pouche	Proudie	Quade
Reedy	Reuter	Richey	Riggs	Riley
Roberts	Sander	Sassmann	Sauls	Schnelting
Schulte	Schwadron	Sharp 37	Sharpe 4	Shields
Smith 155	Smith 163	Smith 46	Sparks	Stacy
Steinhoff	Stephens	Stinnett	Strickler	Taylor 48
Taylor 84	Terry	Thomas	Titus	Toalson Reisch
Unsicker	Van Schoiack	Veit	Voss	Waller
Walsh Moore	Weber	West	Wilson	Woods
Wright	Young	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland Manlove	Boggs	Burger	Doll	Farnan
Gregory	Seitz	Thompson	Windham	

VACANCIES: 001

Representative Van Schoiack declared the bill passed.

Representative Justus assumed the Chair.

**HB 1067**, relating to Disabled American Veterans special license plates, was taken up by Representative Sharpe (4).

On motion of Representative Sharpe (4), **HB 1067** was read the third time and passed by the following vote:

AYES: 152

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Bonacker
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Copeland	Crossley	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Ealy
Evans	Falkner	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Hein	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson 12
Johnson 23	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lavender	Lewis 25
Lewis 6	Lonsdale	Lovasco	Mackey	Mann
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Merideth	Morse	Mosley	Myers
Nurrenbern	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Phifer	Plank
Pollitt	Pouche	Proudie	Quade	Reedy



Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Sauls	Schnelting	Schulte
Schwadron	Seitz	Sharp 37	Sharpe 4	Shields
Smith 163	Smith 46	Sparks	Stacy	Steinhoff
Stephens	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Titus	Toalson Reisch	Unsicker
Van Schoiack	Veit	Voss	Waller	Walsh Moore
Weber	West	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland Manlove	Boggs	Bosley	Doll	Farnan
Murphy	Nickson-Clark	Smith 155	Thompson	Windham

VACANCIES: 001

Representative Justus declared the bill passed.

**HS HCS HBs 532 & 751**, relating to detached catalytic converters, was taken up by Representative Mayhew.

On motion of Representative Mayhew, **HS HCS HBs 532 & 751** was read the third time and passed by the following vote:

AYES: 153

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Bonacker
Bosley	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burger	Burnett
Burton	Butz	Byrnes	Chappell	Christ
Christofanelli	Clemens	Coleman	Collins	Cook
Copeland	Crossley	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Fogle	Fountain Henderson	Francis	Gallick
Gragg	Gray	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Hein
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Ingle	Johnson 12	Johnson 23
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lavender	Lewis 25	Lewis 6
Lonsdale	Lovasco	Mackey	Mann	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Merideth	Morse	Mosley	Murphy	Myers
Nickson-Clark	Nurrenbern	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Phifer
Plank	Pollitt	Pouche	Quade	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Sauls	Schnelting	Schulte

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Schwadron	Seitz	Sharp 37	Sharpe 4	Shields
Smith 155	Smith 163	Smith 46	Sparks	Stacy
Steinhoff	Stephens	Stinnett	Strickler	Taylor 48
Taylor 84	Terry	Thomas	Titus	Toalson Reisch
Unsicker	Van Schoiack	Veit	Voss	Waller
Walsh Moore	Weber	West	Wilson	Woods
Wright	Young	Mr. Speaker		

NOES: 001

Busick

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland Manlove	Boggs	Casteel	Doll	Ealy
Proudie	Thompson	Windham		

VACANCIES: 001

Representative Justus declared the bill passed.

**HB 392**, relating to reemployment rights of Missouri Task Force One members, was taken up by Representative Toalson Reisch.

On motion of Representative Toalson Reisch, **HB 392** was read the third time and passed by the following vote:

AYES: 153

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Banderman	Bangert
Baringer	Barnes	Billington	Black	Bonacker
Bosley	Boyd	Bromley	Brown 149	Brown 16
Brown 27	Brown 87	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Byrnes	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Copeland	Crossley	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Ealy
Evans	Falkner	Farnan	Fogle	Fountain Henderson
Francis	Gallick	Gragg	Gray	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Hein	Henderson	Hicks	Hinman
Houx	Hovis	Hudson	Hurlbert	Ingle
Johnson 12	Johnson 23	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lavender
Lewis 25	Lewis 6	Lonsdale	Lovasco	Mackey
Mann	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Merideth	Morse	Mosley
Murphy	Myers	Nickson-Clark	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Perkins	Peters
Phifer	Plank	Pollitt	Pouche	Proudie
Quade	Reedy	Reuter	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Sauls
Schnelting	Schulte	Schwadron	Seitz	Sharp 37
Sharpe 4	Shields	Smith 155	Smith 163	Smith 46

Sparks	Stacy	Steinhoff	Stephens	Stinnett
Strickler	Taylor 48	Taylor 84	Terry	Thomas
Titus	Toalson Reisch	Unsicker	Van Schoiack	Veit
Voss	Waller	Walsh Moore	Weber	West
Wilson	Woods	Young		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland Manlove	Boggs	Casteel	Doll	Patterson
Thompson	Windham	Wright	Mr. Speaker	

VACANCIES: 001

Representative Justus declared the bill passed.

**HB 1044**, relating to the public service commission, was taken up by Representative Haffner.

On motion of Representative Haffner, **HB 1044** was read the third time and passed by the following vote:

AYES: 084

Allen	Atchison	Baker	Banderman	Billington
Black	Boyd	Brown 149	Brown 16	Buchheit-Courtway
Burger	Busick	Byrnes	Casteel	Chappell
Christ	Coleman	Cook	Copeland	Cupps
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Francis	Gallick	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Henderson
Hinman	Houx	Hovis	Hudson	Hurlbert
Jones	Justus	Kalberloh	Kelley 127	Knight
Lewis 6	Lonsdale	Marquart	Matthiesen	Mayhew
McGaugh	McGill	Morse	Myers	Owen
Parker	Patterson	Perkins	Peters	Pollitt
Pouche	Reedy	Reuter	Richey	Riggs
Sander	Schulte	Schwadron	Sharpe 4	Shields
Smith 155	Smith 163	Sparks	Stacy	Stephens
Taylor 48	Thomas	Toalson Reisch	Van Schoiack	Veit
Voss	Wilson	Wright	Mr. Speaker	

NOES: 072

Adams	Amato	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bonacker	Bosley
Bromley	Brown 27	Brown 87	Burnett	Burton
Butz	Christofanelli	Clemens	Collins	Crossley
Davidson	Davis	Ealy	Fogle	Fountain Henderson
Gragg	Gray	Hausman	Hein	Hicks
Ingle	Johnson 12	Johnson 23	Keathley	Kelly 141
Lavender	Lewis 25	Lovasco	Mackey	Mann

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McMullen	Merideth	Mosley	Murphy	Nickson-Clark
Nurrenbern	O'Donnell	Oehlerking	Phifer	Plank
Proudie	Quade	Riley	Roberts	Sauls
Schnelting	Seitz	Sharp 37	Smith 46	Steinhoff
Stinnett	Strickler	Taylor 84	Terry	Titus
Unsicker	Waller	Walsh Moore	Weber	West
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland Manlove	Boggs	Doll	Sassmann	Thompson
Windham				

VACANCIES: 001

Representative Justus declared the bill passed.

**THIRD READING OF HOUSE BILLS - INFORMAL**

**HCS HB 589**, relating to earnings tax, was taken up by Representative Murphy.

On motion of Representative Murphy, **HCS HB 589** was read the third time and passed by the following vote:

AYES: 106

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Bymes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Jones	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Morse	Murphy
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Pouche
Reedy	Reuter	Richey	Riggs	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Smith 163	Sparks	Stacy	Stephens	Stinnett
Taylor 48	Thomas	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	West	Wilson
Mr. Speaker				

NOES: 047

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Collins
Crossley	Ealy	Fogle	Fountain Henderson	Gray

Hein	Ingle	Johnson 12	Johnson 23	Lavender
Lewis 25	Mackey	Mann	Merideth	Mosley
Nickson-Clark	Nurrenbern	Phifer	Plank	Proudie
Sauls	Sharp 37	Smith 46	Steinhoff	Strickler
Taylor 84	Terry	Unsicker	Walsh Moore	Weber
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland Manlove	Boggs	Doll	Falkner	Lewis 6
Quade	Thompson	Windham	Wright	

VACANCIES: 001

Representative Justus declared the bill passed.

Speaker Plocher resumed the Chair.

**THIRD READING OF SENATE BILLS - INFORMAL**

**SB 28**, relating to access to public records of the Missouri state highway patrol, was taken up by Representative Roberts.

On motion of Representative Roberts, the title of **SB 28** was agreed to.

Representative Dinkins offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after said section and line the following:

"193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, one dollar for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public health services fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering sections 214.270 to 214.410. All interest earned on money deposited in the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed care cemetery audit fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation

from the endowed care cemetery audit fund for the preceding fiscal year. The money deposited in the public health services fund under this section shall be deposited in a separate account in the fund, and moneys in such account, upon appropriation, shall be used to automate and improve the state vital records system, and develop and maintain an electronic birth and death registration system. For any search of the files and records, when no record is found, the state shall be entitled to a fee equal to the amount for a certification of a vital record for a five-year search to be paid by the applicant. For the processing of each legitimation, adoption, court order or recording after the registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy or copies of a vital record is required to perfect any claim of any person on relief, or any dependent of any person who was on relief for any claim upon the government of the state or United States, the state registrar shall, upon request, furnish a certified copy or so many certified copies as are necessary, without any fee or compensation therefor.

2. For the issuance of a certification of a death record by the local registrar, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For each fee collected under this subsection, one dollar shall be deposited to the state department of revenue and the remainder shall be deposited to the official city or county health agency. The director of revenue shall credit all fees deposited to the state department of revenue under this subsection to the Missouri state coroners' training fund established in section 58.208.

3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a donation of one dollar may be collected by the local registrar over and above any fees required by law when a certification or copy of any marriage license or birth certificate is provided, with such donations collected to be forwarded monthly by the local registrar to the county treasurer of such county and the donations so forwarded to be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in such county. The local registrar shall include a check-off box on the application form for such copies. All fees collected under this subsection, other than the donations collected in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official city or county health agency.

4. A certified copy of a death record by the local registrar can only be issued within twenty-four hours of receipt of the record by the local registrar. Computer-generated certifications of death records may be issued by the local registrar after twenty-four hours of receipt of the records. The fees paid to the official county health agency shall be retained by the local agency for local public health purposes.

5. No fee under this section shall be required or collected from a parent or guardian of a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a certification, or copy of such certification, of birth of such child or youth. An unaccompanied youth shall be eligible to receive a certification or copy of his or her own birth record without the consent or signature of his or her parent or guardian; provided, that only one certificate under this provision shall be provided without cost to the unaccompanied or homeless youth. For the issuance of any additional certificates, the statutory fee shall be paid.

**6. (1) Notwithstanding any provision of law, no fee shall be required or collected for a certification of birth if the request is made by a victim of domestic violence or abuse, as those terms are defined in section 455.010, and the victim provides documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a health care or mental health professional, from whom the victim has sought assistance relating to the domestic violence or abuse. Such documentation shall state that, under penalty of perjury, the employee, agent, or volunteer of a victim service provider, the attorney, or the health care or mental health professional believes the victim has been involved in an incident of domestic violence or abuse.**

**(2) A victim may be eligible only one time for a fee waiver under this subsection.";** and

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

**House Amendment No. 1** was withdrawn.

**MOTION**

Representative Roberts, having voted on the prevailing side, moved that the vote by which the title of **SB 28** was agreed to, be reconsidered.

Which motion was adopted by the following vote:

AYES: 119

Allen	Amato	Atchison	Baker	Banderman
Baringer	Barnes	Billington	Black	Bonacker
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Buchheit-Courtway	Busick	Butz	Byrnes	Casteel
Chappell	Christ	Christofanelli	Coleman	Collins
Cook	Copeland	Cupps	Davidson	Davis
Deaton	Diehl	Dinkins	Ealy	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gray	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks
Hinman	Houx	Hovis	Hudson	Hurlbert
Johnson 23	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Morse	Murphy	Myers
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Pollitt	Pouche	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Schulte	Schwadron	Seitz
Sharp 37	Sharpe 4	Shields	Smith 155	Smith 163
Smith 46	Sparks	Stacy	Stephens	Stinnett
Taylor 48	Taylor 84	Thomas	Titus	Toalson Reisch
Van Schoiack	Veit	Voss	Waller	West
Wilson	Wright	Young	Mr. Speaker	

NOES: 017

Adams	Anderson	Appelbaum	Aune	Burnett
Clemens	Fogle	Hein	Johnson 12	Lavender
Lewis 25	Mackey	Phifer	Steinhoff	Terry
Unsicker	Walsh Moore			

PRESENT: 018

Bangert	Bosley	Brown 87	Burton	Crossley
Fountain Henderson	Ingle	Mann	Merideth	Nickson-Clark
Nurrenbern	Plank	Proudie	Quade	Sauls
Strickler	Weber	Windham		

ABSENT WITH LEAVE: 008

Bland Manlove	Boggs	Burger	Doll	Mosley
Schnelting	Thompson	Woods		

VACANCIES: 001

Representative Baker offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Bill No. 28, Page 1, In the Title, Lines 2-3, by deleting the phrase "public records of the Missouri state highway patrol" and inserting in lieu thereof the phrase "certain records"; and

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

On motion of Representative Baker, **House Amendment No. 2** was adopted.

Representative Baker offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after said section and line the following:

"105.1500. 1. This section shall be known and may be cited as "The Personal Privacy Protection Act".

2. As used in this section, the following terms mean:

(1) "Personal information", any list, record, register, registry, roll, roster, or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any entity exempt from federal income ~~tax~~ **taxation** under Section 501(c) of the Internal Revenue Code of 1986, as amended;

(2) "Public agency", the state and any political subdivision thereof including, but not limited to, any department, agency, office, commission, board, division, or other entity of state government; any county, city, township, village, school district, community college district; or any other local governmental unit, agency, authority, council, board, commission, state or local court, tribunal or other judicial or quasi-judicial body.

3. (1) Notwithstanding any provision of law to the contrary, but subject to the exceptions listed under ~~subsection~~ **subsections 4 and 6** of this section, a public agency shall not:

(a) Require any individual to provide the public agency with personal information or otherwise compel the release of personal information;

(b) Require any entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code **of 1986, as amended**, to provide the public agency with personal information or otherwise compel the release of personal information;

(c) Release, publicize, or otherwise publicly disclose personal information in possession of a public agency **without the express, written permission of every individual who is identifiable as a financial supporter of an entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended**; or

(d) Request or require a current or prospective contractor or grantee with the public agency to provide the public agency with a list of entities exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, to which it has provided financial or nonfinancial support.

(2) All personal information in the possession of a public agency shall be considered a closed record under chapter 610 and court operating rules.

4. The provisions of this section shall not preclude any individual or entity from being required to comply with any of the following:

(1) Submitting any report or disclosure required by this chapter or chapter 130;

(2) Responding to any lawful request or subpoena for personal information from the Missouri ethics commission as a part of an investigation, or publicly disclosing personal information as a result of an enforcement action from the Missouri ethics commission pursuant to its authority in sections 105.955 to 105.966;

(3) Responding to any lawful warrant for personal information issued by a court of competent jurisdiction;

(4) Responding to any lawful request for discovery of personal information in litigation if:

(a) The requestor demonstrates a compelling need for the personal information by clear and convincing evidence; and



(b) The requestor obtains a protective order barring disclosure of personal information to any person not named in the litigation;

(5) Applicable court rules or admitting any personal information as relevant evidence before a court of competent jurisdiction. However, a submission of personal information to a court shall be made in a manner that it is not publicly revealed and no court shall publicly reveal personal information absent a specific finding of good cause; or

(6) Any report or disclosure required by state law to be filed with the secretary of state, provided that personal information obtained by the secretary of state is otherwise subject to the requirements of paragraph (c) of subdivision (1) of subsection 3 of this section, unless expressly required to be made public by state law.

5. (1) A person or entity alleging a violation of this section may bring a civil action for appropriate injunctive relief, damages, or both. Damages awarded under this section may include one of the following, as appropriate:

(a) A sum of moneys not less than two thousand five hundred dollars to compensate for injury or loss caused by each violation of this section; or

(b) For an intentional violation of this section, a sum of moneys not to exceed three times the sum described in paragraph (a) of this subdivision.

(2) A court, in rendering a judgment in an action brought under this section, may award all or a portion of the costs of litigation, including reasonable attorney's fees and witness fees, to the complainant in the action if the court determines that the award is appropriate.

(3) A person who knowingly violates this section is guilty of a class B misdemeanor.

**6. This section shall not apply to:**

**(1) Personal information that a person or entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, submits or has previously submitted to a public agency for the purpose of seeking or obtaining, including acting on behalf of another to seek or obtain, a contract, grant, permit, license, benefit, tax credit, incentive, status, or any other similar item, including a renewal of the same, provided that a public agency shall not require an entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, to provide information that directly identifies donors of financial support, but such information may be voluntarily provided to a public agency by the 501(c) entity. If a financial donor is seeking a benefit, tax credit, incentive, or any other similar item from a public agency based upon a donation, confirmation of specific donations by an entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, shall be considered personal information voluntarily provided to the public agency by the 501(c) entity;**

**(2) A disclosure of personal information among law enforcement agencies or public agency investigators pursuant to an active investigation;**

**(3) A disclosure of personal information voluntarily made as part of public comment, public testimony, pleading, or in a public meeting, or voluntarily provided to a public agency, for the purpose of public outreach, marketing, or education to show appreciation for or in partnership with an entity or the representatives of an entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code of 1986, as amended, provided that no public agency shall disclose information that directly identifies an individual as a donor of financial support to a 501(c) entity without the express, written permission of the individual to which the personal information relates;**

**(4) A disclosure of personal information to a labor union or employee association regarding employees in a bargaining unit represented by the union or association; or**

**(5) The collection or publishing of information contained in a financial interest statement, as provided by law.**

Section B. Because immediate action is necessary to protect the ability of nonprofit entities to interact with public agencies and restore transparency to governmental contracts, grant programs, and other similar items, the repeal and reenactment of section 105.1500 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 105.1500 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

On motion of Representative Baker, **House Amendment No. 3** was adopted.

Representative Veit offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after said section and line the following:

"476.055. 1. There is hereby established in the state treasury the "Statewide Court Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts, contributions, devises, bequests, and grants received relating to automation of judicial record keeping, and moneys received by the judicial system for the dissemination of information and sales of publications developed relating to automation of judicial record keeping, shall be credited to the fund. Moneys credited to this fund may only be used for the purposes set forth in this section and as appropriated by the general assembly. Any unexpended balance remaining in the statewide court automation fund at the end of each biennium shall not be subject to the provisions of section 33.080 requiring the transfer of such unexpended balance to general revenue~~]; except that, any unexpended balance remaining in the fund on September 1, 2023, shall be transferred to general revenue].~~

2. The statewide court automation fund shall be administered by a court automation committee consisting of the following: the chief justice of the supreme court, a judge from the court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit court, **two municipal employees who work full time in a municipal division of a circuit court**, the commissioner of administration, two members of the house of representatives appointed by the speaker of the house, two members of the senate appointed by the president pro tem of the senate, the executive director of the Missouri office of prosecution services, the director of the state public defender system, and two members of the Missouri Bar. The judge members and employee members shall be appointed by the chief justice. The commissioner of administration shall serve ex officio. The members of the Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member of the committee may designate another person to serve on the committee in place of the committee member.

3. The committee shall develop and implement a plan for a statewide court automation system. The committee shall have the authority to hire consultants, review systems in other jurisdictions and purchase goods and services to administer the provisions of this section. The committee may implement one or more pilot projects in the state for the purposes of determining the feasibility of developing and implementing such plan. The members of the committee shall be reimbursed from the court automation fund for their actual expenses in performing their official duties on the committee.

4. Any purchase of computer software or computer hardware that exceeds five thousand dollars shall be made pursuant to the requirements of the office of administration for lowest and best bid. Such bids shall be subject to acceptance by the office of administration. The court automation committee shall determine the specifications for such bids.

5. The court automation committee shall not require any circuit court to change any operating system in such court, unless the committee provides all necessary personnel, funds and equipment necessary to effectuate the required changes. No judicial circuit or county may be reimbursed for any costs incurred pursuant to this subsection unless such judicial circuit or county has the approval of the court automation committee prior to incurring the specific cost.

6. Any court automation system, including any pilot project, shall be implemented, operated and maintained in accordance with strict standards for the security and privacy of confidential judicial records. Any person who knowingly releases information from a confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing that a judicial record is confidential, uses information from such confidential record for financial gain is guilty of a class E felony.

7. On the first day of February, May, August and November of each year, the court automation committee shall file a report on the progress of the statewide automation system with:

- (1) The chair of the house budget committee;
- (2) The chair of the senate appropriations committee;

- (3) The chair of the house judiciary committee; and
- (4) The chair of the senate judiciary committee.

8. ~~[Section 488.027 shall expire on September 1, 2023.]~~ The court automation committee established pursuant to this section may continue to function until completion of its duties prescribed by this section, ~~but shall complete its duties prior to September 1, 2025.~~

9. ~~This section shall expire on September 1, 2025.~~"; and

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

On motion of Representative Veit, **House Amendment No. 4** was adopted.

Representative Copeland offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND Senate Bill No. 28, Page 1, Section A, Line 3, by inserting after said section and line the following:

"37.725. 1. Any files maintained by the advocate program shall be disclosed only at the discretion of the child advocate; except that the identity of any complainant or recipient shall not be disclosed by the office unless:

(1) The complainant or recipient, or the complainant's or recipient's legal representative, consents in writing to such disclosure; ~~or~~

(2) Such disclosure is required by court order; **or**

**(3) The disclosure is at the request of law enforcement as part of an investigation.**

2. Any statement or communication made by the office relevant to a complaint received by, proceedings before, or activities of the office and any complaint or information made or provided in good faith by any person shall be absolutely privileged and such person shall be immune from suit.

3. Any representative of the office conducting or participating in any examination of a complaint who knowingly and willfully discloses to any person other than the office, or those persons authorized by the office to receive it, the name of any witness examined or any information obtained or given during such examination is guilty of a class A misdemeanor. However, the office conducting or participating in any examination of a complaint shall disclose the final result of the examination with the consent of the recipient.

4. The office shall not be required to testify in any court with respect to matters held to be confidential in this section except as the court may deem necessary to enforce the provisions of sections 37.700 to 37.730, or where otherwise required by court order."; and

Further amend said bill and page, Section 43.253, Line 13, by inserting after said section and line the following:

"43.539. 1. As used in this section, the following terms mean:

(1) "Applicant", a person who:

(a) Is actively employed by or seeks employment with a qualified entity;

(b) Is actively licensed or seeks licensure with a qualified entity;

(c) Actively volunteers or seeks to volunteer with a qualified entity;

(d) Is actively contracted with or seeks to contract with a qualified entity; or

(e) Owns or operates a qualified entity;

(2) "Care", the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or disabled persons;

(3) "Missouri criminal record review", a review of criminal history records and sex offender registration records under sections 589.400 to 589.425 maintained by the Missouri state highway patrol in the Missouri criminal records repository;

(4) "Missouri Rap Back program", any type of automatic notification made by the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense in Missouri as required under section 43.506;

(5) "National criminal record review", a review of the criminal history records maintained by the Federal Bureau of Investigation;

(6) "National Rap Back program", any type of automatic notification made by the Federal Bureau of Investigation through the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense outside the state of Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau of Investigation by the arresting agency;

(7) "Patient or resident", a person who by reason of age, illness, disease, or physical or mental infirmity receives or requires care or services furnished by an applicant, as defined in this section, or who resides or boards in, or is otherwise kept, cared for, treated, or accommodated in a facility as defined in section 198.006, for a period exceeding twenty-four consecutive hours;

(8) "Qualified entity", a person, business, or organization that provides care, care placement, or educational services for children, the elderly, or persons with disabilities as patients or residents, including a business or organization that licenses or certifies others to provide care or care placement services;

(9) "Youth services agency", any agency, school, or association that provides programs, care, or treatment for or exercises supervision over minors.

2. The central repository shall have the authority to submit applicant fingerprints to the National Rap Back program to be retained for the purpose of being searched against future submissions to the National Rap Back program, including latent fingerprint searches. Qualified entities may conduct Missouri and national criminal record reviews on applicants and participate in Missouri and National Rap Back programs for the purpose of determining suitability or fitness for a permit, license, or employment, and shall abide by the following requirements:

(1) The qualified entity shall register with the Missouri state highway patrol prior to submitting a request for screening under this section. As part of the registration, the qualified entity shall indicate if it chooses to enroll applicants in the Missouri and National Rap Back programs;

(2) Qualified entities shall notify applicants subject to a criminal record review under this section that the applicant's fingerprints shall be retained by the state central repository and the Federal Bureau of Investigation and shall be searched against other fingerprints on file, including latent fingerprints;

(3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back program that the applicant's fingerprints, while retained, may continue to be compared against other fingerprints submitted or retained by the Federal Bureau of Investigation, including latent fingerprints;

(4) The criminal record review and Rap Back process described in this section shall be voluntary and conform to the requirements established in the National Child Protection Act of 1993, as amended, and other applicable state or federal law. As a part of the registration, the qualified entity shall agree to comply with state and federal law and shall indicate so by signing an agreement approved by the Missouri state highway patrol. The Missouri state highway patrol may periodically audit qualified entities to ensure compliance with federal law and this section;

(5) A qualified entity shall submit to the Missouri state highway patrol a request for screening on applicants covered under this section using a completed fingerprint card;

(6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the national criminal record review and enrollment in the National Rap Back program in compliance with the National Child Protection Act of 1993, as amended, and other applicable state or federal laws;

(7) The Missouri state highway patrol shall provide, directly to the qualified entity, the applicant's state criminal history records that are not exempt from disclosure under chapter 610 or otherwise confidential under law;

(8) The national criminal history data shall be available to qualified entities to use only for the purpose of screening applicants as described under this section. The Missouri state highway patrol shall provide the applicant's national criminal history record information directly to the qualified entity;

(9) The determination whether the criminal history record shows that the applicant has been convicted of or has a pending charge for any crime that bears upon the fitness of the applicant to have responsibility for the safety and well-being of children, the elderly, or disabled persons shall be made solely by the qualified entity. This section shall not require the Missouri state highway patrol to make such a determination on behalf of any qualified entity;

(10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a copy of any criminal record review, including the criminal history records, if any, contained in the report and of the applicant's right to challenge the accuracy and completeness of any information contained in any such report and obtain a

determination as to the validity of such challenge before a final determination regarding the applicant is made by the qualified entity reviewing the criminal history information. A qualified entity that is required by law to apply screening criteria, including any right to contest or request an exemption from disqualification, shall apply such screening criteria to the state and national criminal history record information received from the Missouri state highway patrol for those applicants subject to the required screening; and

(11) Failure to obtain the information authorized under this section, with respect to an applicant, shall not be used as evidence in any negligence action against a qualified entity. The state, any political subdivision of the state, or any agency, officer, or employee of the state or a political subdivision shall not be liable for damages for providing the information requested under this section.

3. The criminal record review shall include the submission of fingerprints to the Missouri state highway patrol, who shall conduct a Missouri criminal record review, including closed record information under section 610.120. The Missouri state highway patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record review.

4. The applicant subject to a criminal record review shall provide the following information to the qualified entity:

(1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and participate in the Missouri and National Rap Back programs;

(2) Consent to obtain the identifying information required to conduct the criminal record review, which may include, but not be limited to:

- (a) Name;
- (b) Date of birth;
- (c) Height;
- (d) Weight;
- (e) Eye color;
- (f) Hair color;
- (g) Gender;
- (h) Race;
- (i) Place of birth;
- (j) Social Security number; and
- (k) The applicant's photo.

5. Any information received by an authorized state agency or a qualified entity under the provisions of this section shall be used solely for internal purposes in determining the suitability of an applicant. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential, and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

6. A qualified entity enrolled in either the Missouri or National Rap Back program shall be notified by the Missouri state highway patrol that a new arrest has been reported on an applicant who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active capacity, the entity may request and receive the individual's updated criminal history record. This process shall only occur if:

(1) The entity has abided by all procedures and rules promulgated by the Missouri state highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section [~~within the previous six years~~]; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The Missouri state highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section.

43.540. 1. As used in this section, the following terms mean:

(1) "Applicant", a person who:

- (a) Is actively employed by or seeks employment with a qualified entity;

- (b) Is actively licensed or seeks licensure with a qualified entity;
- (c) Actively volunteers or seeks to volunteer with a qualified entity; or
- (d) Is actively contracted with or seeks to contract with a qualified entity;
- (2) "Missouri criminal record review", a review of criminal history records and sex offender registration records pursuant to sections 589.400 to 589.425 maintained by the Missouri state highway patrol in the Missouri criminal records repository;
- (3) "Missouri Rap Back program", shall include any type of automatic notification made by the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense in Missouri as required under section 43.506;
- (4) "National criminal record review", a review of the criminal history records maintained by the Federal Bureau of Investigation;
- (5) "National Rap Back program", shall include any type of automatic notification made by the Federal Bureau of Investigation through the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense outside the state of Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau of Investigation by the arresting agency;
- (6) "Qualified entity", an entity that is:
  - (a) An office or division of state, county, or municipal government, including a political subdivision or a board or commission designated by statute or approved local ordinance, to issue or renew a license, permit, certification, or registration of authority;
  - (b) An office or division of state, county, or municipal government, including a political subdivision or a board or commission designated by statute or approved local ordinance, to make fitness determinations on applications for state, county, or municipal government employment; or
  - (c) Any entity that is authorized to obtain criminal history record information under 28 CFR 20.33.
- 2. The central repository shall have the authority to submit applicant fingerprints to the National Rap Back program to be retained for the purpose of being searched against future submissions to the National Rap Back program, including latent fingerprint searches. Qualified entities may conduct Missouri and national criminal record reviews on applicants and participate in Missouri and National Rap Back programs for the purpose of determining suitability or fitness for a permit, license, or employment, and shall abide by the following requirements:
  - (1) The qualified entity shall register with the Missouri state highway patrol prior to submitting a request for screening under this section. As part of such registration, the qualified entity shall indicate if it chooses to enroll their applicants in the Missouri and National Rap Back programs;
  - (2) Qualified entities shall notify applicants subject to a criminal record review under this section that the applicant's fingerprints shall be retained by the state central repository and the Federal Bureau of Investigation and shall be searched against other fingerprints on file, including latent fingerprints;
  - (3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back program that the applicant's fingerprints, while retained, may continue to be compared against other fingerprints submitted or retained by the Federal Bureau of Investigation, including latent fingerprints;
  - (4) The criminal record review and Rap Back process described in this section shall be voluntary and conform to the requirements established in Pub. L. 92-544 and other applicable state or federal law. As a part of the registration, the qualified entity shall agree to comply with state and federal law and shall indicate so by signing an agreement approved by the Missouri state highway patrol. The Missouri state highway patrol may periodically audit qualified entities to ensure compliance with federal law and this section;
  - (5) A qualified entity shall submit to the Missouri state highway patrol a request for screening on applicants covered under this section using a completed fingerprint card;
  - (6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the national criminal record review and enrollment in the National Rap Back program in compliance with applicable state or federal laws;
  - (7) The Missouri state highway patrol shall provide, directly to the qualified entity, the applicant's state criminal history records that are not exempt from disclosure under chapter 610 or are otherwise confidential under law;

(8) The national criminal history data shall be available to qualified entities to use only for the purpose of screening applicants as described under this section. The Missouri state highway patrol shall provide the applicant's national criminal history record information directly to the qualified entity;

(9) This section shall not require the Missouri state highway patrol to make an eligibility determination on behalf of any qualified entity;

(10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a copy of any criminal record review, including the criminal history records, if any, contained in the report, and of the applicant's right to challenge the accuracy and completeness of any information contained in any such report and to obtain a determination as to the validity of such challenge before a final determination regarding the applicant is made by the qualified entity reviewing the criminal history information. A qualified entity that is required by law to apply screening criteria, including any right to contest or request an exemption from disqualification, shall apply such screening criteria to the state and national criminal history record information received from the Missouri state highway patrol for those applicants subject to the required screening; and

(11) Failure to obtain the information authorized under this section with respect to an applicant shall not be used as evidence in any negligence action against a qualified entity. The state, any political subdivision of the state, or any agency, officer, or employee of the state or a political subdivision shall not be liable for damages for providing the information requested under this section.

3. The criminal record review shall include the submission of fingerprints to the Missouri state highway patrol, who shall conduct a Missouri criminal record review, including closed record information under section 610.120. The Missouri state highway patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record review.

4. The applicant subject to a criminal record review shall provide the following information to the qualified entity:

(1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and participate in the Missouri and National Rap Back programs;

(2) Consent to obtain the identifying information required to conduct the criminal record review, which may include, but not be limited to:

- (a) Name;
- (b) Date of birth;
- (c) Height;
- (d) Weight;
- (e) Eye color;
- (f) Hair color;
- (g) Gender;
- (h) Race;
- (i) Place of birth;
- (j) Social Security number; and
- (k) The applicant's photo.

5. Any information received by an authorized state agency or a qualified entity pursuant to the provisions of this section shall be used solely for internal purposes in determining the suitability of an applicant. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

6. A qualified entity enrolled in either the Missouri or National Rap Back programs shall be notified by the Missouri state highway patrol that a new arrest has been reported on an applicant who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active capacity, the entity may request and receive the individual's updated criminal history record. This process shall only occur if:

(1) The agency has abided by all procedures and rules promulgated by the Missouri state highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section ~~within the previous six years~~; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section."; and

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

On motion of Representative Copeland, **House Amendment No. 5** was adopted.

Representative Francis offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of the said section and line the following:

**"303.420. As used in sections 303.420 to 303.440, unless the context requires otherwise, the following terms mean:**

**(1) "Law enforcement agency", the department of revenue, the Missouri state highway patrol, the prosecuting attorney or sheriff's office of any county or city not within a county, the chiefs of police of any city or municipality, or any other authorized law enforcement agency recognized by the state;**

**(2) "Program", the motor vehicle financial responsibility enforcement and compliance incentive program established under section 303.425;**

**(3) "System" or "verification system", the web-based resource established under section 303.430 for online verification of motor vehicle financial responsibility.**

**303.422. 1. There is hereby created in the state treasury the "Motor Vehicle Financial Responsibility Verification and Enforcement Fund", which shall consist of moneys received by the department of revenue under sections 303.420 to 303.440. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely by the department of revenue for the administration of sections 303.420 to 303.440.**

**2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

**303.425. 1. (1) There is hereby created within the department of revenue the motor vehicle financial responsibility enforcement and compliance incentive program. The department of revenue may enter into contractual agreements with third-party vendors to facilitate the necessary technology and equipment, maintenance thereof, and associated program management services and may enter into contractual agreements with the Missouri office of prosecution services as provided in sections 303.420 to 303.440. Where sections 303.420 to 303.440 authorize the department of revenue to enter into contracts with a third-party vendor or the Missouri office of prosecution services at its option, the department of revenue shall contract with the Missouri office of prosecution services unless the Missouri office of prosecution services declines to enter into the contract.**

**(2) The department of revenue or a third-party vendor shall utilize technology to compare vehicle registration information with the financial responsibility information accessible through the system. The department of revenue shall utilize this information to identify motorists who are in violation of the motor vehicle financial responsibility law. The department of revenue may offer offenders under this program the option of pretrial diversion as an alternative to statutory fines or reinstatement fees prescribed under the motor vehicle financial responsibility law as a method of encouraging compliance and discouraging recidivism.**

**(3) All fees paid to or collected by third-party vendors or the Missouri office of prosecution services under sections 303.420 to 303.440 may come from violator diversion fees generated by the pretrial diversion option established under this section. A contractual agreement between the department of revenue and the**



Missouri office of prosecution services under sections 303.420 to 303.440 may provide for retention by the Missouri office of prosecution services of part or all of the violator diversion fees as consideration for the contract.

2. The department of revenue may authorize law enforcement agencies or third-party vendors to use technology to collect data for the investigation, detection, analysis, and enforcement of the motor vehicle financial responsibility law.

3. The department of revenue may authorize law enforcement officers, as defined in section 556.061, third-party vendors, or the Missouri office of prosecution services to administer the processing and issuance of notices of violation or the referral of cases for prosecution under the program. The department may authorize third-party vendors to collect fees for a violation of the motor vehicle financial responsibility law.

4. Access to the system shall be restricted to authorized law enforcement agency users in the program, the department of revenue, and the third-party vendors with which the department of revenue contracts for purposes of the program, provided that any third-party vendor with which a contract is executed to provide necessary technology, equipment, or maintenance for the program shall be authorized as necessary to collaborate for required updates and maintenance of system software.

5. For purposes of the program, any data collected and matched to a corresponding vehicle insurance record as verified through the system, and any Missouri vehicle registration database, may be used to identify violations of the motor vehicle financial responsibility law. Such images and corresponding data shall constitute evidence of the violations.

6. Except as otherwise provided in this section, the department of revenue shall suspend, in accordance with section 303.041, the registration of any motor vehicle that is determined under the program to be in violation of the motor vehicle financial responsibility law.

7. The department of revenue shall send to an owner whose vehicle is identified under the program as being in violation of the motor vehicle financial responsibility law a notice that the vehicle's registration may be suspended unless the owner, within thirty days, provides proof of financial responsibility for the vehicle or proof, in a form specified by the department of revenue, that the owner has a pending criminal charge for a violation of the motor vehicle financial responsibility law. The notice shall include information on steps an individual may take to obtain proof of financial responsibility and a web address to a page on the department of revenue's website where information on obtaining proof of financial responsibility shall be provided. If proof of financial responsibility or a pending criminal charge is not provided within the time allotted, the department of revenue shall provide a notice of suspension and suspend the vehicle's registration in accordance with section 303.041 or shall send a notice of vehicle registration suspension, clearly specifying the reason and statutory grounds for the suspension and the effective date of the suspension, the right of the vehicle owner to request a hearing, the procedure for requesting a hearing, and the date by which that request for a hearing must be made, as well as informing the owner that the matter will be referred for prosecution if a satisfactory response is not received in the time allotted, informing the owner that the minimum penalty for the violation is three hundred dollars and four license points, and offering the owner participation in a pretrial diversion option to preclude referral for prosecution and registration suspension under sections 303.420 to 303.440. The notice of vehicle registration suspension shall give a period of thirty-three days from mailing for the vehicle owner to respond, and shall be deemed received three days after mailing. If no request for a hearing or agreement to participate in the diversion option is received by the department of revenue prior to the date provided on the notice of vehicle registration suspension, the director shall suspend the vehicle's registration, effective immediately, and refer the case to the appropriate prosecuting attorney. If an agreement by the vehicle owner to participate in the diversion option is received by the department of revenue prior to the effective date provided on the notice of vehicle registration suspension, upon payment of a diversion participation fee not to exceed two hundred dollars, agreement to secure proof of financial responsibility within the time provided on the notice of suspension, and agreement that such financial responsibility shall be maintained for a minimum of two years, no points shall be assessed to the vehicle owner's driver's license under section 302.302 and the department of revenue shall not take further action against the vehicle owner under sections 303.420 to 303.440, subject to compliance with the terms of the pretrial diversion option. The department of revenue shall suspend the vehicle registration of, and shall refer the case to the appropriate prosecuting attorney for prosecution of, participating vehicle

owners who violate the terms of the pretrial diversion option. If a request for hearing is received by the department of revenue prior to the effective date provided on the notice of vehicle registration suspension, for all purposes other than eligibility for participation in the diversion option, the effective date of the suspension shall be stayed until a final order is issued following the hearing. The department of revenue shall suspend the registration of vehicles determined under the final order to have violated the motor vehicle financial responsibility law and shall refer the case to the appropriate prosecuting attorney for prosecution. Notices under this subsection shall be mailed to the vehicle owner at the last known address shown on the department of revenue's records. The department of revenue or its third-party vendor or the Missouri office of prosecution services shall issue receipts for the collection of diversion participation fees. Except as otherwise provided in subsection 1 of this section, all such fees shall be deposited into the motor vehicle financial responsibility verification and enforcement fund established in section 303.422. A vehicle owner whose registration has been suspended under sections 303.420 to 303.440 may obtain reinstatement of the registration upon providing proof of financial responsibility and payment to the department of revenue of a nonrefundable reinstatement fee equal to the fee that would be applicable under subsection 2 of section 303.042 if the registration had been suspended under section 303.041.

8. Data collected or retained under the program shall not be used by any entity for purposes other than enforcement of the motor vehicle financial responsibility law. Data collected and stored by law enforcement under the program shall be considered evidence if noncompliance with the motor vehicle financial responsibility law is confirmed. The evidence, and an affidavit stating that the evidence and system have identified a particular vehicle as being in violation of the motor vehicle financial responsibility law, shall constitute probable cause for prosecution and shall be forwarded in accordance with subsection 7 of this section to the appropriate prosecuting attorney.

9. Owners of vehicles identified under the program as being in violation of the motor vehicle financial responsibility law shall be provided with options for disputing such claims that do not require appearance at any state or local court of law, or administrative facility. Any person who presents timely proof that he or she was in compliance with the motor vehicle financial responsibility law at the time of the alleged violation shall be entitled to dismissal of the charge with no assessment of fees or fines. Proof provided by a vehicle owner to the department of revenue that the vehicle was in compliance at the time of the suspected violation of the motor vehicle financial responsibility law shall be recorded in the system established by the department of revenue under section 303.430.

10. The collection of data or use of any technology pursuant to this section shall be done in a manner that prohibits any bias towards a specific community, race, gender, or socioeconomic status of vehicle owner.

11. Law enforcement agencies, third-party vendors, or other entities authorized to operate under the program shall not sell data collected or retained under the program for any purpose or share it for any purpose not expressly authorized in this section. All data shall be secured and any third-party vendor or other entity authorized to operate under the program may be liable for any data security breach.

12. The department of revenue shall not take action under sections 303.420 to 303.440 against vehicles registered as fleet vehicles under section 301.032, or against vehicles known to the department of revenue to be insured under a policy of commercial auto coverage, as such term is defined in subdivision (10) of subsection 2 of section 303.430.

13. Following one year after the implementation of the program, and every year thereafter, the department of revenue shall provide a report to the president pro tempore of the senate, the speaker of the house of representatives, the chairs of the house and senate committees with jurisdictions over insurance or transportation matters, and the chairs of the house budget and senate appropriations committees. The report shall include an evaluation of program operations, information as to the costs of the program incurred by the department of revenue, insurers, and the public, information as to the effectiveness of the program in reducing the number of uninsured motor vehicles, and anonymized demographic information including the race and ZIP code of vehicle owners identified under the program as being in violation of the motor vehicle financial responsibility law, and may include any additional information and recommendations for improvement of the program deemed appropriate by the department of revenue. The department of revenue may, by rule, require the state, counties, and municipalities to provide information in order to complete the report.

14. The Missouri office of prosecution services in consultation with the department of revenue may promulgate rules as necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

303.430. 1. The department of revenue shall establish and maintain a web-based system for the verification of motor vehicle financial responsibility, shall provide access to insurance reporting data and vehicle registration and financial responsibility data, and shall require motor vehicle insurers to establish functionality for the verification system, as provided in sections 303.420 to 303.440. The verification system, including any exceptions as provided for in sections 303.420 to 303.440 or in the implementation guide developed to support the program, shall supersede any existing verification system and shall be the sole system used for the purpose of verifying financial responsibility required under this chapter.

2. The system established pursuant to subsection 1 of this section shall be subject to the following:

(1) The verification system shall transmit requests to insurers for verification of motor vehicle insurance coverage via web services established by the insurers through the internet in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration, or "IICMVA". Insurance company systems shall respond to each request with a prescribed response upon evaluation of the data provided in the request. The system shall include appropriate protections to secure its data against unauthorized access, and the department of revenue shall maintain a historical record of the system data for a period of no more than twelve months from the date of all requests and responses. The system shall be used for verification of the financial responsibility required under this chapter. The system shall be accessible to authorized personnel of the department of revenue, the courts, law enforcement personnel, and other entities authorized by the state as permitted by state or federal privacy laws, and it shall be interfaced, where appropriate, with existing state systems. The system shall include information enabling the department of revenue to submit inquiries to insurers regarding motor vehicle insurance that are consistent with insurance industry and IICMVA recommendations, specifications, and standards by using the following data elements for greater matching accuracy: insurer National Association of Insurance Commissioners, or "NAIC", company code; vehicle identification number; policy number; verification date; or as otherwise described in the specifications and standards of the IICMVA. The department of revenue shall promulgate rules to offer insurers who insure one thousand or fewer vehicles within this state an alternative method for verifying motor vehicle insurance coverage in lieu of web services, and to provide for the verification of financial responsibility when financial responsibility is proven to the department to be maintained by means other than a policy of motor vehicle insurance. Insurers shall not be required to verify insurance coverage for vehicles registered in other jurisdictions;

(2) The verification system shall respond to each request within a time period established by the department of revenue. An insurer's system shall respond within the time period prescribed by the IICMVA's specifications and standards. Insurer systems shall be permitted reasonable system downtime for maintenance and other work with advance notice to the department of revenue. Insurers shall not be subject to enforcement fees or other sanctions under such circumstances, or when systems are not available because of emergency, outside attack, or other unexpected outages not planned by the insurer and reasonably outside its control;

(3) The system shall assist in identifying violations of the motor vehicle financial responsibility law in the most effective way possible. Responses to individual insurance verification requests shall have no bearing on whether insurance coverage is determined to be in force at the time of a claim. Claims shall be individually investigated to determine the existence of coverage. Nothing in sections 303.420 to 303.440 shall prohibit the department of revenue from contracting with a third-party vendor or vendors who have successfully implemented similar systems in other states to assist in establishing and maintaining this verification system;

(4) The department of revenue shall consult with representatives of the insurance industry and may consult with third-party vendors to determine the objectives, details, and deadlines related to the system by establishment of an advisory council. The advisory council shall consist of voting members comprised of:

(a) The director of the department of commerce and insurance, or his or her designee, who shall serve as chair;

(b) Two representatives of the department of revenue, to be appointed by the director of the department of revenue;

(c) One representative of the department of commerce and insurance, to be appointed by the director of the department of commerce and insurance;

(d) Three representatives of insurance companies, to be appointed by the director of the department of commerce and insurance;

(e) One representative from the Missouri Insurance Coalition;

(f) One representative chosen by the National Association of Mutual Insurance Companies;

(g) One representative chosen by the American Property and Casualty Insurance Association;

(h) One representative chosen by the Missouri Independent Agents Association;

(i) One representative who is currently employed as a law enforcement officer in the state; and

(j) Such other representatives as may be appointed by the director of the department of commerce and insurance;

(5) The department of revenue shall publish for comment, and then issue, a detailed implementation guide for its online verification system;

(6) The department of revenue and its third-party vendors, if any, shall each maintain a contact person for insurers during the establishment, implementation, and operation of the system;

(7) If the department of revenue has reason to believe a vehicle owner does not maintain financial responsibility as required under this chapter, it may also request an insurer to verify the existence of such financial responsibility in a form approved by the department of revenue. In addition, insurers shall cooperate with the department of revenue in establishing and maintaining the verification system established under this section, and shall provide motor vehicle insurance policy status information as provided in the rules promulgated by the department of revenue;

(8) Every property and casualty insurance company licensed to issue motor vehicle insurance or authorized to do business in this state shall comply with sections 303.420 to 303.440, and corresponding rules promulgated by the department of revenue, for the verification of such insurance for every vehicle insured by that company in this state;

(9) Insurers shall maintain a historical record of insurance data for a minimum period of six months from the date of policy inception or policy change for the purpose of historical verification inquiries;

(10) For the purposes of this section, "commercial auto coverage" shall mean any coverage provided to an insured, regardless of number of vehicles or entities covered, under a commercial coverage form and rated from a commercial manual approved by the department of commerce and insurance. Sections 303.420 to 303.440 shall not apply to vehicles insured under commercial auto coverage; however, insurers of such vehicles may participate on a voluntary basis, and vehicle owners may provide proof at or subsequent to the time of vehicle registration that a vehicle is insured under commercial auto coverage, which the department of revenue shall record in the system;

(11) Insurers shall provide commercial or fleet automobile customers with evidence reflecting that the vehicle is insured under a commercial or fleet automobile liability policy. Sufficient evidence shall include an insurance identification card clearly marked with a suitable identifier such as "commercial auto insurance identification card", "fleet auto insurance identification card", or other clear identification that the vehicle is insured under a fleet or commercial policy;

(12) Insurers shall be immune from civil and administrative liability for good faith efforts to comply with the terms of sections 303.420 to 303.440;

(13) Nothing in this section shall prohibit an insurer from using the services of a third-party vendor for facilitating the verification system required under sections 303.420 to 303.440.

3. The department of revenue shall promulgate rules as necessary for the implementation of sections 303.420 to 303.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all

of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

303.440. The verification system established under section 303.430 shall be installed and fully operational on January 1, 2025, following an appropriate testing or pilot period of not less than nine months. Until the successful completion of the testing or pilot period in the judgment of the director of the department of revenue, no enforcement action shall be taken based on the system including, but not limited to, action taken under the program established under section 303.425."; and

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

On motion of Representative Francis, **House Amendment No. 6** was adopted.

Representative Evans offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after said section and line the following:

"509.520. 1. Notwithstanding any provision of law to the contrary, beginning August 28, ~~[2009]~~ **2023**, pleadings, attachments, ~~[or]~~ exhibits filed with the court in any case, as well as any judgments **or orders** issued by the court, **or other records of the court** shall not include **the following confidential and personal identifying information**:

(1) The full Social Security number of any party or any child ~~[who is the subject to an order of custody or support]~~;

(2) The full credit card number ~~[or other]~~, financial **institution** account number, **personal identification number, or password used to secure an account** of any party;

(3) **The full motor vehicle operator license number;**

(4) **Victim information, including the name, address, and other contact information of the victim;**

(5) **Witness information, including the name, address, and other contact information of the witness;**

(6) **Any other full state identification number;**

(7) **The full name, address, and date of birth of a minor; or**

(8) **The full date of birth of any party; however, the year of birth shall be made available.**

2. **The information provided under subsection 1 of this section shall be provided in a confidential information filing sheet contemporaneously filed with the court or entered by the court, which shall not be subject to public inspection or availability.**

3. **Nothing in this section shall preclude an entity including, but not limited to, a financial institution, insurer, insurance support organization, or consumer reporting agency that is otherwise permitted by law to access state court records from using a person's unique identifying information to match such information contained in a court record to validate that person's record.**

4. **The Missouri supreme court shall promulgate rules to administer this section.**

5. Contemporaneously with the filing of every petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the filing party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the petitioner or movant, if a person;

(2) If known to the petitioner or movant, the name and address of the current employer and the Social Security number of the respondent; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

~~[3-]~~ 6. Contemporaneously with the filing of every responsive pleading petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the responding party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the responding party, if a person;

(2) If known to the responding party, the name and address of the current employer and the Social Security number of the petitioner or movant; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

~~[4-]~~ 7. The full Social Security number of any party or child subject to an order of custody or support shall be retained by the court on the confidential case filing sheet or other confidential record maintained in conjunction with the administration of the case. The full credit card number or other financial account number of any party may be retained by the court on a confidential record if it is necessary to maintain the number in conjunction with the administration of the case.

~~[5-]~~ 8. Any document described in subsection 1 of this section shall, in lieu of the full number, include only the last four digits of any such number.

~~[6-]~~ 9. Except as provided in section 452.430, the clerk shall not be required to redact any document described in subsection 1 of this section issued or filed before August 28, 2009, prior to releasing the document to the public.

~~[7-]~~ 10. For good cause shown, the court may release information contained on the confidential case filing sheet; except that, any state agency acting under authority of chapter 454 shall have access to information contained herein without court order in carrying out their official duty."; and

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

On motion of Representative Evans, **House Amendment No. 7** was adopted.

Representative Diehl offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of the said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) **(a) Security measures, global positioning system (GPS) data, investigative information, or investigative or surveillance techniques of any public agency responsible for law enforcement or public safety that, if disclosed, has the potential to endanger the health or safety of an individual or the public.**

**(b) Any information or data provided to a tip line for the purpose of safety or security at an educational institution that, if disclosed, has the potential to endanger the health or safety of an individual or the public.**

**(c) Any information contained in any suspicious activity report provided to law enforcement that, if disclosed, has the potential to endanger the health or safety of an individual or the public.**

**(d) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to**

close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; and

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account."; and

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

On motion of Representative Diehl, **House Amendment No. 8** was adopted.

Representative Christofanelli offered **House Amendment No. 9**.



*House Amendment No. 9*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of said section and line the following:

**"210.1360. 1. Any personally identifiable information regarding any child under eighteen years of age receiving child care from any provider or applying for or receiving any services through a state program shall not be subject to disclosure except as otherwise provided by law.**

**2. This section shall not prohibit any state agency from disclosing personally identifiable information to governmental entities or its agents, vendors, grantees, and contractors in connection to matters relating to its official duties.**

**3. This section shall not prevent a parent or legal guardian from accessing the parent's or legal guardian's child's records.";** and

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

Representative Kelly (141) offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of said section and line the following:

**"210.1360. 1. Any personally identifiable information regarding any child under eighteen years of age receiving child care from any provider or applying for or receiving any services through a state program shall not be subject to disclosure except as otherwise provided by law.**

**2. This section shall not prohibit any state agency from disclosing personally identifiable information to governmental entities or its agents, vendors, grantees, and contractors in connection to matters relating to its official duties. The provisions of this section shall not apply to any state, county, or municipal law enforcement agency acting in its official capacity.**

**3. This section shall not prevent a parent or legal guardian from accessing the parent's or legal guardian's child's records.";** and

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

Representative McGaugh offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND House Substitute Amendment No. 1 for House Amendment No. 9 to Senate Bill No. 28, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

**"208.072. 1. A completed application for medical assistance for services described in section 208.152 shall be approved or denied within thirty days from submission to the family support division or its successor.**

2. The MO HealthNet division shall remit to a licensed nursing home operator the Medicaid payment for a newly admitted Medicaid resident in a licensed long-term care facility within forty-five days of the resident's date of admission.

**3. In accordance with 42 CFR 435.907(a), as amended, if the applicant is a minor or incapacitated, the family support division or its successor shall accept an application from someone acting responsibly for the applicant.**

**210.1360. 1. Any personally identifiable information regarding any child under eighteen"; and**

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

On motion of Representative McGaugh, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

On motion of Representative Kelly (141), **House Substitute Amendment No. 1 for House Amendment No. 9, as amended**, was adopted.

Representative Falkner offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public

educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public

governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; ~~and~~

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account; **and**

**(26) Any portion of a record that contains individually identifiable information of any person who registers for a recreational or social activity or event sponsored by a public governmental body, if such public governmental body is a city, town, or village.";** and

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

Representative Boyd offered **House Amendment No. 1 to House Amendment No. 10.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 10*

AMEND House Amendment No. 10 to Senate Bill No. 28, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) "Governing body", the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) "Political subdivision", any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275.

9. Any political subdivision that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine of five hundred dollars per day.

10. The state auditor shall report any violation of subsection 9 of this section to the department of revenue. Upon notification from the state auditor's office that a political subdivision failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such political subdivision by certified mail that the statement has not been received. Such notice shall clearly set forth the following:

(1) The name of the political subdivision;

(2) That the political subdivision shall be subject to a fine of five hundred dollars per day if the political subdivision does not submit a copy of the annual financial statement to the state auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;

(3) That the fine will be enforced and collected as provided under subsection 11 of this section; and

(4) That the fine will begin accruing on the thirty-first day from the postmarked date stamped on the certified mail envelope and will continue to accrue until the state auditor's office receives a copy of the financial statement.

In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to the department of revenue within ten business days. Failure of the political subdivision to submit the required annual financial statement within such thirty-day period shall cause the fine to be collected as provided under subsection 11 of this section.

11. The department of revenue may collect the fine authorized under the provisions of subsection 9 of this section by offsetting any sales or use tax distributions due to the political subdivision. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

12. (1) Any political subdivision that has gross revenues of less than five thousand dollars or that has not levied or collected taxes in the fiscal year for which the annual financial statement was not timely filed shall not be subject to the fine authorized in this section.

**(2) Notwithstanding this section or any other law to the contrary, no political subdivision with less than five hundred inhabitants shall be subject to the fine authorized in this section, and any fine or fines previously assessed but not paid in full shall be deemed void; provided that the annual financial statement still is required to be filed timely under this section.**

13. If a failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the political subdivision shall not be subject to a fine authorized under this section if the statement is filed within thirty days of the discovery of the fraud or illegal conduct. If a fine is assessed and paid prior to the filing of the statement, the department of revenue shall refund the fine upon notification from the political subdivision.

14. If a political subdivision has an outstanding balance for fines or penalties at the time it files its first annual financial statement after January 1, 2023, the director of revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by no less than ninety percent.

15. The director of revenue shall have the authority to make a one-time downward adjustment to any outstanding penalty imposed under this section on a political subdivision if the director determines the fine is uncollectable. The director of revenue may prescribe rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

610.021. Except to the extent disclosure is otherwise required by law, a public"; and

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

On motion of Representative Boyd, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Falkner, **House Amendment No. 10, as amended**, was adopted.

Representative Hovis offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND Senate Bill No. 28, Page 1, Section 43.253, Line 13, by inserting after all of said section and line the following:

**"195.780. 1. For purposes of this section, the following terms mean:**

- (1) "Contractor", a person who spends more than fourteen days per year performing work or service of any kind for a marijuana facility in accordance with a contract with that facility;**
- (2) "Department", the department of health and senior services;**
- (3) "Marijuana facility", an entity licensed or certified by the department of health and senior services to cultivate, manufacture, test, transport, dispense, or conduct research on marijuana or marijuana products;**
- (4) "Owner", an individual who has a financial or voting interest in ten percent or greater of a marijuana facility.**

**2. The department shall require all employees, contractors, owners, and volunteers of marijuana facilities to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check.**

**3. The department may require that such fingerprint submissions be made as part of a marijuana facility application, a marijuana facility renewal application, and an individual's application for a license or permit authorizing that individual to be an employee, contractor, owner, or volunteer of a marijuana facility.**

**4. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the department of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the department."; and**

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

Representative Bosley offered **House Amendment No. 1 to House Amendment No. 11**.

*House Amendment No. 1*

*to*

*House Amendment No. 11*

AMEND House Amendment No. 11 to Senate Bill No. 28, Page 1, Line 27, by deleting said line and inserting in lieu thereof the following:

**"department.**

**506.400. 1. As used in this section, "claimant" means a person convicted and subsequently imprisoned for one or more offenses that such person did not commit.**

2. (1) The claimant shall establish the following by a preponderance of evidence:
    - (a) The claimant was convicted of a felony offense and subsequently imprisoned;
    - (b) The claimant's judgment of conviction was reversed or vacated and either the charges were dismissed or on retrial the claimant was found to be not guilty;
    - (c) The claimant did not commit the offense or offenses for which the claimant was convicted and was not an accessory or accomplice to the acts that were the basis of the conviction and resulted in a reversal or vacation of the judgment of conviction, dismissal of the charges, or finding of not guilty on retrial; and
    - (d) The claimant did not commit or suborn perjury, fabricate evidence, or by the claimant's own conduct cause or bring about the conviction. Neither a confession or admission later found to be false nor a guilty plea shall constitute committing or suborning perjury, fabricating evidence, or causing or bringing about the conviction under this subsection.
  - (2) The court, in exercising its discretion as permitted by law regarding the weight and admissibility of evidence submitted under this section, may, in the interest of justice, give due consideration to difficulties of proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence, or other factors not caused by such persons or those acting on their behalf.
  3. If the court finds that the claimant is wrongfully convicted, it shall enter a certificate of innocence finding that the claimant was innocent of all offenses for which the claimant was mistakenly convicted. The clerk of the court shall send a certified copy of the certificate of innocence and the judgment entry to the attorney general for payment under section 105.711.
  4. Upon entry of a certificate of innocence, the claimant shall automatically be granted an order of expungement from the court in which he or she pled guilty or was sentenced to expunge from all official records or recordations of his or her arrest, plea, trial, or conviction. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea, or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever, and no such inquiry shall be made for information relating to an expungement under this subsection.
  5. Upon entry of a certificate of innocence, the court shall order the expungement and destruction of the associated biological samples authorized by and given to the Missouri state highway patrol. The order shall state the information required to be stated in a petition to expunge and destroy the samples and profile record and shall direct the Missouri state highway patrol to expunge and destroy such samples and profile record. The clerk of the court shall send a certified copy of the order to the Missouri state highway patrol, which shall carry out the order and provide confirmation of such action to the court. Nothing in this subsection shall require the Missouri state highway patrol to expunge and destroy any sample or profile record associated with the claimant that must be retained by state statute.
  6. The decision to grant or deny a certificate of innocence shall not have a res judicata effect on any other proceedings.
- Section 1. 1. For purposes of this section, the term "exoneree" means a person who was convicted of an offense and later officially declared innocent of that offense or relieved of all legal consequences of the conviction because evidence of innocence that was not presented at trial required reconsideration of the case.
2. The department of corrections shall develop a policy and procedures outlining for exonerees how to obtain a birth certificate, Social Security card, and state identification prior to release from a correctional center. The policy shall be made available to all exonerees, regardless of the method by which an exoneree was exonerated. If an exoneree does not have access to his or her birth certificate, Social Security card, or state identification upon release, the department shall assist such exoneree in obtaining the documents prior to release.
  3. The department shall be required to provide an exoneree, upon his or her release from a correctional facility, with the same services the department is required to provide an offender upon release from a correctional facility."; and"; and

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

On motion of Representative Bosley, **House Amendment No. 1 to House Amendment No. 11** was adopted.

Representative Dinkins offered **House Amendment No. 2 to House Amendment No. 11**.

*House Amendment No. 2  
to  
House Amendment No. 11*

AMEND House Amendment No. 11 to Senate Bill No. 28, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

""193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, one dollar for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public health services fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its expenses in administering sections 214.270 to 214.410. All interest earned on money deposited in the endowed care cemetery audit fund shall be credited to the endowed care cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed care cemetery audit fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The money deposited in the public health services fund under this section shall be deposited in a separate account in the fund, and moneys in such account, upon appropriation, shall be used to automate and improve the state vital records system, and develop and maintain an electronic birth and death registration system. For any search of the files and records, when no record is found, the state shall be entitled to a fee equal to the amount for a certification of a vital record for a five-year search to be paid by the applicant. For the processing of each legitimation, adoption, court order or recording after the registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy or copies of a vital record is required to perfect any claim of any person on relief, or any dependent of any person who was on relief for any claim upon the government of the state or United States, the state registrar shall, upon request, furnish a certified copy or so many certified copies as are necessary, without any fee or compensation therefor.

2. For the issuance of a certification of a death record by the local registrar, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For each fee collected under this subsection, one dollar shall be deposited to the state department of revenue and the remainder shall be deposited to the official city or county health agency. The director of revenue shall credit all fees deposited to the state department of revenue under this subsection to the Missouri state coroners' training fund established in section 58.208.

3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a donation of one dollar may be



collected by the local registrar over and above any fees required by law when a certification or copy of any marriage license or birth certificate is provided, with such donations collected to be forwarded monthly by the local registrar to the county treasurer of such county and the donations so forwarded to be deposited by the county treasurer into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in such county. The local registrar shall include a check-off box on the application form for such copies. All fees collected under this subsection, other than the donations collected in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official city or county health agency.

4. A certified copy of a death record by the local registrar can only be issued within twenty-four hours of receipt of the record by the local registrar. Computer-generated certifications of death records may be issued by the local registrar after twenty-four hours of receipt of the records. The fees paid to the official county health agency shall be retained by the local agency for local public health purposes.

5. No fee under this section shall be required or collected from a parent or guardian of a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a certification, or copy of such certification, of birth of such child or youth. An unaccompanied youth shall be eligible to receive a certification or copy of his or her own birth record without the consent or signature of his or her parent or guardian; provided, that only one certificate under this provision shall be provided without cost to the unaccompanied or homeless youth. For the issuance of any additional certificates, the statutory fee shall be paid.

**6. (1) Notwithstanding any provision of law, no fee shall be required or collected for a certification of birth if the request is made by a victim of domestic violence or abuse, as those terms are defined in section 455.010, and the victim provides documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a health care or mental health professional, from whom the victim has sought assistance relating to the domestic violence or abuse. Such documentation shall state that, under penalty of perjury, the employee, agent, or volunteer of a victim service provider, the attorney, or the health care or mental health professional believes the victim has been involved in an incident of domestic violence or abuse.**

**(2) A victim may be eligible only one time for a fee waiver under this subsection.**

**195.780. 1. For purposes of this section, the following terms mean:"; and**

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

On motion of Representative Dinkins, **House Amendment No. 2 to House Amendment No. 11** was adopted.

Representative Cook offered **House Amendment No. 3 to House Amendment No. 11.**

*House Amendment No. 3  
to  
House Amendment No. 11*

AMEND House Amendment No. 11 to Senate Bill No. 28, Page 1, Line 27, by deleting all of said line and inserting in lieu thereof the following:

**"department.**

632.305. 1. An application for detention for evaluation and treatment may be executed by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, on a form provided by the court for such purpose, and shall allege under oath, without a notarization requirement, that the applicant has reason to believe that the respondent is suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or to others. The application shall specify the factual information on which such belief is based and should contain the names and addresses of all persons known to the applicant who have knowledge of such facts through personal observation.

2. The filing of a written application in court by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, shall authorize the applicant to bring the matter before the court on an ex parte basis to determine whether the respondent should be taken into custody and transported to a mental health facility. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found. If the court finds that there is probable cause, either upon testimony under oath or upon a review of affidavits, **declarations, or other supporting documentation**, to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or others, it shall direct a peace officer to take the respondent into custody and transport him or her to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours unless further detention and treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

3. A mental health coordinator may request a peace officer to take or a peace officer may take a person into custody for detention for evaluation and treatment for a period not to exceed ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or herself or others is imminent unless such person is immediately taken into custody. Upon arrival at the mental health facility, the peace officer or mental health coordinator who conveyed such person or caused him or her to be conveyed shall either present the application for detention for evaluation and treatment upon which the court has issued a finding of probable cause and the respondent was taken into custody or complete an application for initial detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be based upon his or her own personal observations or investigations and shall contain the information required in subsection 1 of this section.

4. If a person presents himself or herself or is presented by others to a mental health facility and a licensed physician, a registered professional nurse or a mental health professional designated by the head of the facility and approved by the department for such purpose has reasonable cause to believe that the person is mentally disordered and presents an imminent likelihood of serious harm to himself or herself or others unless he or she is accepted for detention, the licensed physician, the mental health professional or the registered professional nurse designated by the facility and approved by the department may complete an application for detention for evaluation and treatment for a period not to exceed ninety-six hours. The application shall be based on his or her own personal observations or investigation and shall contain the information required in subsection 1 of this section.

5. ~~[Any oath required by the provisions of this section]~~ **No notarization shall be required for an application or for any affidavits, declarations, or other documents supporting an application. The application and any affidavits, declarations, or other documents supporting the application shall be subject to the provisions of section 492.060 allowing for declaration under penalty of perjury."; and"; and**

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

On motion of Representative Cook, **House Amendment No. 3 to House Amendment No. 11** was adopted.

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Christ	Christofanelli	Coleman
Cook	Cupps	Davis	Diehl	Dinkins
Evans	Falkner	Farnan	Francis	Gallick
Gragg	Gregory	Griffith	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks

Houx	Hovis	Hudson	Hurlbert	Justus
Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Lewis 6	Lonsdale	Lovasco	Marquart	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Morse
Murphy	Myers	O'Donnell	Oehlerking	Owen
Parker	Patterson	Perkins	Peters	Pollitt
Pouche	Reedy	Reuter	Richey	Riggs
Riley	Roberts	Sander	Sassmann	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Sparks	Stacy	Stinnett	Taylor 48	Thomas
Titus	Van Schoiack	Veit	Voss	Waller
West	Wilson	Wright	Mr. Speaker	

NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bosley	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Crossley
Ealy	Fogle	Fountain Henderson	Gray	Hein
Ingle	Johnson 12	Johnson 23	Lavender	Lewis 25
Mann	Merideth	Mosley	Nickson-Clark	Nurrenbern
Phifer	Plank	Proudie	Sauls	Sharp 37
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Bland Manlove	Boggs	Chappell	Copeland
Davidson	Deaton	Doll	Hinman	Jones
Mackey	Quade	Schnelting	Smith 163	Stephens
Thompson	Toalson Reisch			

VACANCIES: 001

On motion of Representative Hovis, **House Amendment No. 11, as amended**, was adopted.

Representative Burger moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Bosley	Boyd
Bromley	Brown 149	Brown 16	Buchheit-Courtway	Burger
Busick	Byrnes	Casteel	Chappell	Christ
Christofanelli	Coleman	Cook	Copeland	Cupps
Davidson	Davis	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Houx	Hovis

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Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Matthiesen	Mayhew
McGaugh	McGill	McMullen	Morse	Murphy
Myers	O'Donnell	Oehlerking	Parker	Patterson
Perkins	Peters	Pollitt	Pouche	Reedy
Reuter	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Sparks	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Titus
Toalson Reisch	Van Schoiack	Voss	Waller	West
Wilson	Wright	Mr. Speaker		

NOES: 046

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Brown 27	Brown 87	Burnett
Burton	Butz	Clemens	Collins	Crossley
Ealy	Fogle	Fountain Henderson	Gray	Hein
Johnson 12	Johnson 23	Lavender	Lewis 25	Mann
Merideth	Mosley	Nickson-Clark	Nurrenbern	Phifer
Plank	Proudie	Quade	Sauls	Sharp 37
Smith 46	Steinhoff	Strickler	Taylor 84	Terry
Unsicker	Walsh Moore	Weber	Windham	Woods
Young				

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland Manlove	Boggs	Deaton	Doll	Gregory
Hinman	Ingle	Mackey	Owen	Schnelting
Smith 163	Thompson	Veit		

VACANCIES: 001

On motion of Representative Roberts, **SB 28, as amended**, was read the third time and passed by the following vote:

AYES: 151

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Baker	Bangert	Baringer
Barnes	Billington	Black	Bonacker	Bosley
Boyd	Bromley	Brown 149	Brown 16	Brown 27
Brown 87	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Byrnes	Casteel	Chappell
Christ	Christofanelli	Clemens	Coleman	Collins
Cook	Copeland	Crossley	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Ealy
Falkner	Farnan	Fogle	Fountain Henderson	Francis
Gallick	Gragg	Gray	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Hein	Henderson	Hicks	Houx	Hovis
Hudson	Hurlbert	Ingle	Johnson 12	Johnson 23
Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lavender	Lewis 6	Lonsdale

Lovasco	Mackey	Mann	Marquart	Matthiesen
Mayhew	McGaugh	McGill	McMullen	Morse
Mosley	Murphy	Myers	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Perkins	Peters	Phifer	Plank	Pollitt
Pouche	Proudie	Quade	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Sauls	Schnelting	Schulte	Schwadron
Seitz	Sharp 37	Sharpe 4	Shields	Smith 155
Smith 163	Smith 46	Sparks	Stacy	Steinhoff
Stephens	Stinnett	Strickler	Taylor 48	Taylor 84
Terry	Thomas	Titus	Toalson Reisch	Van Schoiack
Veit	Voss	Waller	Walsh Moore	Weber
West	Wilson	Woods	Wright	Young

NOES: 000

PRESENT: 006

Banderman	Evans	Lewis 25	Merideth	Unsicker
Windham				

ABSENT WITH LEAVE: 005

Bland Manlove	Boggs	Doll	Hinman	Thompson
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VACANCIES: 001

Speaker Plocher declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Bymes	Casteel	Chappell	Christ	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson
Davis	Deaton	Diehl	Dinkins	Evans
Falkner	Farnan	Francis	Gallick	Gragg
Gregory	Griffith	Haden	Haffner	Haley
Hardwick	Hausman	Henderson	Hicks	Hinman
Houx	Hovis	Hudson	Hurlbert	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141
Knight	Lewis 6	Lonsdale	Lovasco	Marquart
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Morse	Murphy	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Schnelting	Schulte	Schwadron	Seitz	Sharpe 4
Shields	Smith 155	Smith 163	Sparks	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 025

Adams	Anderson	Appelbaum	Baringer	Burnett
Butz	Fountain Henderson	Gray	Johnson 12	Johnson 23
Lavender	Mackey	Mann	Mosley	Nickson-Clark
Phifer	Plank	Sharp 37	Steinhoff	Taylor 84
Terry	Unsicker	Walsh Moore	Weber	Young

PRESENT: 022

Aune	Bangert	Bosley	Brown 27	Brown 87
Burton	Clemens	Crossley	Ealy	Fogle
Hein	Ingle	Lewis 25	Merideth	Nurrenbern
Proudie	Quade	Sauls	Smith 46	Strickler
Windham	Woods			

ABSENT WITH LEAVE: 005

Barnes	Bland Manlove	Boggs	Collins	Doll
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VACANCIES: 001

Representative O'Donnell assumed the Chair.

### **THIRD READING OF SENATE BILLS**

**HCS SS SCS SB 133, HCS SS#2 SCS SB 96, HCS SB 47, SS SCS SBs 167 & 171 and HCS SS SCS SB 72** were placed on the Informal Calendar.

**HCS SS SCS SBs 45 & 90**, relating to MO HealthNet, was taken up by Representative Stinnett.

Representative Stinnett offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, In the Title, Line 3, by deleting the words "MO HealthNet" and inserting in lieu thereof the words "health care"; and

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

On motion of Representative Stinnett, **House Amendment No. 1** was adopted.

Representative Stinnett offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"37.980. 1. The office of administration shall submit a report to the general assembly before December thirty-first of each year, beginning in 2023, describing the progress made by the state with respect to the directives issued as part of the "Missouri as a Model Employer" initiative described in executive order 19-16.**

2. The report shall include, but not be limited to, the data described in the following subdivisions, which shall be collected through voluntary self-disclosure. To the extent possible, for each subdivision, the report shall include general data for all relevant employees, in addition to data comparing the employees of each agency within the state workforce:

- (1) The baseline number of employees in the state workforce who disclosed disabilities when the initiative began;
- (2) The number of employees in the state workforce who disclose disabilities at the time of the compiling of the annual report and statistics providing the size and the percentage of any increase or decrease in such numbers since the initiative began and since the compilation of any previous annual report;
- (3) The baseline percentage of employees in the state workforce who disclosed disabilities when the initiative began;
- (4) The percentage of employees in the state workforce who disclose disabilities at the time of the compiling of the annual report and statistics providing the size of any increase or decrease in such percentage since the initiative began and since the compilation of any previous annual report;
- (5) A description and analysis of any disparity that may exist from the time the initiative began and the time of the compiling of the annual reports, and of any disparity that may exist from the time of the most recent previous annual report, if any, and the time of the current annual report, between the percentage of individuals in the state of working age who disclose disabilities and the percentage of individuals in the state workforce who disclose or have disabilities; and
- (6) A description and analysis of any pay differential that may exist in the state workforce between individuals who disclose disabilities and individuals who do not disclose disabilities.

3. The report shall also include descriptions of specific efforts made by state agencies to recruit, hire, advance, and retain individuals with disabilities including, but not limited to, individuals with the most significant disabilities, as defined in 5 CSR 20-500.160. Such descriptions shall include, but not be limited to, best, promising, and emerging practices related to:

- (1) Setting annual goals;
- (2) Analyzing barriers to recruiting, hiring, advancing, and retaining individuals with disabilities;
- (3) Establishing and maintaining contacts with entities and organizations that specialize in providing education, training, or assistance to individuals with disabilities in securing employment;
- (4) Using internships, apprenticeships, and job shadowing;
- (5) Using supported employment, individual placement with support services, customized employment, telework, mentoring and management training, stay-at-work and return-to-work programs, and exit interviews;
- (6) Adopting, posting, and making available to all job applicants and employees reasonable accommodation procedures in written and accessible formats;
- (7) Providing periodic disability awareness training to employees to build and sustain a culture of inclusion in the workplace, including rights to reasonable accommodation in the workplace;
- (8) Providing periodic training to human resources and hiring managers in disability rights, hiring, and workplace policies designed to promote a diverse and inclusive workforce; and
- (9) Making web-based hiring portals accessible to and usable by applicants with disabilities.

208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

- (1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIIA;
- (2) Has earned income, as defined in subsection 2 of this section;
- (3) Meets the asset limits in subsection 3 of this section; **and**
- (4) Has ~~net~~ income, as ~~defined~~ **determined** in subsection 3 of this section, that does not exceed ~~the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and~~

~~(5) Has a gross income of] two hundred fifty percent [or less] of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred percent of the federal poverty level. [For purposes of this subdivision, "gross income" includes all income of the person and the person's spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.]~~

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; ~~and]~~

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an "independent living account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability; **and**

**(c) Retirement accounts including, but not limited to, individual accounts, 401(k) plans, 403(b) plans, Keogh plans, and pension plans, provided that income from such accounts be calculated as income under subdivision (4) of subsection 1 of this section.**

(2) To determine ~~net~~ income, the following shall be disregarded:

(a) ~~[All earned income of the disabled worker;~~

~~(b)] The first [sixty-five dollars and one-half] **fifty thousand dollars** of [the remaining] earned income of [a nondisabled spouse's earned income] **the person's spouse;**~~

~~[(e)] (b)~~ A twenty dollar standard deduction;

~~[(e)] (c)~~ Health insurance premiums;

~~[(e)] (d)~~ A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

~~[(f)] (e)~~ All Supplemental Security Income payments, and the first fifty dollars of SSDI payments; **and**

~~[(g)] (f)~~ A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose ~~gross~~ income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose ~~gross~~ income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose ~~gross~~ income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose ~~gross~~ income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose ~~gross~~ income equals or exceeds two hundred fifty percent up to and including three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored



insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance. **If the department elects to pay such person's employer-sponsored insurance costs under this subsection, the medical assistance provided under this section shall be provided to an eligible person as a secondary or supplemental policy for only personal care assistance services, as defined in section 208.900, and related costs and nonemergency medical transportation to any employer-sponsored benefits that may be available to such person.**

7. **The department of social services shall provide to the general assembly an annual report that identifies the number of participants in the program and describes the outreach and education efforts to increase awareness and enrollment in the program.**

8. **The department of social services shall submit such state plan amendments and waivers to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services as the department determines are necessary to implement the provisions of this section.**

9. **The provisions of this section shall expire August 28, 2025.";** and

Further amend said bill, Page 11, Section 208.662, Line 97, by inserting after all of said section and line the following:

**"209.700. 1. This section shall be known and may be cited as the "Missouri Employment First Act".**  
**2. As used in this section, unless the context clearly requires otherwise, the following terms mean:**  
**(1) "Competitive integrated employment", work that:**  
**(a) Is performed on a full-time or part-time basis, including self-employment, and for which a person is compensated at a rate that:**  
**a. Is no less than the higher of the rate specified in 29 U.S.C. Section 206(a)(1) or the rate required under any applicable state or local minimum wage law for the place of employment;**  
**b. Is no less than the customary rate paid by the employer for the same or similar work performed by other employees who are not persons with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills;**  
**c. In the case of a person who is self-employed, yields an income that is comparable to the income received by other persons who are not persons with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and**  
**d. Is eligible for the level of benefits provided to other employees;**  
**(b) Is at a location:**  
**a. Typically found in the community; and**  
**b. Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site and, as appropriate to the work performed, other persons, such as customers and vendors, who are not persons with disabilities, other than supervisory personnel or persons who are providing services to such employee, to the same extent that employees who are not persons with disabilities and who are in comparable positions interact with these persons; and**  
**(c) Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not persons with disabilities and who have similar positions;**  
**(2) "Customized employment", competitive integrated employment for a person with a significant disability that is:**  
**(a) Based on an individualized determination of the unique strengths, needs, and interests of the person with a significant disability;**  
**(b) Designed to meet the specific abilities of the person with a significant disability and the business needs of the employer; and**  
**(c) Carried out through flexible strategies, such as:**  
**a. Job exploration by the person; and**  
**b. Working with an employer to facilitate placement, including:**  
**(i) Customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;**

- (ii) Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision, including performance evaluation and review, and determining a job location;
  - (iii) Using a professional representative chosen by the person or self-representation, if elected, to work with an employer to facilitate placement; and
  - (iv) Providing services and supports at the job location;
  - (3) "Disability", a physical or mental impairment that substantially limits one or more major life activities of a person, as defined in the Americans with Disabilities Act of 1990, as amended. The term "disability" does not include brief periods of intoxication caused by alcohol or drugs or dependence upon or addiction to any alcohol or drug;
  - (4) "Employment first", a concept to facilitate the full inclusion of persons with disabilities in the workplace and community in which community-based, competitive integrated employment is the first and preferred outcome for employment services for persons with disabilities;
  - (5) "Employment-related services", services provided to persons, including persons with disabilities, to assist them in finding employment. The term "employment-related services" includes, but is not limited to, resume development, job fairs, and interview training;
  - (6) "Integrated setting", a setting:
    - (a) Typically found in the community; and
    - (b) Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site and, as appropriate to the work performed, other persons, such as customers and vendors, who are not persons with disabilities, other than supervisory personnel or persons who are providing services to such employee, to the same extent that employees who are not persons with disabilities and who are in comparable positions interact with these persons;
  - (7) "Outcome", with respect to a person entering, advancing in, or retaining full-time or, if appropriate, part-time competitive integrated employment, including customized employment, self-employment, telecommuting, or business ownership, or supported employment that is consistent with a person's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice;
  - (8) "Sheltered workshop", the same meaning given to the term in section 178.900;
  - (9) "State agency", an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive branch of state government;
  - (10) "Supported employment", competitive integrated employment, including customized employment, or employment in an integrated setting in which persons are working toward a competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the persons involved who, because of the nature and severity of their disabilities, need intensive supported employment services and extended services in order to perform the work involved;
  - (11) "Supported employment services", ongoing support services, including customized employment, needed to support and maintain a person with a most significant disability in supported employment, that:
    - (a) Are provided singly or in combination and are organized and made available in such a way as to assist an eligible person to achieve competitive integrated employment; and
    - (b) Are based on a determination of the needs of an eligible person, as specified in an individualized plan for employment;
  - (12) "Working age", sixteen years of age or older;
  - (13) "Youth with a disability", any person fourteen years of age or older and under eighteen years of age who has a disability.
3. All state agencies that provide employment-related services or that provide services or support to persons with disabilities shall:
- (1) Develop collaborative relationships with each other, confirmed by a written memorandum of understanding signed by each such state agency; and
  - (2) Implement coordinated strategies to promote competitive integrated employment including, but not limited to, coordinated service planning, job exploration, increased job training, and internship opportunities.

4. All state agencies that provide employment-related services or that provide services or support to persons with disabilities shall:

(1) Implement an employment first policy by considering competitive integrated employment as the first and preferred outcome when planning or providing services or supports to persons with disabilities who are of working age;

(2) Offer information on competitive integrated employment to all working-age persons with disabilities. The information offered shall include an explanation of the relationship between a person's earned income and his or her public benefits, information on Achieving a Better Life Experience (ABLE) accounts, and information on accessing assistive technology;

(3) Ensure that persons with disabilities receive the opportunity to understand and explore education and training as pathways to employment, including postsecondary, graduate, and postgraduate education; vocational and technical training; and other training. State agencies shall not be required to fund any education or training unless otherwise required by law;

(4) Promote the availability and accessibility of individualized training designed to prepare a person with a disability for the person's preferred employment;

(5) Promote partnerships with private agencies that offer supported employment services, if appropriate;

(6) Promote partnerships with employers to overcome barriers to meeting workforce needs with the creative use of technology and innovation;

(7) Ensure that staff members of public schools, vocational service programs, and community providers receive the support, guidance, and training that they need to contribute to attainment of the goal of competitive integrated employment for all persons with disabilities;

(8) Ensure that competitive integrated employment, while the first and preferred outcome when planning or providing services or supports to persons with disabilities who are of working age, is not required of a person with a disability to secure or maintain public benefits for which the person is otherwise eligible; and

(9) At least once each year, discuss basic information about competitive integrated employment with the parents or guardians of a youth with a disability. If the youth with a disability has been emancipated, state agencies shall discuss this information with the youth with a disability. The information offered shall include an explanation of the relationship between a person's earned income and his or her public benefits, information about ABLE accounts, and information about accessing assistive technology.

5. Nothing in this section shall require a state agency to perform any action that would interfere with the state agency's ability to fulfill duties and requirements mandated by federal law.

6. Nothing in this section shall be construed to limit or disallow any disability benefits to which a person with a disability who is unable to engage in competitive integrated employment would otherwise be entitled.

7. Nothing in this section shall be construed to eliminate any supported employment services or sheltered workshop settings as options.

8. (1) Nothing in this section shall be construed to require any state agency or other employer to give a preference in hiring to persons with disabilities or to prohibit any employment relationship or program that is otherwise permitted under applicable law.

(2) Any person who is employed by a state agency shall meet the minimum qualifications and requirements for the position in which the person is employed.

9. All state agencies that provide employment-related services or that provide services or support to persons with disabilities shall coordinate efforts and collaborate within and among each other to ensure that state programs, policies, and procedures support competitive integrated employment for persons with disabilities who are of working age. All such state agencies, when feasible, shall share data and information across systems in order to track progress toward full implementation of this section. All such state agencies are encouraged to adopt measurable goals and objectives to promote assessment of progress in implementing this section.

10. State agencies may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the

**provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.";** and

Further amend said bill and page, Section B, Lines 1-6, by deleting said lines and inserting in lieu thereof the following:

"Section B. Because of the importance of ensuring healthy pregnancies and healthy women and children in Missouri in the fact of growing maternal mortality and to ensure the integrity of the MO HealthNet program, the enactment of sections 208.186 and 208.239 and the repeal and reenactment of sections 208.151 and 208.662 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be emergency acts within the meaning of the constitution, and the enactment of sections 208.186 and 208.239 and the repeal and reenactment of sections 208.151 and 208.662 of section A of this act shall be in full force and effect upon its passage and approval.";

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

On motion of Representative Stinnett, **House Amendment No. 2** was adopted.

Representative Riley offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"208.035. 1. Subject to appropriations and any necessary waivers or approvals, the department of social services shall develop and implement a transitional benefits program for temporary assistance for needy families (TANF) and the supplemental nutrition assistance program (SNAP) that is designed in such a way that a TANF or SNAP beneficiary will not experience an immediate loss of benefits should the beneficiary's income exceed the maximum allowable income for such program. The transitional benefits offered shall provide for a transition to self-sufficiency while incentivizing work and financial stability.**

**2. The transitional benefits offered shall gradually step down the beneficiary's monthly benefit proportionate to the increase in the beneficiary's income. The determination for a beneficiary's transitional benefit shall be as follows:**

**(1) One hundred percent of the monthly benefit for beneficiaries with monthly household incomes less than or equal to one hundred thirty-eight percent of the federal poverty level;**

**(2) Eighty percent of the monthly benefit for beneficiaries with monthly household incomes greater than one hundred thirty-eight percent but less than or equal to one hundred fifty percent of the federal poverty level;**

**(3) Sixty percent of the monthly benefit for beneficiaries with monthly household incomes greater than one hundred fifty percent but less than or equal to one hundred seventy percent of the federal poverty level;**

**(4) Forty percent of the monthly benefit for beneficiaries with monthly household incomes greater than one hundred seventy percent but less than or equal to one hundred ninety percent of the federal poverty level; and**

**(5) Twenty percent of the monthly benefit for beneficiaries with monthly household incomes greater than one hundred ninety percent but less than or equal to two hundred percent of the federal poverty level.**

**Notwithstanding any provision of this section to the contrary, any beneficiary where monthly household income exceeds five thousand eight hundred twenty-two dollars, as adjusted for inflation, shall not be eligible for any transitional benefit under this section.**

**3. Beneficiaries receiving transitional benefits under this section shall comply with all requirements of each program for which they are eligible, including work requirements. Transitional benefits received under this section shall not be included in the lifetime limit for receipt of TANF benefits under section 208.040.**

**4. The department may promulgate any rules or regulations necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

208.053. 1. ~~[The provisions of this section shall be known as the "Low-Wage Trap Elimination Act".]~~ In order to more effectively transition persons receiving state-funded child care subsidy benefits under this chapter, the department of elementary and secondary education~~[-in conjunction with the department of revenue,]~~ shall, subject to appropriations, by July 1, ~~[2022]~~ 2024, implement a ~~[pilot]~~ program ~~[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 two hundred sixty thousand but fewer than three hundred thousand inhabitants, and a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, to be called the "Hand-Up Program",]~~ to allow ~~[applicants in the program]~~ recipients to receive transitional child care benefits without the requirement that such ~~[applicants]~~ recipients first be eligible for full child care benefits.

(1) For purposes of this section, "full child care benefits" shall be the full benefits awarded to a recipient based on the income eligibility amount established by the department through the annual appropriations process as of August 28, ~~[2024]~~ 2023, to qualify for the benefits and shall not include the transitional child care benefits that are awarded to recipients whose income surpasses the eligibility level for full benefits to continue. The ~~[hand-up]~~ program shall be voluntary and shall be designed such that ~~[an applicant]~~ a recipient may begin receiving the transitional child care benefit without having first qualified for the full child care benefit or any other tier of the transitional child care benefit. ~~[Under no circumstances shall any applicant be eligible for the hand-up program if the applicant's income does not fall within the transitional child care benefit income limits established through the annual appropriations process.]~~

(2) **Transitional child care benefits shall be determined on a sliding scale as follows for recipients with household incomes in excess of the eligibility level for full benefits:**

(a) **Eighty percent of the state base rate for recipients with household incomes greater than the eligibility level for full benefits but less than or equal to one hundred fifty percent of the federal poverty level;**

(b) **Sixty percent of the state base rate for recipients with household incomes greater than one hundred fifty percent but less than or equal to one hundred seventy percent of the federal poverty level;**

(c) **Forty percent of the state base rate for recipients with household incomes greater than one hundred seventy percent but less than or equal to one hundred ninety percent of the federal poverty level; and**

(d) **Twenty percent of the state base rate for recipients with household incomes greater than one hundred ninety percent but less than or equal to two hundred percent of the federal poverty level, but not greater than eighty-five percent of the state median income.**

(3) **As used in this section, "state base rate" shall refer to the rate established by the department for provider payments that accounts for geographic area, type of facility, duration of care, and age of the child, as well as any enhancements reflecting after-hours or weekend care, accreditation, or licensure status, as determined by the department. Recipients shall be responsible for paying the remaining sliding fee to the child care provider.**

(4) **A participating recipient shall be allowed to opt out of the program at any time, but such person shall not be allowed to participate in the program a second time.**

2. The department shall track the number of participants in the ~~[hand-up]~~ program and shall issue an annual report to the general assembly by September 1, ~~[2023]~~ 2025, and annually on September first thereafter, detailing the effectiveness of the ~~[pilot]~~ program in encouraging recipients to secure employment earning an income greater than the maximum wage eligible for the full child care benefit. The report shall also detail the costs of

administration and the increased amount of state income tax paid as a result of the program~~], as well as an analysis of whether the pilot program could be expanded to include other types of benefits, including, but not limited to, food stamps, temporary assistance for needy families, low-income heating assistance, women, infants and children supplemental nutrition program, the state children's health insurance program, and MO HealthNet benefits].~~

3. The department shall pursue all necessary waivers from the federal government to implement the ~~[hand-up]~~ program. If the department is unable to obtain such waivers, the department shall implement the program to the degree possible without such waivers.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

~~[5. Pursuant to section 23.253 of the Missouri sunset act:~~

~~(1) The provisions of the new program authorized under this section shall sunset automatically three years after August 28, 2021, unless reauthorized by an act of the general assembly; and~~

~~(2) If such program is reauthorized, the program authorized under this section shall sunset automatically three years after the effective date of the reauthorization of this section; and~~

~~(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]~~

**208.066. 1. The department of social services shall limit any initial application for the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families program (TANF), the child care assistance program, or MO HealthNet to a one-page form that is easily accessible on the department of social services' website.**

**2. Persons who are participants in a program listed in subsection 1 of this section who are required to complete a periodic eligibility review form may submit such form as an attachment to their Missouri state individual income tax return if the person's eligibility review form is due before or at the same time that he or she files such state tax return. The department of social services shall limit periodic eligibility review forms associated with the programs listed in subsection 1 of this section to a one-page form that is easily accessible on both the department of social services' website and the department of revenue's website.**

**3. Notwithstanding the provisions of section 32.057 to the contrary, the department of revenue shall share any eligibility form submitted under this section with the department of social services.**

**4. The department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void."; and**

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

Representative McGaugh offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 4, Line 32, by deleting said line and inserting in lieu thereof the following:

**"rule proposed or adopted after August 28, 2023, shall be invalid and void.**

208.072. 1. A completed application for medical assistance for services described in section 208.152 shall be approved or denied within thirty days from submission to the family support division or its successor.

2. The MO HealthNet division shall remit to a licensed nursing home operator the Medicaid payment for a newly admitted Medicaid resident in a licensed long-term care facility within forty-five days of the resident's date of admission.

**3. In accordance with 42 CFR 435.907(a), as amended, if the applicant is a minor or incapacitated, the family support division or its successor shall accept an application from someone acting responsibly for the applicant.";** and"; and

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

On motion of Representative McGaugh, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Riley, **House Amendment No. 3, as amended**, was adopted.

Representative Henderson offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"197.020. 1. "Governmental unit" means any county, municipality or other political subdivision or any department, division, board or other agency of any of the foregoing.

2. "Hospital" means a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care for not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions; or a place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more nonrelated individuals. **The term "hospital" shall include a facility designated as a rural emergency hospital by the Centers for Medicare and Medicaid Services.** The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined in chapter 198.

3. "Person" means any individual, firm, partnership, corporation, company or association and the legal successors thereof."; and

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

Representative Dinkins offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1*

*to*

*House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Line 16, by deleting said line and inserting in lieu thereof the following:

"and the legal successors thereof."; and

Further amend said bill, Page 11, Section 208.662, Line 97, by inserting after said line the following:

"334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services. An advanced practice registered nurse may prescribe buprenorphine for up to a thirty-day supply without refill for patients receiving medication-assisted treatment for substance use disorders under the direction of the collaborating physician.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except **as specified in this paragraph. The following provisions shall apply with respect to this requirement:**

**a. An advanced practice registered nurse providing services in a correctional center, as defined in section 217.010, and his or her collaborating physician shall satisfy the geographic proximity requirement if they practice within two hundred miles by road of one another;**

**b.** The collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by ~~[P.L.]~~ **Pub. L. 95-210 (42 U.S.C. Section 1395x, as amended)**, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic~~[-];~~ **and**

**c.** The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;



(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. **Any rules relating to geographic proximity shall allow a collaborating physician and a collaborating advanced practice registered nurse to practice within two hundred miles by road of one another if the nurse is providing services in a correctional center, as defined in section 217.010.** Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his **or her** medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician

assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than six full-time equivalent advanced practice registered nurses, full-time equivalent licensed physician assistants, or full-time equivalent assistant physicians, or any combination thereof. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of this section.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and"; and

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

On motion of Representative Dinkins, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Henderson, **House Amendment No. 4, as amended**, was adopted.

Representative Kelly (141) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"9.388. The month of March of each year is hereby designated as "Rare Kidney Disease Awareness Month". The citizens of this state are encouraged to participate in appropriate awareness and educational activities for Rare Kidney Disease, available screening and genetic testing options, and efforts to improve treatment for patients.**

37.725. 1. Any files maintained by the advocate program shall be disclosed only at the discretion of the child advocate; except that the identity of any complainant or recipient shall not be disclosed by the office unless:

(1) The complainant or recipient, or the complainant's or recipient's legal representative, consents in writing to such disclosure; ~~or~~

(2) Such disclosure is required by court order; or

**(3) The child advocate determines that disclosure to law enforcement is necessary to ensure immediate child safety.**

2. Any statement or communication made by the office relevant to a complaint received by, proceedings before, or activities of the office and any complaint or information made or provided in good faith by any person shall be absolutely privileged and such person shall be immune from suit.

3. Any representative of the office conducting or participating in any examination of a complaint who knowingly and willfully discloses to any person other than the office, or those persons authorized by the office to receive it, the name of any witness examined or any information obtained or given during such examination is guilty of a class A misdemeanor. However, the office conducting or participating in any examination of a complaint shall disclose the final result of the examination with the consent of the recipient.

4. The office shall not be required to testify in any court with respect to matters held to be confidential in this section except as the court may deem necessary to enforce the provisions of sections 37.700 to 37.730, or where otherwise required by court order.

190.600. 1. Sections 190.600 to 190.621 shall be known and may be cited as the "Outside the Hospital Do-Not-Resuscitate Act".

2. As used in sections 190.600 to 190.621, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Attending physician":

(a) A physician licensed under chapter 334 selected by or assigned to a patient who has primary responsibility for treatment and care of the patient; or

(b) If more than one physician shares responsibility for the treatment and care of a patient, one such physician who has been designated the attending physician by the patient or the patient's representative shall serve as the attending physician;

(2) "Cardiopulmonary resuscitation" or "CPR", emergency medical treatment administered to a patient in the event of the patient's cardiac or respiratory arrest, and shall include cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation, administration of cardiac resuscitation medications, and related procedures;

(3) "Department", the department of health and senior services;

(4) "Emergency medical services personnel", paid or volunteer firefighters, law enforcement officers, first responders, emergency medical technicians, or other emergency service personnel acting within the ordinary course and scope of their professions, but excluding physicians;

(5) "Health care facility", any institution, building, or agency or portion thereof, private or public, excluding federal facilities and hospitals, whether organized for profit or not, used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. Health care facility includes but is not limited to ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, infirmaries, renal dialysis centers, long-term care facilities licensed under sections 198.003 to 198.186, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, and residential treatment facilities;

(6) "Hospital", a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or a place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more nonrelated individuals. Hospital does not include any long-term care facility licensed under sections 198.003 to 198.186;

(7) "Outside the hospital do-not-resuscitate identification" or "outside the hospital DNR identification", a standardized identification card, bracelet, or necklace of a single color, form, and design as described by rule of the department that signifies that the patient's attending physician has issued an outside the hospital do-not-resuscitate order for the patient and has documented the grounds for the order in the patient's medical file;

(8) "Outside the hospital do-not-resuscitate order" or "outside the hospital DNR order", a written physician's order signed by the patient and the attending physician, or the patient's representative and the attending physician, in a form promulgated by rule of the department which authorizes emergency medical services personnel to withhold or withdraw cardiopulmonary resuscitation from the patient in the event of cardiac or respiratory arrest;

(9) "Outside the hospital do-not-resuscitate protocol" or "outside the hospital DNR protocol", a standardized method or procedure promulgated by rule of the department for the withholding or withdrawal of cardiopulmonary resuscitation by emergency medical services personnel from a patient in the event of cardiac or respiratory arrest;

(10) "Patient", a person eighteen years of age or older who is not incapacitated, as defined in section 475.010, and who is otherwise competent to give informed consent to an outside the hospital do-not-resuscitate order at the time such order is issued, and who, with his or her attending physician, has executed an outside the hospital do-not-resuscitate order under sections 190.600 to 190.621. A person who has a patient's representative shall also be a patient for the purposes of sections 190.600 to 190.621, if the person or the person's patient's representative has executed an outside the hospital do-not-resuscitate order under sections 190.600 to 190.621. **A person under eighteen years of age shall also be a patient for purposes of sections 190.600 to 190.621 if the person has had a do-not-resuscitate order issued on his or her behalf under the provisions of section 191.250;**

(11) "Patient's representative":

(a) An attorney in fact designated in a durable power of attorney for health care for a patient determined to be incapacitated under sections 404.800 to 404.872; or

(b) A guardian or limited guardian appointed under chapter 475 to have responsibility for an incapacitated patient.

190.603. 1. A patient or patient's representative and the patient's attending physician may execute an outside the hospital do-not-resuscitate order. An outside the hospital do-not-resuscitate order shall not be effective unless it is executed by the patient or patient's representative and the patient's attending physician, and it is in the form promulgated by rule of the department.

2. **A patient under eighteen years of age is not authorized to execute an outside the hospital do-not-resuscitate order for himself or herself but may have a do-not-resuscitate order issued on his or her behalf by one parent or legal guardian or by a juvenile or family court under the provisions of section 191.250. Such do-not-resuscitate order shall also function as an outside the hospital do-not-resuscitate order for the purposes of sections 190.600 to 190.621 unless such do-not-resuscitate order authorized under the provisions of section 191.250 states otherwise.**

3. If an outside the hospital do-not-resuscitate order has been executed, it shall be maintained as the first page of a patient's medical record in a health care facility unless otherwise specified in the health care facility's policies and procedures.

[3-] 4. An outside the hospital do-not-resuscitate order shall be transferred with the patient when the patient is transferred from one health care facility to another health care facility. If the patient is transferred outside of a hospital, the outside the hospital DNR form shall be provided to any other facility, person, or agency responsible for the medical care of the patient or to the patient or patient's representative.

190.606. The following persons and entities shall not be subject to civil, criminal, or administrative liability and are not guilty of unprofessional conduct for the following acts or omissions that follow discovery of an outside the hospital do-not-resuscitate identification upon a patient **or a do-not-resuscitate order functioning as an outside the hospital do-not-resuscitate order for a patient under eighteen years of age**, or upon being presented with an outside the hospital do-not-resuscitate order [from Missouri, another state, the District of Columbia, or a

~~territory of the United States]; provided that the acts or omissions are done in good faith and in accordance with the provisions of sections 190.600 to 190.621 and the provisions of an outside the hospital do-not-resuscitate order executed under sections 190.600 to 190.621:~~

~~(1) Physicians, persons under the direction or authorization of a physician, emergency medical services personnel, or health care facilities that cause or participate in the withholding or withdrawal of cardiopulmonary resuscitation from such patient; and~~

~~(2) Physicians, persons under the direction or authorization of a physician, emergency medical services personnel, or health care facilities that provide cardiopulmonary resuscitation to such patient under an oral or written request communicated to them by the patient or the patient's representative.~~

~~190.612. 1. Emergency medical services personnel are authorized to comply with the outside the hospital do-not-resuscitate protocol when presented with an outside the hospital do-not-resuscitate identification or an outside the hospital do-not-resuscitate order. However, emergency medical services personnel shall not comply with an outside the hospital do-not-resuscitate order or the outside the hospital do-not-resuscitate protocol when the patient or patient's representative expresses to such personnel in any manner, before or after the onset of a cardiac or respiratory arrest, the desire to be resuscitated.~~

~~2. [Emergency medical services personnel are authorized to comply with the outside the hospital do-not-resuscitate protocol when presented with an outside the hospital do-not-resuscitate order from another state, the District of Columbia, or a territory of the United States if such order is on a standardized written form:~~

~~(1) Signed by the patient or the patient's representative and a physician who is licensed to practice in the other state, the District of Columbia, or the territory of the United States; and~~

~~(2) Such form has been previously reviewed and approved by the department of health and senior services to authorize emergency medical services personnel to withhold or withdraw cardiopulmonary resuscitation from the patient in the event of a cardiac or respiratory arrest.~~

~~Emergency medical services personnel shall not comply with an outside the hospital do-not-resuscitate order from another state, the District of Columbia, or a territory of the United States or the outside the hospital do-not-resuscitate protocol when the patient or patient's representative expresses to such personnel in any manner, before or after the onset of a cardiac or respiratory arrest, the desire to be resuscitated.]~~

**(1) Except as provided in subdivision (2) of this subsection, emergency medical services personnel are authorized to comply with the outside the hospital do-not-resuscitate protocol when presented with a do-not-resuscitate order functioning as an outside the hospital do-not-resuscitate order for a patient under eighteen years of age if such do-not-resuscitate order has been authorized by one parent or legal guardian or by a juvenile or family court under the provisions of section 191.250.**

**(2) Emergency medical services personnel shall not comply with a do-not-resuscitate order or the outside the hospital do-not-resuscitate protocol when the patient under eighteen years of age, either parent of such patient, the patient's legal guardian, or the juvenile or family court expresses to such personnel in any manner, before or after the onset of a cardiac or respiratory arrest, the desire for the patient to be resuscitated.**

3. If a physician or a health care facility other than a hospital admits or receives a patient with an outside the hospital do-not-resuscitate identification or an outside the hospital do-not-resuscitate order, and the patient or patient's representative has not expressed or does not express to the physician or health care facility the desire to be resuscitated, and the physician or health care facility is unwilling or unable to comply with the outside the hospital do-not-resuscitate order, the physician or health care facility shall take all reasonable steps to transfer the patient to another physician or health care facility where the outside the hospital do-not-resuscitate order will be complied with.

**190.613. 1. A patient or patient's representative and the patient's attending physician may execute an outside the hospital do-not-resuscitate order through the presentation of a properly executed outside the hospital do-not-resuscitate order from another state, the District of Columbia, or a territory of the United States, or a Transportable Physician Orders for Patient Preferences (TPOPP)/Physician Orders for Life-Sustaining Treatment (POLST) form containing a specific do-not-resuscitate section.**

**2. Any outside the hospital do-not-resuscitate form identified from another state, the District of Columbia, or a territory of the United States, or a TPOPP/POLST form shall:**

- (1) Have been previously reviewed and approved by the department as in compliance with the provisions of sections 190.600 to 190.621;
- (2) Not be accepted for a patient under eighteen years of age, except as allowed under section 191.250; and
- (3) Not be effective during such time as the patient is pregnant as set forth in section 190.609.

A patient or patient's representative may express to emergency medical services personnel, at any time and by any means, the intent to revoke the outside the hospital do-not-resuscitate order.

3. The provisions of section 190.606 shall apply to the good faith acts or omissions of emergency medical services personnel under this section.

191.240. 1. For purposes of this section, the following terms mean:

- (1) "Health care provider", the same meaning given to the term in section 191.900;
- (2) "Patient examination", a prostate, anal, or pelvic examination.

2. A health care provider, or any student or trainee under the supervision of a health care provider, shall not knowingly perform a patient examination upon an anesthetized or unconscious patient in a health care facility unless:

- (1) The patient or a person authorized to make health care decisions for the patient has given specific informed consent to the patient examination for nonmedical purposes;
- (2) The patient examination is necessary for diagnostic or treatment purposes;
- (3) The collection of evidence through a forensic examination, as defined under subsection 8 of section 595.220, for a suspected sexual assault on the anesthetized or unconscious patient is necessary because the evidence will be lost or the patient is unable to give informed consent due to a medical condition; or
- (4) Circumstances are present which imply consent, as described in section 431.063.

3. A health care provider shall notify a patient of any patient examination performed under subsection 2 of this section.

4. A health care provider who violates the provisions of this section, or who supervises a student or trainee who violates the provisions of this section, shall be subject to discipline by any licensing board that licenses the health care provider.

196.1050. 1. The proceeds of any monetary settlement or portion of a global settlement between the attorney general of the state and any drug manufacturers, distributors, **pharmacies**, or combination thereof to resolve an opioid-related cause of action against such drug manufacturers, distributors, or combination thereof in a state or federal court shall only be utilized to pay for opioid addiction treatment and prevention services and health care and law enforcement costs related to opioid addiction treatment and prevention. Under no circumstances shall such settlement moneys be utilized to fund other services, programs, or expenses not reasonably related to opioid addiction treatment and prevention.

2. (1) There is hereby established in the state treasury the "Opioid Addiction Treatment and Recovery Fund", which shall consist of the proceeds of any settlement described in subsection 1 of this section, as well as any funds appropriated by the general assembly, or gifts, grants, donations, or bequests. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used by the department of mental health, the department of health and senior services, the department of social services, the department of public safety, the department of corrections, and the judiciary for the purposes set forth in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

197.020. 1. "Governmental unit" means any county, municipality or other political subdivision or any department, division, board or other agency of any of the foregoing.

2. "Hospital" means a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care for not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions; or a place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more nonrelated individuals. **The term "hospital" shall include a facility designated as a rural**

**emergency hospital by the Centers for Medicare and Medicaid Services.** The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined in chapter 198.

3. "Person" means any individual, firm, partnership, corporation, company or association and the legal successors thereof."; and

Further amend said bill, Page 11, Section 208.662, Line 97, by inserting after all of said section and line the following:

**"210.1360. 1. Any personally identifiable information regarding any child under eighteen years of age receiving child care from any provider or applying for or receiving any services through a state program shall not be subject to disclosure except as otherwise provided by law.**

**2. This section shall not prohibit any state agency from disclosing personally identifiable information to governmental entities or its agents, vendors, grantees, and contractors in connection to matters relating to its official duties. The provisions of this section shall not apply to any state, county, or municipal law enforcement agency acting in its official capacity.**

**3. This section shall not prevent a parent or legal guardian from accessing the parent's or legal guardian's child's records.";** and

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

Representative Nickson-Clark offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Lines 3-5, by deleting said lines and inserting in lieu thereof the following:

"the following:

**"9.371. The first Saturday of October of each year is hereby designated as "Breast Cancer Awareness Day" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to raise awareness and celebrate survivors of breast cancer, the most commonly occurring cancer among women in the United States.**

**9.388. The month of March of each year is hereby designated as "Rare Kidney Disease";** and

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

On motion of Representative Nickson-Clark, **House Amendment No. 1 to House Amendment No. 5** was adopted.

Representative Bosley offered **House Amendment No. 2 to House Amendment No. 5.**

*House Amendment No. 2*  
*to*  
*House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 6, Line 32, by inserting after said line the following:

"Further amend said bill, Page 8, Section 208.151, Line 268, by inserting after all of said section and line the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as described in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section ~~301,~~ **1396** et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his **or her** plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he **or she** is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Subject to appropriation, up to twenty visits per year for services limited to examinations, diagnoses, adjustments, and manipulations and treatments of malpositioned articulations and structures of the body provided by licensed chiropractic physicians practicing within their scope of practice. Nothing in this subdivision shall be interpreted to otherwise expand MO HealthNet services;

(8) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(9) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(10) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of ~~[P.L.]~~ **Pub. L. 101-239 (42 U.S.C. Sections 1396a and 1396d), as amended,** and federal regulations promulgated thereunder;



(11) Home health care services;

(12) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions or any abortifacient drug or device that is used for the purpose of inducing an abortion unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(13) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(14) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(15) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(16) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section ~~304~~ **1396 et seq.**, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(17) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(18) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(19) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(20) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(21) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(22) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(24) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(25) **Childbirth education classes for pregnant women and a support person;**

(26) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as described in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (15) and (16) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and

compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536.

14. Beginning July 1, 2016, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.

**15. The department of social services shall study the impact that the childbirth education classes provided under subdivision (25) of subsection 1 of this section have on infant and maternal mortality among pregnant women of color. The department of social services shall submit a report to the general assembly with the results of the study before January 1, 2026.";** and

Further amend said bill, Page 9, Section 208.662, Line 18, by inserting after the word "birth" the phrase "**including childbirth education classes**"; and"; and

Further amend said amendment, Page 7, Line 5, by deleting said line and inserting in lieu thereof the following:

**"legal guardian's child's records.**

**376.1213. Each entity offering individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law, and all managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2024, and providing for maternity benefits, shall provide coverage for childbirth education classes.";** and"; and

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

On motion of Representative Bosley, **House Amendment No. 2 to House Amendment No. 5** was adopted.

On motion of Representative Kelly (141), **House Amendment No. 5, as amended**, was adopted.

Representative Shields offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"190.255. 1. Any qualified first responder may obtain and administer naloxone, **or any other drug or device approved by the United States Food and Drug Administration, that blocks the effects of an opioid overdose and is administered in a manner approved by the United States Food and Drug Administration** to a person suffering from an apparent narcotic or opiate-related overdose in order to revive the person.

2. Any licensed drug distributor or pharmacy in Missouri may sell naloxone, **or any other drug or device approved by the United States Food and Drug Administration, that blocks the effects of an opioid overdose and is administered in a manner approved by the United States Food and Drug Administration** to qualified first responder agencies to allow the agency to stock naloxone for the administration of such drug to persons suffering from an apparent narcotic or opiate overdose in order to revive the person.

3. For the purposes of this section, "qualified first responder" shall mean any ~~[state and local law enforcement agency staff,]~~ fire department personnel, fire district personnel, or licensed emergency medical technician who is acting under the directives and established protocols of a medical director of a local licensed ground ambulance service licensed under section 190.109, **or any state or local law enforcement agency staff member**, who comes in contact with a person suffering from an apparent narcotic or opiate-related overdose and who has received training in recognizing and responding to a narcotic or opiate overdose and the administration of naloxone to a person suffering from an apparent narcotic or opiate-related overdose. "Qualified first responder agencies" shall mean any state or local law enforcement agency, fire department, or ambulance service that provides documented training to its staff related to the administration of naloxone in an apparent narcotic or opiate overdose situation.

4. A qualified first responder shall only administer naloxone by such means as the qualified first responder has received training for the administration of naloxone.

195.206. 1. As used in this section, the following terms shall mean:

(1) "Addiction mitigation medication", naltrexone hydrochloride that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(2) "Opioid antagonist", naloxone hydrochloride, **or any other drug or device approved by the United States Food and Drug Administration**, that blocks the effects of an opioid overdose ~~[that]~~ **and** is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(3) "Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary:

(1) The director of the department of health and senior services, if a licensed physician, may issue a statewide standing order for an opioid antagonist or an addiction mitigation medication;

(2) In the alternative, the department may employ or contract with a licensed physician who may issue a statewide standing order for an opioid antagonist or an addiction mitigation medication with the express written consent of the department director.

3. Notwithstanding any other law or regulation to the contrary, any licensed pharmacist in Missouri may sell and dispense an opioid antagonist or an addiction mitigation medication under physician protocol or under a statewide standing order issued under subsection 2 of this section.

4. A licensed pharmacist who, acting in good faith and with reasonable care, sells or dispenses an opioid antagonist or an addiction mitigation medication and an appropriate device to administer the drug, and the protocol physician, shall not be subject to any criminal or civil liability or any professional disciplinary action for prescribing or dispensing the opioid antagonist or an addiction mitigation medication or any outcome resulting from the administration of the opioid antagonist or an addiction mitigation medication. A physician issuing a statewide standing order under subsection 2 of this section shall not be subject to any criminal or civil liability or any professional disciplinary action for issuing the standing order or for any outcome related to the order or the administration of the opioid antagonist or an addiction mitigation medication.

5. Notwithstanding any other law or regulation to the contrary, it shall be permissible for any person to possess an opioid antagonist or an addiction mitigation medication.

6. Any person who administers an opioid antagonist to another person shall, immediately after administering the drug, contact emergency personnel. Any person who, acting in good faith and with reasonable care, administers an opioid antagonist to another person whom the person believes to be suffering an opioid-related **drug** overdose shall be immune from criminal prosecution, disciplinary actions from his or her professional licensing board, and civil liability due to the administration of the opioid antagonist."; and

Further amend said bill, Page 11, Section 208.662, Line 97, by inserting after all of said section and line the following:

**"579.088. Notwithstanding any other provision of this chapter or chapter 195 to the contrary, it shall not be unlawful to manufacture, possess, sell, deliver, or use any device, equipment, or other material for the purpose of analyzing controlled substances to detect the presence of fentanyl or any synthetic controlled substance fentanyl analogue.";** and

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

Representative Murphy offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1  
to  
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 2, Line 31, by inserting after said line the following:

"Further amend said bill, Page 11, Section 208.662, Line 97, by inserting after said section and line the following:

**"324.1720. 1. The general assembly hereby occupies and preempts the entire field of legislation concerning the practice of licensed professions regulated under chapters 331, 332, 334, 335, 336, 337, 338, and 340. A political subdivision of this state is preempted from enacting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, regulates, controls, directs, or interferes with the practice of such licensed professions.**

**2. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use, to enforce a building or fire code regulation, to impose a tax or license fee for the privilege of carrying on a profession described in subsection 1 of this section consistent with the laws regulating such taxes or license fees, or to otherwise regulate for the general health, safety, sanitation, and welfare as long as the order, ordinance, rule, regulation, policy, or other measure does not interfere with, restrict, or limit the ability of a lawfully licensed person from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice of a licensed professional in the practice of a profession described in subsection 1 of this section.";** and"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Amato	Atchison	Baker	Banderman
Billington	Bonacker	Boyd	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Copeland	Davidson	Davis	Diehl
Dinkins	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Henderson
Hinman	Houx	Hovis	Hudson	Hurlbert

Jones	Justus	Kalberloh	Keathley	Kelley 127
Kelly 141	Knight	Lewis 6	Lonsdale	Lovasco
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Murphy	Myers	O'Donnell	Oehlerking
Owen	Parker	Patterson	Perkins	Peters
Pollitt	Pouche	Reedy	Reuter	Richey
Riggs	Riley	Roberts	Sander	Sassmann
Schnelting	Schulte	Schwadron	Seitz	Sharpe 4
Shields	Smith 155	Sparks	Stacy	Stinnett
Taylor 48	Thomas	Thompson	Titus	Van Schoiack
Veit	Voss	Waller	West	Wilson
Wright	Mr. Speaker			

NOES: 041

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 27	Brown 87
Burnett	Burton	Butz	Clemens	Crossley
Fogle	Fountain Henderson	Gray	Hein	Johnson 12
Johnson 23	Lavender	Lewis 25	Mann	Merideth
Mosley	Nickson-Clark	Nurrenbern	Phifer	Plank
Quade	Sauls	Smith 46	Steinhoff	Strickler
Terry	Unsicker	Walsh Moore	Weber	Woods
Young				

PRESENT: 000

ABSENT WITH LEAVE: 019

Black	Bland Manlove	Boggs	Collins	Cupps
Deaton	Doll	Ealy	Hicks	Ingle
Mackey	Morse	Proudie	Sharp 37	Smith 163
Stephens	Taylor 84	Toalson Reisch	Windham	

VACANCIES: 001

On motion of Representative Murphy, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Haden offered **House Amendment No. 2 to House Amendment No. 6**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Line 24, by inserting after all of said line the following:

**"191.430. 1. There is hereby established within the department of health and senior services the "Health Professional Loan Repayment Program" to provide forgivable loans for the purpose of repaying existing loans related to applicable educational expenses for health care, mental health, and public health professionals. The department of health and senior services shall be the administrative agency for the implementation of the program established by this section.**

**2. The department of health and senior services shall prescribe the form and the time and method of filing applications and supervise the processing, including oversight and monitoring of the program, and shall promulgate rules to implement the provisions of sections 191.430 to 191.450. Any rule or portion of a rule, as**



that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

3. The director of the department of health and senior services shall have the discretion to determine the health professionals and practitioners who will receive forgivable health professional loans from the department to pay their existing loans. The director shall make such determinations each fiscal year based on evidence associated with the greatest needs in the best interests of the public. The health care, mental health, and public health professionals or disciplines funded in any given year shall be contingent upon consultation with the office of workforce development in the department of higher education and workforce development and the department of mental health, or their successor agencies.

4. The department of health and senior services shall enter into a contract with each selected applicant who receives a health professional loan under this section. Each selected applicant shall apply the loan award to his or her educational debt. The contract shall detail the methods of forgiveness associated with a service obligation and the terms associated with the principal and interest accruing on the loan at the time of the award. The contract shall contain details concerning how forgiveness is earned, including when partial forgiveness is earned through a service obligation, and the terms and conditions associated with repayment of the loans for any obligation not served.

5. All health professional loans shall be made from funds appropriated by the general assembly to the health professional loan incentive fund established in section 191.445.

191.435. The department of health and senior services shall designate counties, communities, or sections of areas in the state as areas of defined need for health care, mental health, and public health services. If a county, community, or section of an area has been designated or determined as a professional shortage area, a shortage area, or a health care, mental health, or public health professional shortage area by the federal Department of Health and Human Services or its successor agency, the department of health and senior services shall designate it as an area of defined need under this section. If the director of the department of health and senior services determines that a county, community, or section of an area has an extraordinary need for health care professional services without a corresponding supply of such professionals, the department of health and senior services may designate it as an area of defined need under this section.

191.440. 1. The department of health and senior services shall enter into a contract with each individual qualifying for a forgivable loan under sections 191.430 to 191.450. The written contract between the department and the individual shall contain, but not be limited to, the following:

- (1) An agreement that the state agrees to award a loan and the individual agrees to serve for a period equal to two years, or a longer period as the individual may agree to, in an area of defined need as designated by the department, with such service period to begin on the date identified on the signed contract;
- (2) A provision that any financial obligations arising out of a contract entered into and any obligation of the individual that is conditioned thereon is contingent upon funds being appropriated for loans;
- (3) The area of defined need where the person will practice;
- (4) A statement of the damages to which the state is entitled for the individual's breach of the contract; and
- (5) Such other statements of the rights and liabilities of the department and of the individual not inconsistent with sections 191.430 to 191.450.

2. The department of health and senior services may stipulate specific practice sites, contingent upon department-generated health care, mental health, and public health professional need priorities, where applicants shall agree to practice for the duration of their participation in the program.

191.445. There is hereby created in the state treasury the "Health Professional Loan Incentive Fund", which shall consist of any appropriations made by the general assembly, all funds recovered from an individual under section 191.450, and all funds generated by loan repayments received under sections 191.430 to 191.450. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,

the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be used solely by the department of health and senior services to provide loans under sections 191.430 to 191.450. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

191.450. 1. An individual who enters into a written contract with the department of health and senior services, as described in section 191.440, and who fails to maintain an acceptable employment status shall be liable to the state for any amount awarded as a loan by the department directly to the individual who entered into the contract that has not yet been forgiven.

2. An individual fails to maintain an acceptable employment status under this section when the contracted individual involuntarily or voluntarily terminates qualifying employment, is dismissed from such employment before completion of the contractual service obligation within the specific time frame outlined in the contract, or fails to respond to requests made by the department.

3. If an individual breaches the written contract of the individual by failing to begin or complete such individual's service obligation, the state shall be entitled to recover from the individual an amount equal to the sum of:

(1) The total amount of the loan awarded by the department or, if the department had already awarded partial forgiveness at the time of the breach, the amount of the loan not yet forgiven;

(2) The interest on the amount that would be payable if at the time the loan was awarded it was a loan bearing interest at the maximum prevailing rate as determined by the Treasurer of the United States;

(3) An amount equal to any damages incurred by the department as a result of the breach; and

(4) Any legal fees or associated costs incurred by the department or the state of Missouri in the collection of damages.

191.592. 1. For purposes of this section, the following terms mean:

(1) "Department", the department of health and senior services;

(2) "Eligible entity", an entity that operates a physician medical residency program in this state and that is accredited by the Accreditation Council for Graduate Medical Education;

(3) "General primary care and psychiatry", family medicine, general internal medicine, general pediatrics, internal medicine-pediatrics, general obstetrics and gynecology, or general psychiatry;

(4) "Grant-funded residency position", a position that is accredited by the Accreditation Council for Graduate Medical Education, that is established as a result of funding awarded to an eligible entity for the purpose of establishing an additional medical resident position beyond the currently existing medical resident positions, and that is within the fields of general primary care and psychiatry. Such position shall end when the medical residency funding under this section is completed or when the resident in the medical grant-funded residency position is no longer employed by the eligible entity, whichever is earlier;

(5) "Participating medical resident", an individual who is a medical school graduate with a doctor of medicine degree or doctor of osteopathic medicine degree, who is participating in a postgraduate training program at an eligible entity, and who is filling a grant-funded residency position.

2. (1) Subject to appropriation, the department shall establish a medical residency grant program to award grants to eligible entities for the purpose of establishing and funding new general primary care and psychiatry medical residency positions in this state and continuing the funding of such new residency positions for the duration of the funded residency.

(2) (a) Funding shall be available for three years for residency positions in family medicine, general internal medicine, and general pediatrics.

(b) Funding shall be available for four years for residency positions in general obstetrics and gynecology, internal medicine-pediatrics, and general psychiatry.

3. (1) There is hereby created in the state treasury the "Medical Residency Grant Program Fund". Moneys in the fund shall be used to implement and fund grants to eligible entities.

(2) The medical residency grant program fund shall include funds appropriated by the general assembly, reimbursements from awarded eligible entities who were not able to fill the residency position or positions with an individual medical resident or residents, and any gifts, contributions, grants, or bequests received from federal, private, or other sources.

(3) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in this section.

(4) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(5) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Subject to appropriation, the department shall expend moneys in the medical residency grant program fund in the following order:

(1) Necessary costs of the department to implement this section;

(2) Funding of grant-funded residency positions of individuals in the fourth year of their residency, as applicable to residents in general obstetrics and gynecology, internal medicine-pediatrics, and general psychiatry;

(3) Funding of grant-funded residency positions of individuals in the third year of their residency;

(4) Funding of grant-funded residency positions of individuals in the second year of their residency;

(5) Funding of grant-funded residency positions of individuals in the first year of their residency; and

(6) The establishment of new grant-funded residency positions at awarded eligible entities.

5. The department shall establish criteria to evaluate which eligible entities shall be awarded grants for new grant-funded residency positions, criteria for determining the amount and duration of grants, the contents of the grant application, procedures and timelines by which eligible entities may apply for grants, and all other rules needed to implement the purposes of this section. Such criteria shall include a preference for eligible entities located in areas of highest need for general primary care and psychiatric care physicians, as determined by the health professional shortage area score.

6. Eligible entities that receive grants under this section shall:

(1) Agree to supplement awarded funds under this section, if necessary, to establish or maintain a grant-funded residency position for the duration of the funded resident's medical residency; and

(2) Agree to abide by other requirements imposed by rule.

7. Annual funding per participating medical resident shall be limited to:

(1) Direct graduate medical education costs including, but not limited to:

(a) Salaries and benefits for residents, faculty, and program staff;

(b) Malpractice insurance, licenses, and other required fees; and

(c) Program administration and educational materials; and

(2) Indirect costs of graduate medical education necessary to meet the standards of the Accreditation Council for Graduate Medical Education.

8. No new grant-funded residency positions under this section shall be established after the tenth fiscal year in which grants are awarded. However, any residency positions funded under this section may continue to be funded until the completion of the resident's medical residency.

9. The department shall submit an annual report to the general assembly regarding the implementation of the program developed under this section.

10. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

11. The provisions of this section shall expire on January 1, 2038.

191.600. 1. Sections 191.600 to 191.615 establish a loan repayment program for graduates of approved medical schools, schools of osteopathic medicine, schools of dentistry and accredited chiropractic colleges who practice in areas of defined need and shall be known as the "Health Professional Student Loan Repayment Program". Sections 191.600 to 191.615 shall apply to graduates of accredited chiropractic colleges when federal guidelines for chiropractic shortage areas are developed.

2. The "Health Professional Student Loan and Loan Repayment Program Fund" is hereby created in the state treasury. All funds recovered from an individual pursuant to section 191.614 and all funds generated by loan repayments and penalties received pursuant to section 191.540 shall be credited to the fund. The moneys in the fund shall be used by the department of health and senior services to provide loan repayments pursuant to section 191.611 in accordance with sections 191.600 to 191.614 ~~and to provide loans pursuant to sections 191.500 to 191.550~~.

191.828. 1. The following departments shall conduct on-going evaluations of the effect of the initiatives enacted by the following sections:

(1) The department of commerce and insurance shall evaluate the effect of revising section 376.782 and sections 143.999, 208.178, 374.126, and 376.891 to 376.894;

(2) The department of health and senior services shall evaluate the effect of revising sections 105.711 and ~~sections 191.520 and~~ 191.600 and enacting section 191.411, and sections 167.600 to 167.621, 191.231, 208.177, 431.064, and 660.016. In collaboration with the state board of registration for the healing arts, the state board of nursing, and the state board of pharmacy, the department of health and senior services shall also evaluate the effect of revising section 195.070, section 334.100, and section 335.016, and of sections 334.104 and 334.112, and section 338.095 and 338.198;

(3) The department of social services shall evaluate the effect of revising section 198.090, and sections 208.151, 208.152 and 208.215, and section 383.125, and of sections 167.600 to 167.621, 208.177, 208.178, 208.179, 208.181, and 211.490;

(4) The office of administration shall evaluate the effect of revising sections 105.711 and 105.721;

(5) The Missouri consolidated health care plan shall evaluate the effect of section 103.178; and

(6) The department of mental health shall evaluate the effect of section 191.831 as it relates to substance abuse treatment and of section 191.835.

2. The department of revenue and office of administration shall make biannual reports to the general assembly and the governor concerning the income received into the health initiatives fund and the level of funding required to operate the programs and initiatives funded by the health initiatives fund at an optimal level.

191.831. 1. There is hereby established in the state treasury a "Health Initiatives Fund", to which shall be deposited all revenues designated for the fund under subsection 8 of section 149.015, and subsection 3 of section 149.160, and section 167.609, and all other funds donated to the fund or otherwise deposited pursuant to law. The state treasurer shall administer the fund. Money in the fund shall be appropriated to provide funding for implementing the new programs and initiatives established by sections 105.711 and 105.721. The moneys in the fund may further be used to fund those programs established by sections 191.411 ~~191.520~~ and 191.600, sections 208.151 and 208.152, and sections 103.178, 143.999, 167.600 to 167.621, 188.230, 191.211, 191.231, 191.825 to 191.839, 192.013, 208.177, 208.178, 208.179 and 208.181, 211.490, 285.240, 337.093, 374.126, 376.891 to 376.894, 431.064, 660.016, 660.017 and 660.018; in addition, not less than fifteen percent of the proceeds deposited to the health initiative fund pursuant to sections 149.015 and 149.160 shall be appropriated annually to provide funding for the C-STAR substance abuse rehabilitation program of the department of mental health, or its successor program, and a C-STAR pilot project developed by the director of the division of alcohol and drug abuse and the director of the department of corrections as an alternative to incarceration, as provided in subsections 2, 3, and 4 of this section. Such pilot project shall be known as the "Alt-care" program. In addition, some of the proceeds deposited to the health initiatives fund pursuant to sections 149.015 and 149.160 shall be appropriated annually to the division of alcohol and drug abuse of the department of mental health to be used for the administration and oversight of the substance abuse traffic ~~offenders~~ **offender** program defined in section 302.010 ~~and section 577.001~~. The provisions of section 33.080 to the contrary notwithstanding, money in the health initiatives fund shall not be transferred at the close of the biennium to the general revenue fund.

2. The director of the division of alcohol and drug abuse and the director of the department of corrections shall develop and administer a pilot project to provide a comprehensive substance abuse treatment and rehabilitation program as an alternative to incarceration, hereinafter referred to as "Alt-care". Alt-care shall be funded using money provided under subsection 1 of this section through the Missouri Medicaid program, the C-STAR program of the department of mental health, and the division of alcohol and drug abuse's purchase-of-service system. Alt-care shall offer a flexible combination of clinical services and living arrangements individually adapted to each client and her children. Alt-care shall consist of the following components:

(1) Assessment and treatment planning;

(2) Community support to provide continuity, monitoring of progress and access to services and resources;

- (3) Counseling from individual to family therapy;
- (4) Day treatment services which include accessibility seven days per week, transportation to and from the Alt-care program, weekly drug testing, leisure activities, weekly events for families and companions, job and education preparedness training, peer support and self-help and daily living skills; and
- (5) Living arrangement options which are permanent, substance-free and conducive to treatment and recovery.

3. Any female who is pregnant or is the custodial parent of a child or children under the age of twelve years, and who has pleaded guilty to or found guilty of violating the provisions of chapter 195, and whose controlled substance abuse was a precipitating or contributing factor in the commission of the offense, and who is placed on probation may be required, as a condition of probation, to participate in Alt-care, if space is available in the pilot project area. Determinations of eligibility for the program, placement, and continued participation shall be made by the division of alcohol and drug abuse, in consultation with the department of corrections.

4. The availability of space in Alt-care shall be determined by the director of the division of alcohol and drug abuse in conjunction with the director of the department of corrections. If the sentencing court is advised that there is no space available, the court shall consider other authorized dispositions."; and

Further amend said amendment, Page 2, Line 36, by deleting all of said line and inserting in lieu thereof the following:

""335.203. 1. There is hereby established the "Nursing Education Incentive Program" within the state board of nursing.

2. Subject to appropriation and board disbursement, grants shall be awarded through the nursing education incentive program to eligible institutions of higher education based on criteria jointly determined by the board and the department of higher education and workforce development. [~~Grant award amounts shall not exceed one hundred fifty thousand dollars.~~] No campus shall receive more than one grant per year.

3. To be considered for a grant, an eligible institution of higher education shall offer a program of nursing that meets the predetermined category and area of need as established by the board and the department under subsection 4 of this section.

4. The board and the department shall determine categories and areas of need for designating grants to eligible institutions of higher education. In establishing categories and areas of need, the board and department may consider criteria including, but not limited to:

- (1) Data generated from licensure renewal data and the department of health and senior services; and
- (2) National nursing statistical data and trends that have identified nursing shortages.

5. The board shall be the administrative agency responsible for implementation of the program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203. The board shall, by rule, prescribe the form, time, and method of filing applications and shall supervise the processing of such applications.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

**335.205. The board, in addition to any other duties it may have regarding licensure of nurses, shall collect, at the time of any initial license application or license renewal application, a nursing education incentive program surcharge from each person licensed or relicensed under chapter 335, in the amount of one dollar per year for practical nurses and five dollars per year for registered professional nurses. These funds shall be deposited in the state board of nursing fund described in section 335.036.**

**579.088. Notwithstanding any other provision of this chapter or chapter 195 to the contrary, it shall"; and**

Further amend said amendment and page, Line 39, by deleting all of said line and inserting in lieu thereof the following:

**"substance fentanyl analogue.**

[191.500. As used in sections 191.500 to 191.550, unless the context clearly indicates otherwise, the following terms mean:

(1) "Area of defined need", a community or section of an urban area of this state which is certified by the department of health and senior services as being in need of the services of a physician to improve the patient doctor ratio in the area, to contribute professional physician services to an area of economic impact, or to contribute professional physician services to an area suffering from the effects of a natural disaster;

(2) "Department", the department of health and senior services;

(3) "Eligible student", a full-time student accepted and enrolled in a formal course of instruction leading to a degree of doctor of medicine or doctor of osteopathy, including psychiatry, at a participating school, or a doctor of dental surgery, doctor of dental medicine, or a bachelor of science degree in dental hygiene;

(4) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant pursuant to sections 191.500 to 191.550;

(5) "Participating school", an institution of higher learning within this state which grants the degrees of doctor of medicine or doctor of osteopathy, and which is accredited in the appropriate degree program by the American Medical Association or the American Osteopathic Association, or a degree program by the American Dental Association or the American Psychiatric Association, and applicable residency programs for each degree type and discipline;

(6) "Primary care", general or family practice, internal medicine, pediatric, psychiatric, obstetric and gynecological care as provided to the general public by physicians licensed and registered pursuant to chapter 334, dental practice, or a dental hygienist licensed and registered pursuant to chapter 332;

(7) "Resident", any natural person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state;

(8) "Rural area", a town or community within this state which is not within a standard metropolitan statistical area, and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a standard metropolitan statistical area.]

[191.505. The department of health and senior services shall be the administrative agency for the implementation of the program established by sections 191.500 to 191.550. The department shall promulgate reasonable rules and regulations for the exercise of its functions in the effectuation of the purposes of sections 191.500 to 191.550. It shall prescribe the form and the time and method of filing applications and supervise the processing thereof.]

[191.510. The department shall enter into a contract with each applicant receiving a state loan under sections 191.500 to 191.550 for repayment of the principal and interest and for forgiveness of a portion thereof for participation in the service areas as provided in sections 191.500 to 191.550.]

[191.515. An eligible student may apply to the department for a loan under sections 191.500 to 191.550 only if, at the time of his application and throughout the period during which he receives the loan, he has been formally accepted as a student in a participating school in a course of study leading to the degree of doctor of medicine or doctor of osteopathy, including psychiatry, or a doctor of dental surgery, a doctor of dental medicine, or a bachelor of science degree in dental hygiene, and is a resident of this state.]

[191.520. No loan to any eligible student shall exceed twenty five thousand dollars for each academic year, which shall run from August first of any year through July thirty first of the following year. All loans shall be made from funds appropriated to the medical school loan and loan repayment program fund created by section 191.600, by the general assembly.]

[191.525. No more than twenty five loans shall be made to eligible students during the first academic year this program is in effect. Twenty five new loans may be made for the next three academic years until a total of one hundred loans are available. At least one half of the loans shall be made to students from rural areas as defined in section 191.500. An eligible student may receive loans for each academic year he is pursuing a course of study directly leading to a degree of doctor of medicine or doctor of osteopathy, doctor of dental surgery, or doctor of dental medicine, or a bachelor of science degree in dental hygiene.]

[191.530. Interest at the rate of nine and one half percent per year shall be charged on all loans made under sections 191.500 to 191.550 but one fourth of the interest and principal of the total loan at the time of the awarding of the degree shall be forgiven for each year of participation by an applicant in the practice of his profession in a rural area or an area of defined need. The department shall grant a deferral of interest and principal payments to a loan recipient who is pursuing an internship or a residency in primary care. The deferral shall not exceed three years. The status of each loan recipient receiving a deferral shall be reviewed annually by the department to ensure compliance with the intent of this provision. The loan recipient will repay the loan beginning with the calendar year following completion of his internship or his primary care residency in accordance with the loan contract.]

[191.535. If a student ceases his study prior to receiving a degree, interest at the rate specified in section 191.530 shall be charged on the amount received from the state under the provisions of sections 191.500 to 191.550.]

[191.540. 1. The department shall establish schedules and procedures for repayment of the principal and interest of any loan made under the provisions of sections 191.500 to 191.550 and not forgiven as provided in section 191.530.

2. A penalty shall be levied against a person in breach of contract. Such penalty shall be twice the sum of the principal and the accrued interest.]

[191.545. When necessary to protect the interest of the state in any loan transaction under sections 191.500 to 191.550, the board may institute any action to recover any amount due.]

[191.550. The contracts made with the participating students shall be approved by the attorney general.]

[335.212. As used in sections 335.212 to 335.242, the following terms mean:

(1) "Board", the Missouri state board of nursing;

(2) "Department", the Missouri department of health and senior services;

(3) "Director", director of the Missouri department of health and senior services;

(4) "Eligible student", a resident who has been accepted as a full time student in a formal course of instruction leading to an associate degree, a diploma, a bachelor of science, a master of science in nursing (M.S.N.), a doctorate in nursing (Ph.D. or D.N.P.), or a student with a master of science in nursing seeking a doctorate in education (Ed.D.), or leading to the completion of educational requirements for a licensed practical nurse. The doctoral applicant may be a part time student;

(5) "Participating school", an institution within this state which is approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242, having a nursing department and offering a course of instruction based on nursing theory and clinical nursing experience;

(6) "Qualified applicant", an eligible student approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242;

(7) "Qualified employment", employment on a full time basis in Missouri in a position requiring licensure as a licensed practical nurse or registered professional nurse in any hospital as defined in section 197.020 or in any agency, institution, or organization located in an area of need as determined by the department of health and senior services. Any forgiveness of such principal and interest for any qualified applicant engaged in qualified employment on a less than full time basis may be prorated to reflect the amounts provided in this section;

(8) "Resident", any person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state.]

[335.215. 1. The department of health and senior services shall be the administrative agency for the implementation of the professional and practical nursing student loan program established under sections 335.212 to 335.242, and the nursing student loan repayment program established under sections 335.245 to 335.259.

2. An advisory panel of nurses shall be appointed by the director. It shall be composed of not more than eleven members representing practical, associate degree, diploma, baccalaureate and graduate nursing education, community health, primary care, hospital, long-term care, a consumer, and the Missouri state board of nursing. The panel shall make recommendations to the director on the content of any rules, regulations or guidelines prior to their promulgation. The panel may make recommendations to the director regarding fund allocations for loans and loan repayment based on current nursing shortage needs.

3. The department of health and senior services shall promulgate reasonable rules and regulations for the exercise of its function pursuant to sections 335.212 to 335.259. It shall prescribe the form, the time and method of filing applications and supervise the proceedings thereof. No rule or portion of a rule promulgated under the authority of sections 335.212 to 335.257 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

4. Ninety five percent of funds loaned pursuant to sections 335.212 to 335.242 shall be loaned to qualified applicants who are enrolled in professional nursing programs in participating schools and five percent of the funds loaned pursuant to sections 335.212 to 335.242 shall be loaned to qualified applicants who are enrolled in practical nursing programs. Priority shall be given to eligible students who have established financial need. All loan repayment funds pursuant to sections 335.245 to 335.259 shall be used to reimburse successful associate, diploma, baccalaureate or graduate professional nurse applicants' educational loans who agree to serve in areas of defined need as determined by the department.]

[335.218. There is hereby established the "Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund". All fees pursuant to section 335.221, general revenue appropriations to the student loan or loan repayment program, voluntary contributions to support or match the student loan and loan repayment program activities, funds collected from repayment and penalties, and funds received from the federal government shall be deposited in the state treasury and be placed to the credit of the professional and practical nursing student loan and nurse loan repayment fund. The fund shall be managed by the department of health and senior services and all administrative costs and expenses incurred as a result of the effectuation of sections 335.212 to 335.259 shall be paid from this fund.]

[335.221. The board, in addition to any other duties it may have regarding licensure of nurses, shall collect, at the time of licensure or licensure renewal, an education surcharge from each person licensed or relicensed pursuant to sections 335.011 to 335.096, in the amount of one dollar per year for practical nurses and five dollars per year for professional nurses. These funds shall be deposited in the professional and practical nursing student loan and nurse loan repayment fund. All expenditures authorized by sections 335.212 to 335.259 shall be paid from funds appropriated by the general assembly from the professional and practical nursing student loan and nurse loan repayment fund. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.]



~~[335.224. The department of health and senior services shall enter into a contract with each qualified applicant receiving financial assistance under the provisions of sections 335.212 to 335.242 for repayment of the principal and interest.]~~

~~[335.227. An eligible student may apply to the department for financial assistance under the provisions of sections 335.212 to 335.242 if, at the time of his application for a loan, the eligible student has formally applied for acceptance at a participating school. Receipt of financial assistance is contingent upon acceptance and continued enrollment at a participating school.]~~

~~[335.230. Financial assistance to any qualified applicant shall not exceed ten thousand dollars for each academic year for a professional nursing program and shall not exceed five thousand dollars for each academic year for a practical nursing program. All financial assistance shall be made from funds credited to the professional and practical nursing student loan and nurse loan repayment fund. A qualified applicant may receive financial assistance for each academic year he remains a student in good standing at a participating school.]~~

~~[335.233. The department shall establish schedules for repayment of the principal and interest on any financial assistance made under the provisions of sections 335.212 to 335.242. Interest at the rate of nine and one-half percent per annum shall be charged on all financial assistance made under the provisions of sections 335.212 to 335.242, but the interest and principal of the total financial assistance granted to a qualified applicant at the time of the successful completion of a nursing degree, diploma program or a practical nursing program shall be forgiven through qualified employment.]~~

~~[335.236. The financial assistance recipient shall repay the financial assistance principal and interest beginning not more than six months after completion of the degree for which the financial assistance was made in accordance with the repayment contract. If an eligible student ceases his study prior to successful completion of a degree or graduation at a participating school, interest at the rate specified in section 335.233 shall be charged on the amount of financial assistance received from the state under the provisions of sections 335.212 to 335.242, and repayment, in accordance with the repayment contract, shall begin within ninety days of the date the financial aid recipient ceased to be an eligible student. All funds repaid by recipients of financial assistance to the department shall be deposited in the professional and practical nursing student loan and nurse loan repayment fund for use pursuant to sections 335.212 to 335.259.]~~

~~[335.239. The department shall grant a deferral of interest and principal payments to a financial assistance recipient who is pursuing an advanced degree, special nursing program, or upon special conditions established by the department. The deferral shall not exceed four years. The status of each deferral shall be reviewed annually by the department of health and senior services to ensure compliance with the intent of this section.]~~

~~[335.242. When necessary to protect the interest of the state in any financial assistance transaction under sections 335.212 to 335.259, the department of health and senior services may institute any action to recover any amount due.]~~

~~[335.245. As used in sections 335.245 to 335.259, the following terms mean:~~

- ~~(1) "Department", the Missouri department of health and senior services;~~
- ~~(2) "Eligible applicant", a Missouri licensed nurse who has attained either an associate degree, a diploma, a bachelor of science, or graduate degree in nursing from an accredited institution approved by the board of nursing or a student nurse in the final year of a full time baccalaureate school of nursing leading to a baccalaureate degree or graduate nursing program leading to a master's degree in nursing and has agreed to serve in an area of defined need as established by the department;~~

~~(3) "Participating school", an institution within this state which grants an associate degree in nursing, grants a bachelor or master of science degree in nursing or provides a diploma nursing program which is accredited by the state board of nursing, or a regionally accredited institution in this state which provides a bachelor of science completion program for registered professional nurses;~~

~~(4) "Qualified employment", employment on a full-time basis in Missouri in a position requiring licensure as a licensed practical nurse or registered professional nurse in any hospital as defined in section 197.020 or public or nonprofit agency, institution, or organization located in an area of need as determined by the department of health and senior services. Any forgiveness of such principal and interest for any qualified applicant engaged in qualified employment on a less than full-time basis may be prorated to reflect the amounts provided in this section.]~~

~~[335.248. Sections 335.245 to 335.259 shall be known as the "Nursing Student Loan Repayment Program". The department of health and senior services shall be the administrative agency for the implementation of the authority established by sections 335.245 to 335.259. The department shall promulgate reasonable rules and regulations necessary to implement sections 335.245 to 335.259. Promulgated rules shall include, but not be limited to, applicant eligibility, selection criteria, prioritization of service obligation sites and the content of loan repayment contracts, including repayment schedules for those in default and penalties. The department shall promulgate rules regarding recruitment opportunities for minority students into nursing schools. Priority for student loan repayment shall be given to eligible applicants who have demonstrated financial need. All funds collected by the department from participants not meeting their contractual obligations to the state shall be deposited in the professional and practical nursing student loan and nurse loan repayment fund for use pursuant to sections 335.212 to 335.259.]~~

~~[335.251. Upon proper verification to the department by the eligible applicant of securing qualified employment in this state, the department shall enter into a loan repayment contract with the eligible applicant to repay the interest and principal on the educational loans of the applicant to the limit of the contract, which contract shall provide for instances of less than full-time qualified employment consistent with the provisions of section 335.233, out of any appropriation made to the professional and practical nursing student loan and nurse loan repayment fund. If the applicant breaches the contract by failing to begin or complete the qualified employment, the department is entitled to recover the total of the loan repayment paid by the department plus interest on the repaid amount at the rate of nine and one-half percent per annum.]~~

~~[335.254. Sections 335.212 to 335.259 shall not be construed to require the department to enter into contracts with individuals who qualify for nursing education loans or nursing loan repayment programs when federal, state and local funds are not available for such purposes.]~~

~~[335.257. Successful applicants for whom loan payments are made under the provisions of sections 335.245 to 335.259 shall verify to the department twice each year in the manner prescribed by the department that qualified employment in this state is being maintained.]; and~~

Further amend said bill, Page 11, Section B, Line 6, by inserting after all of said section and line the following:

"Section C. Because immediate action is necessary to address the shortage of health care providers in this state, the enactment of section 191.592 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 191.592 of section A of this act shall be in full force and effect upon its passage and approval."; and"; and

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

On motion of Representative Haden, **House Amendment No. 2 to House Amendment No. 6** was adopted.

Representative Cook offered **House Amendment No. 3 to House Amendment No. 6**.

*House Amendment No. 3*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 2, Line 36, by deleting all of the said line and inserting in lieu thereof the following:

""338.010. 1. The "practice of pharmacy" ~~means~~ **includes:**

(1) The interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353[;], **and the receipt, transmission, or handling of such orders or facilitating the dispensing of such orders;**

(2) The designing, initiating, implementing, and monitoring of a medication therapeutic plan ~~as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist~~ **in accordance with the provisions of this section;**

(3) The compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders ~~and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for persons at least seven years of age or the age recommended by the Centers for Disease Control and Prevention, whichever is higher, or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, meningitis, and viral influenza vaccines by written protocol authorized by a physician for a specific patient as authorized by rule~~;

(4) **The ordering and administration of vaccines approved or authorized by the U.S. Food and Drug Administration, excluding vaccines for cholera, monkeypox, Japanese encephalitis, typhoid, rabies, yellow fever, tick-borne encephalitis, anthrax, tuberculosis, dengue, Hib, polio, rotavirus, smallpox, and any vaccine approved after January 1, 2023, to persons at least seven years of age or the age recommended by the Centers for Disease Control and Prevention, whichever is older, pursuant to joint promulgation of rules established by the board of pharmacy and the state board of registration for the healing arts unless rules are established under a state of emergency as described in section 44.100;**

(5) The participation in drug selection according to state law and participation in drug utilization reviews;

(6) The proper and safe storage of drugs and devices and the maintenance of proper records thereof;

(7) Consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices;

(8) The prescribing and dispensing of any nicotine replacement therapy product under section 338.665;

(9) The dispensing of HIV postexposure prophylaxis pursuant to section 338.730; and

(10) The offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy.

2. No person shall engage in the practice of pharmacy unless he or she is licensed under the provisions of this chapter.

3. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance.

4. This chapter shall ~~also~~ not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in

accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

~~[2- Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services.]~~

**5. A pharmacist with a certificate of medication therapeutic plan authority may provide medication therapy services pursuant to a written protocol from a physician licensed under chapter 334 to patients who have established a physician-patient relationship, as described in subdivision (1) of subsection 1 of section 191.1146, with the protocol physician.** The written protocol ~~[and the prescription order for a medication therapeutic plan]~~ **authorized by this section** shall come **only** from the physician ~~[only,]~~ and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a collaborative practice arrangement under section 334.735.

~~[3-]~~ **6.** Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

~~[4-]~~ **7.** Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

~~[5-]~~ **8.** No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

~~[6-]~~ **9.** This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

~~[7-]~~ **10.** The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols ~~[for prescription orders]~~ for medication therapy services ~~[and administration of viral influenza vaccines]~~. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the ~~[referring]~~ **protocol physician or similar body authorized by this section**, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for ~~[prescription orders for]~~ medication therapy services ~~[and administration of viral influenza vaccines]~~. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

~~[8-]~~ **11.** The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

~~[9-]~~ **12.** Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a ~~[prescription order]~~ **written protocol** from a physician that ~~[is]~~ **may be** specific to each patient for care by a pharmacist.

~~[10-]~~ **13.** Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

~~[11-]~~ **14.** "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

~~[12.]~~ 15. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines by protocol in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

~~[13.]~~ 16. In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

~~[13.]~~ 17. A pharmacist shall inform the patient that the administration of ~~the~~ a vaccine will be entered into the ShowMeVax system, as administered by the department of health and senior services. The patient shall attest to the inclusion of such information in the system by signing a form provided by the pharmacist. If the patient indicates that he or she does not want such information entered into the ShowMeVax system, the pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's health care provider, if provided by the patient, containing:

- (1) The identity of the patient;
- (2) The identity of the vaccine or vaccines administered;
- (3) The route of administration;
- (4) The anatomic site of the administration;
- (5) The dose administered; and
- (6) The date of administration.

**18. A pharmacist licensed under this chapter may order and administer vaccines approved or authorized by the U.S. Food and Drug Administration to address a public health need, as lawfully authorized by the state or federal government, or a department or agency thereof, during a state or federally declared public health emergency.**

**338.012. 1. A pharmacist with a certificate of medication therapeutic plan authority may provide influenza, group A streptococcus, and COVID-19 medication therapy services pursuant to a statewide standing order issued by the director or chief medical officer of the department of health and senior services if that person is a licensed physician, or a licensed physician designated by the department of health and senior services.**

**2. The state board of registration for the healing arts, pursuant to section 334.125, and the state board of pharmacy, pursuant to section 338.140, shall jointly promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

**579.088. Notwithstanding any other provision of this chapter or chapter 195 to the contrary, it shall"; and**

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

On motion of Representative Cook, **House Amendment No. 3 to House Amendment No. 6** was adopted.

Representative Lewis (25) offered **House Amendment No. 4 to House Amendment No. 6**.

*House Amendment No. 4*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 2, Line 36, by deleting all of said line and inserting in lieu thereof the following:

**376.1240. 1. For purposes of this section, terms shall have the same meanings as ascribed to them in section 376.1350, and the term "prescription contraceptive" shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.**

**2. Any health benefit plan delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2024, that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for the dispensing of a supply of prescription contraceptives intended to last up to one year.**

**3. The coverage required under this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.**

**579.088. Notwithstanding any other provision of this chapter or chapter 195 to the contrary, it shall"; and**

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

On motion of Representative Lewis (25), **House Amendment No. 4 to House Amendment No. 6** was adopted.

Representative Mann offered **House Amendment No. 5 to House Amendment No. 6.**

*House Amendment No. 5*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Line 24, by inserting after all of said line the following:

**191.1011. 1. The department of health and senior services shall establish a registration process for entities desiring to operate a syringe access program or similar program intended to mitigate the health risks associated with unsterile injection drug use whereby any entity that would like to operate such a program shall be allowed to do so if it meets requirements set by the department of health and senior services.**

**2. No entity registered with the department of health and senior services under subsection 1 of this section shall be present within five hundred feet of any school building unless the school building was constructed or established as a school after the entity was in operation.**

**3. The department of health and senior services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.";**  
and

Further amend said amendment, Page 2, Line 36, by deleting all of said line and inserting in lieu thereof the following:

579.040. 1. (1) A person commits the offense of unlawful distribution, delivery, or sale of drug paraphernalia if he or she unlawfully distributes, delivers, or sells, or possesses with intent to distribute, deliver, or sell drug paraphernalia knowing, or under circumstances in which one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of this chapter.

(2) The following entities and persons shall be exempt from the provisions of this section:

(a) Any entity registered with the department of health and senior services under section 191.1011 that possesses, distributes, or delivers hypodermic needles or syringes for the purpose of operating a syringe access program or similar program described under section 191.1011; and

(b) Any staff member, volunteer, or participant in a syringe access program or similar program operated by an entity described under paragraph (a) of this subdivision who possesses, distributes, or delivers hypodermic needles or syringes in connection with his or her duties or participation in the syringe access program or similar program.

2. The offense of unlawful delivery of drug paraphernalia is a class A misdemeanor, unless done for commercial purposes, in which case it is a class E felony.

579.076. 1. (1) A person commits the offense of unlawful manufacture of drug paraphernalia if he or she unlawfully manufactures with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of this chapter or chapter 195.

(2) The following entities and persons shall be exempt from the provisions of this section:

(a) Any entity registered with the department of health and senior services under section 191.1011 that delivers or manufactures hypodermic needles or syringes for the purpose of operating a syringe access program or similar program described under section 191.1011; and

(b) Any staff member, volunteer, or participant in a syringe access program or similar program operated by an entity described under paragraph (a) of this subdivision who delivers or manufactures hypodermic needles or syringes in connection with his or her duties or participation in the syringe access program or similar program.

2. The offense of unlawful manufacture of drug paraphernalia is a class A misdemeanor, unless done for commercial purposes, in which case it is a class E felony.

579.088. Notwithstanding any other provision of this chapter or chapter 195 to the contrary, it shall"; and

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

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Amato	Atchison	Baker	Banderman
Billington	Bonacker	Boyd	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Coleman	Cook
Copeland	Davidson	Davis	Deaton	Diehl
Dinkins	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Henderson
Hicks	Hinman	Houx	Hovis	Hudson

Hurlbert	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lonsdale
Lovasco	Marquart	Matthiesen	Mayhew	McGaugh
McGill	McMullen	Murphy	Myers	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
West	Wilson	Wright	Mr. Speaker	

NOES: 037

Adams	Anderson	Appelbaum	Bangert	Baringer
Barnes	Brown 27	Burnett	Burton	Butz
Clemens	Crossley	Fogle	Fountain Henderson	Gray
Hein	Johnson 12	Johnson 23	Lavender	Lewis 25
Mann	Merideth	Mosley	Nickson-Clark	Nurrenbern
Phifer	Plank	Quade	Sauls	Smith 46
Steinhoff	Strickler	Terry	Walsh Moore	Weber
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 021

Aune	Black	Bland Manlove	Boggs	Bosley
Brown 87	Christofanelli	Collins	Cupps	Doll
Ealy	Ingle	Mackey	Morse	Proudie
Sharp 37	Smith 163	Stephens	Taylor 84	Unsicker
Windham				

VACANCIES: 001

Representative Mann moved that **House Amendment No. 5 to House Amendment No. 6** be adopted.

Which motion was defeated.

On motion of Representative Shields, **House Amendment No. 6, as amended**, was adopted.

Representative Busick offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 11, Section 208.151, Line 97, by inserting after all of said section and line the following:

"332.071. A person or other entity "practices dentistry" within the meaning of this chapter who:

(1) Undertakes to do or perform dental work or dental services or dental operations or oral surgery, by any means or methods, including the use of lasers, gratuitously or for a salary or fee or other reward, paid directly or indirectly to the person or to any other person or entity;



(2) Diagnoses or professes to diagnose, prescribes for or professes to prescribe for, treats or professes to treat, any disease, pain, deformity, deficiency, injury or physical condition of human teeth or adjacent structures or treats or professes to treat any disease or disorder or lesions of the oral regions;

(3) Attempts to or does replace or restore a part or portion of a human tooth;

(4) Attempts to or does extract human teeth or attempts to or does correct malformations of human teeth or jaws;

(5) Attempts to or does adjust an appliance or appliances for use in or used in connection with malposed teeth in the human mouth;

(6) Interprets or professes to interpret or read dental radiographs;

(7) Administers an anesthetic in connection with dental services or dental operations or dental surgery;

(8) Undertakes to or does remove hard and soft deposits from or polishes natural and restored surfaces of teeth;

(9) Uses or permits to be used for the person's benefit or for the benefit of any other person or other entity the following titles or words in connection with the person's name: "Doctor", "Dentist", "Dr.", "D.D.S.", or "D.M.D.", or any other letters, titles, degrees or descriptive matter which directly or indirectly indicate or imply that the person is willing or able to perform any type of dental service for any person or persons, or uses or permits the use of for the person's benefit or for the benefit of any other person or other entity any card, directory, poster, sign or any other means by which the person indicates or implies or represents that the person is willing or able to perform any type of dental services or operation for any person;

(10) Directly or indirectly owns, leases, operates, maintains, manages or conducts an office or establishment of any kind in which dental services or dental operations of any kind are performed for any purpose; but this section shall not be construed to prevent owners or lessees of real estate from lawfully leasing premises to those who are qualified to practice dentistry within the meaning of this chapter;

(11) Controls, influences, attempts to control or influence, or otherwise interferes with the dentist's independent professional judgment regarding the diagnosis or treatment of a dental disease, disorder, or physical condition except that any opinion rendered by any health care professional licensed under this chapter or chapter 330, 331, 334, 335, 336, 337, or 338 regarding the diagnosis, treatment, disorder, or physical condition of any patient shall not be construed to control, influence, attempt to control or influence or otherwise interfere with a dentist's independent professional judgment;

(12) Constructs, supplies, reproduces or repairs any prosthetic denture, bridge, artificial restoration, appliance or other structure to be used or worn as a substitute for natural teeth, except when one, not a registered and licensed dentist, does so pursuant to a written uniform laboratory work order, in the form prescribed by the board, of a dentist registered and currently licensed in Missouri and which the substitute in this subdivision described is constructed upon or by use of casts or models made from an impression furnished by a dentist registered and currently licensed in Missouri;

(13) Attempts to or does place any substitute described in subdivision (12) of this section in a human mouth or attempts to or professes to adjust any substitute or delivers any substitute to any person other than the dentist upon whose order the work in producing the substitute was performed;

(14) Advertises, solicits, or offers to or does sell or deliver any substitute described in subdivision (12) of this section or offers to or does sell the person's services in constructing, reproducing, supplying or repairing the substitute to any person other than a registered and licensed dentist in Missouri;

(15) Undertakes to do or perform any physical evaluation of a patient in the person's office or in a hospital, clinic, or other medical or dental facility prior to or incident to the performance of any dental services, dental operations, or dental surgery;

(16) Reviews examination findings, x-rays, or other patient data to make judgments or decisions about the dental care rendered to a patient in this state;

**(17) Prescribes and administers vaccines for diseases related to care within the practice of dentistry; or**

**(18) Prescribes and administers vaccines in accordance with section 332.368 when deployed under section 44.045 to provide care as necessitated by an emergency.**

**332.368. 1. A dentist may:**

**(1) Prescribe and administer vaccines to a person with whom the dentist has established a patient relationship; and**

- (2) Prescribe and administer vaccines to any person when the dentist is deployed under section 44.045 to provide care as necessitated by an emergency.
2. A dentist shall not be required to prescribe or administer vaccines.
3. Before prescribing or administering any vaccine under this section, a dentist shall complete a training course recognized by the board under subsection 4 of this section and obtain a certificate of successful completion from the agency or organization that offered the course. A dentist shall produce the certificate upon request of the board.
4. The board shall recognize for purposes of this section any training course that:
  - (1) Includes training on appropriate vaccine storage and proper vaccine administration;
  - (2) Addresses contraindications and adverse reactions to vaccines; and
  - (3) Is offered by the Centers for Disease Control and Prevention, the American Dental Association or its successor organization, or any other similar federal or state agency or professional organization deemed qualified by the board.
5. A dentist who administers a vaccine under this section shall inform the patient that the administration of the vaccine will be entered into the ShowMeVax system, as administered by the department of health and senior services. The patient shall attest to the inclusion of such information in the system by signing a form provided by the dentist.
6. Prior to administering a vaccine under this section, a dentist shall review the patient's vaccination history in the ShowMeVax system.
7. A dentist shall not administer a vaccine under this section to a child under seven years of age or under the minimum age recommended by the Centers for Disease Control and Prevention.
8. A dentist who prescribes or administers a vaccine under this section shall comply with any applicable patient of care record-keeping requirements.
9. A dentist shall not delegate the administration of a vaccine under this section.
10. All individual and group health insurance policies providing coverage for vaccinations shall also provide coverage for vaccinations administered under this section.
11. The board shall promulgate rules for the purpose of recognizing entities qualified to offer the training course required under this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void."; and

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

On motion of Representative Busick, **House Amendment No. 7** was adopted.

Representative Davidson offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 11, Section 208.662, Line 97, by inserting after all of the said section and line the following:

- "376.1060. 1. As used in this section, the following terms shall mean:
- (1) "Contracting entity", any person or entity, **including a health carrier**, that is engaged in the act of contracting with providers for the delivery of **[dental] health care services [or the selling or assigning of dental-network plans to other health care entities]**;
  - (2) ["Identify", providing in writing, by email or otherwise, to the participating provider the name, address, and telephone number, to the extent possible, for any third party to which the contracting entity has granted access to the health care services of the participating provider;

(3) ~~"Network plan", health insurance coverage offered by a health insurance issuer under which the financing and delivery of dental services are provided in whole or in part through a defined set of participating providers under contract with the health insurance issuer]~~ **"Health care service", the same meaning given to the term in section 376.1350;**

~~[(4)]~~ (3) **"Health carrier", the same meaning given to the term in section 376.1350. The term "health carrier" shall also include any entity described in subdivision (4) of section 354.700;**

(4) **"Participating provider", a provider who, under a contract with a contracting entity, has agreed to provide [dental] health care services with an expectation of receiving payment, other than coinsurance, co-payments or deductibles, directly or indirectly from the contracting entity;**

(5) **"Provider", any person licensed under section 332.071;**

(6) **"Provider network contract", a contract between a contracting entity and a provider that specifies the rights and responsibilities of the contracting entity and provides for the delivery and payment of health care services;**

(7) **"Third party", a person or entity that enters into a contract with a contracting entity or with another third party to gain access to the health care services or contractual discounts of a provider network contract. "Third party" does not include an employer or other group for whom the health carrier or contracting entity provides administrative services.**

2. A contracting entity ~~[shall not sell, assign, or otherwise]~~ **shall only grant a third party access to [the dental services of] a participating [provider under a health care contract unless expressly authorized by the health care contract. The health care contract shall specifically provide that one purpose of the contract is the selling, assigning, or giving the contracting entity rights to the services of the participating provider, including network plans] provider's health care services or contractual discounts provided in accordance with a contract between a participating provider and a contracting entity and only if:**

(1) **The contract specifically states that the contracting entity may enter into an agreement with a third party allowing the third party to obtain the contracting entity's rights and responsibilities as if the third party were the contracting entity, and the contract allows the provider to choose not to participate in third-party access at the time the contract is entered into or renewed or when there are material modifications to the contract. The third-party access provision of any provider network contract shall also specifically state that the contract grants third-party access to the provider's health care services and that the provider has the right to choose not to participate in third-party access to the contract or to enter into a contract directly with the third party. A provider's decision not to participate in third-party access shall not permit the contracting entity to cancel or otherwise end a contractual relationship with the provider. When initially contracting with a provider, a contracting entity shall accept a qualified provider even if the provider chooses not to participate in the third-party access provision;**

(2) **The third party accessing the contract agrees to comply with all of the contract's terms;**

(3) **The contracting entity identifies, in writing or electronic form to the provider, all third parties in existence as of the date the contract is entered into or renewed;**

(4) **The contracting entity identifies all third parties in existence in a list on its internet website that is updated at least once every ninety days;**

(5) **The contracting entity notifies providers that a new third party is accessing a provider network contract at least thirty days in advance of the relationship taking effect;**

(6) **The contracting entity notifies the third party of the termination of a provider network contract no later than thirty days from the termination date with the contracting entity;**

(7) **A third party's right to a provider's discounted rate ceases as of the termination date of the provider network contract;**

(8) **The provider is not already a participating provider of the third party; and**

(9) **The contracting entity makes available a copy of the provider network contract relied on in the adjudication of a claim to a participating provider within thirty days of a request from the provider.**

3. ~~[Upon entering a contract with a participating provider and upon request by a participating provider, a contracting entity shall properly identify any third party that has been granted access to the dental services of the participating provider]~~ **No provider shall be bound by or required to perform health care services under a provider network contract that has been granted to a third party in violation of the provisions of this section.**

4. A contracting entity that sells, assigns, or otherwise grants a **third party** access to ~~[the dental services of] a participating [provider]~~ **provider's health care services** shall maintain an internet website or a toll-free

telephone number through which the participating provider may obtain information which identifies the ~~[insurance-carrier]~~ **third party** to be used to reimburse the participating provider for the covered ~~[dental]~~ **health care** services.

5. A contracting entity that sells, assigns, or otherwise grants a **third party** access to a participating provider's ~~[dental]~~ **health care** services shall ensure that an explanation of benefits or remittance advice furnished to the participating provider that delivers ~~[dental]~~ **health care** services ~~[under the health care contract]~~ **for the third party** identifies the contractual source of any applicable discount.

~~6. [All third parties that have contracted with a contracting entity to purchase, be assigned, or otherwise be granted access to the participating provider's discounted rate shall comply with the participating provider's contract, including all requirements to encourage access to the participating provider, and pay the participating provider pursuant to the rates of payment and methodology set forth in that contract, unless otherwise agreed to by a participating provider.~~

~~7. A contracting entity is deemed in compliance with this section when the insured's identification card provides information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services]~~ **(1) The provisions of this section shall not apply if access to a provider network contract is granted to any entity operating in accordance with the same brand licensee program as the contracting entity or to any entity that is an affiliate of the contracting entity. A list of the contracting entity's affiliates shall be made available to a provider on the contracting entity's website.**

**(2) The provisions of this section shall not apply to a provider network contract for health care services provided to beneficiaries of any state-sponsored health insurance programs including, but not limited to, MO HealthNet and the state children's health insurance program authorized in sections 208.631 to 208.658.";** and

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

On motion of Representative Davidson, **House Amendment No. 8** was adopted.

Representative Hardwick offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"167.181. 1. **(1)** The department of health and senior services, after consultation with the department of elementary and secondary education, shall promulgate rules and regulations governing the immunization against poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis, diphtheria, and hepatitis B, to be required of children attending public, private, parochial or parish schools. Such rules and regulations may modify the immunizations that are required of children in this subsection. The immunizations required and the manner and frequency of their administration shall conform to recognized standards of medical practice. The department of health and senior services shall supervise and secure the enforcement of the required immunization program.

**(2) Neither the department of health and senior services nor any public school districts shall require any student to receive a COVID-19 vaccination or receive a dose of messenger ribonucleic acid.**

2. It is unlawful for any student to attend school unless he has been immunized as required under the rules and regulations of the department of health and senior services, and can provide satisfactory evidence of such immunization; except that if he produces satisfactory evidence of having begun the process of immunization, he may continue to attend school as long as the immunization process is being accomplished in the prescribed manner. It is unlawful for any parent or guardian to refuse or neglect to have his child immunized as required by this section, unless the child is properly exempted.

3. This section shall not apply to any child if one parent or guardian objects in writing to his school administrator against the immunization of the child, because of religious beliefs or medical contraindications. In cases where any such objection is for reasons of medical contraindications, a statement from a duly licensed physician must also be provided to the school administrator.

4. Each school superintendent, whether of a public, private, parochial or parish school, shall cause to be prepared a record showing the immunization status of every child enrolled in or attending a school under his jurisdiction. The name of any parent or guardian who neglects or refuses to permit a nonexempted child to be

immunized against diseases as required by the rules and regulations promulgated pursuant to the provisions of this section shall be reported by the school superintendent to the department of health and senior services.

5. The immunization required may be done by any duly licensed physician or by someone under his direction. If the parent or guardian is unable to pay, the child shall be immunized at public expense by a physician or nurse at or from the county, district, city public health center or a school nurse or by a nurse or physician in the private office or clinic of the child's personal physician with the costs of immunization paid through the state Medicaid program, private insurance or in a manner to be determined by the department of health and senior services subject to state and federal appropriations, and after consultation with the school superintendent and the advisory committee established in section 192.630. When a child receives his or her immunization, the treating physician may also administer the appropriate fluoride treatment to the child's teeth.

6. Funds for the administration of this section and for the purchase of vaccines for children of families unable to afford them shall be appropriated to the department of health and senior services from general revenue or from federal funds if available.

7. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

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

Representative Aune raised a point of order that a member was in violation of Rule 89.

The Chair advised members to maintain decorum.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Amato	Atchison	Baker	Banderman
Billington	Bonacker	Boyd	Bromley	Brown 149
Brown 16	Buchheit-Courtway	Burger	Busick	Bymes
Casteel	Chappell	Christ	Christofanelli	Coleman
Cook	Copeland	Davidson	Davis	Deaton
Diehl	Dinkins	Evans	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Hurlbert	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Lonsdale	Lovasco	Marquart	Mayhew	McGaugh
McGill	McMullen	Murphy	Myers	O'Donnell
Oehlerking	Owen	Parker	Patterson	Perkins
Peters	Pollitt	Pouche	Reedy	Reuter
Richey	Rigley	Riley	Roberts	Sander
Sassmann	Schmelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
West	Wilson	Wright	Mr. Speaker	

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NOES: 034

Adams	Anderson	Aune	Bangert	Bosley
Brown 27	Burnett	Burton	Butz	Clemens
Crossley	Fogle	Fountain Henderson	Hein	Johnson 12
Johnson 23	Lavender	Lewis 25	Mann	Merideth
Mosley	Nickson-Clark	Nurrenbern	Plank	Quade
Sauls	Smith 46	Steinhoff	Strickler	Terry
Walsh Moore	Weber	Woods	Young	

PRESENT: 000

ABSENT WITH LEAVE: 024

Appelbaum	Baringer	Barnes	Black	Bland Manlove
Boggs	Brown 87	Collins	Cupps	Doll
Ealy	Gray	Ingle	Mackey	Matthiesen
Morse	Phifer	Proudie	Sharp 37	Smith 163
Stephens	Taylor 84	Unsicker	Windham	

VACANCIES: 001

On motion of Representative Hardwick, **House Amendment No. 9** was adopted.

Representative Perkins offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 90, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"9.381. October second of each year is hereby designated as "Premenstrual Dysphoric Disorder (PMDD) Awareness Day" in Missouri. The citizens of this state are encouraged to participate in appropriate events and activities to raise PMDD awareness.";** and

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

On motion of Representative Perkins, **House Amendment No. 10** was adopted.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Amato	Atchison	Baker	Banderman
Bonacker	Boyd	Bromley	Brown 149	Brown 16
Buchheit-Courtway	Burger	Busick	Byrnes	Casteel
Chappell	Christ	Christofanelli	Coleman	Cook
Copeland	Davidson	Davis	Deaton	Diehl
Dinkins	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Griffith	Haden	Haffner
Haley	Hardwick	Hausman	Henderson	Hicks
Hinman	Hovis	Hudson	Hurlbert	Jones
Justus	Kalberloh	Keathley	Kelley 127	Kelly 141

Knight	Lewis 6	Lonsdale	Lovasco	Marquart
Mayhew	McGaugh	McGill	McMullen	Murphy
Myers	O'Donnell	Oehlerking	Owen	Parker
Patterson	Perkins	Peters	Pollitt	Pouche
Reedy	Reuter	Richey	Riggs	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte
Schwadron	Seitz	Sharpe 4	Shields	Smith 155
Sparks	Stacy	Stinnett	Taylor 48	Thomas
Thompson	Titus	Toalson Reisch	Veit	Voss
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 037

Adams	Anderson	Appelbaum	Aune	Bosley
Brown 27	Burnett	Burton	Butz	Clemens
Collins	Crossley	Fogle	Fountain Henderson	Gray
Hein	Ingle	Johnson 23	Lavender	Lewis 25
Mackey	Mann	Merideth	Mosley	Nickson-Clark
Nurrenbern	Plank	Quade	Sauls	Smith 46
Steinhoff	Strickler	Terry	Walsh Moore	Weber
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 025

Bangert	Baringer	Barnes	Billington	Black
Bland Manlove	Boggs	Brown 87	Cupps	Doll
Ealy	Gregory	Houx	Johnson 12	Matthiesen
Morse	Phifer	Proudie	Sharp 37	Smith 163
Stephens	Taylor 84	Unsicker	Van Schoiack	Windham

VACANCIES: 001

On motion of Representative Stinnett, **HCS SS SCS SBs 45 & 90, as amended**, was adopted.

On motion of Representative Stinnett, **HCS SS SCS SBs 45 & 90, as amended**, was read the third time and passed by the following vote:

AYES: 117

Adams	Allen	Amato	Anderson	Appelbaum
Aune	Bangert	Baringer	Barnes	Black
Bonacker	Bosley	Brown 149	Brown 16	Brown 27
Buchheit-Courtway	Burger	Burnett	Burton	Busick
Butz	Casteel	Chappell	Christ	Clemens
Collins	Cook	Crossley	Davidson	Diehl
Dinkins	Ealy	Falkner	Farnan	Fogle
Fountain Henderson	Francis	Gallick	Gragg	Gray
Gregory	Griffith	Haden	Haley	Hardwick
Hein	Henderson	Hinman	Houx	Hovis
Hurlbert	Ingle	Johnson 12	Johnson 23	Jones
Justus	Kalberloh	Keathley	Kelly 141	Knight
Lavender	Lewis 6	Lonsdale	Lovasco	Mackey

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Mann	Matthiesen	McGaugh	McGill	McMullen
Murphy	Myers	Nickson-Clark	Nurrenbern	O'Donnell
Oehlerking	Owen	Parker	Patterson	Plank
Pollitt	Pouche	Quade	Reedy	Reuter
Riggs	Riley	Roberts	Sander	Sassmann
Sauls	Schulte	Schwadron	Sharpe 4	Shields
Smith 155	Smith 46	Steinhoff	Stephens	Stinnett
Strickler	Taylor 48	Terry	Thomas	Thompson
Unsicker	Van Schoiack	Veit	Voss	Waller
Walsh Moore	Weber	Wilson	Woods	Wright
Young	Mr. Speaker			

NOES: 026

Baker	Boyd	Bromley	Byrnes	Christofanelli
Coleman	Davis	Deaton	Haffner	Hausman
Hicks	Hudson	Kelley 127	Marquart	Mayhew
Perkins	Peters	Phifer	Richey	Schnelting
Seitz	Sparks	Stacy	Titus	Toalson Reisch
West				

PRESENT: 007

Atchison	Banderman	Copeland	Evans	Lewis 25
Merideth	Mosley			

ABSENT WITH LEAVE: 012

Billington	Bland Manlove	Boggs	Brown 87	Cupps
Doll	Morse	Proudie	Sharp 37	Smith 163
Taylor 84	Windham			

VACANCIES: 001

Representative O'Donnell declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Adams	Allen	Amato	Anderson	Appelbaum
Atchison	Aune	Bangert	Baringer	Barnes
Black	Bonacker	Bosley	Bromley	Brown 149
Brown 16	Brown 27	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Casteel	Chappell
Christ	Clemens	Collins	Crossley	Davidson
Diehl	Dinkins	Ealy	Falkner	Farnan
Fogle	Fountain Henderson	Francis	Gallick	Gragg
Gray	Gregory	Griffith	Haden	Haley
Hein	Henderson	Hinman	Houx	Hovis
Hurlbert	Ingle	Johnson 12	Johnson 23	Justus
Kalberloh	Keathley	Kelly 141	Knight	Lavender
Lewis 25	Lewis 6	Lonsdale	Mackey	Mann
Matthiesen	Mayhew	McGaugh	McGill	McMullen
Merideth	Mosley	Murphy	Nickson-Clark	Nurrenbern
O'Donnell	Oehlerking	Owen	Parker	Patterson
Peters	Plank	Pollitt	Pouche	Quade



Reedy	Reuter	Riggs	Riley	Roberts
Sander	Sassmann	Sauls	Schulte	Schwadron
Sharpe 4	Shields	Smith 155	Smith 46	Steinhoff
Stephens	Stinnett	Strickler	Taylor 48	Terry
Thomas	Thompson	Unsicker	Van Schoiack	Veit
Waller	Walsh Moore	Weber	Wilson	Woods
Wright	Young	Mr. Speaker		

NOES: 031

Baker	Banderman	Boyd	Byrnes	Christofanelli
Coleman	Cook	Copeland	Cupps	Davis
Deaton	Haffner	Hardwick	Hausman	Hicks
Hudson	Jones	Kelley 127	Lovasco	Marquart
Myers	Phifer	Richey	Schnelting	Seitz
Sparks	Stacy	Titus	Toalson Reisch	Voss
West				

PRESENT: 000

ABSENT WITH LEAVE: 013

Billington	Bland Manlove	Boggs	Brown 87	Doll
Evans	Morse	Perkins	Proudie	Sharp 37
Smith 163	Taylor 84	Windham		

VACANCIES: 001

Speaker Plocher resumed the Chair.

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SB 247**, relating to taxation, was taken up by Representative Baker.

On motion of Representative Baker, the title of **HCS SB 247** was agreed to.

Representative McGirl offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 247, Page 16, Section 143.011, Line 89, by inserting after all of said section and line the following:

"143.022. 1. As used in this section, "business income" means the income greater than zero arising from transactions in the regular course of all of a taxpayer's trade or business and shall be limited to the Missouri source net profit from the combination of the following:

(1) The total combined profit as properly reported to the Internal Revenue Service on each Schedule C, or its successor form, filed; ~~and~~

(2) The total partnership and S corporation income or loss properly reported to the Internal Revenue Service on Part II of Schedule E, or its successor form;

**(3) The total combined profit as properly reported to the Internal Revenue Service on each Schedule F, or its successor form, filed; and**

**(4) The total combined profit as properly reported to the Internal Revenue Service on each Form 4835, or its successor form, filed.**

2. In addition to all other modifications allowed by law, there shall be subtracted from the federal adjusted gross income of an individual taxpayer a percentage of such individual's business income, to the extent that such amounts are included in federal adjusted gross income when determining such individual's Missouri adjusted gross income **and are not otherwise subtracted or deducted in determining such individual's Missouri taxable income.**

3. In the case of an S corporation described in section 143.471 or a partnership computing the deduction allowed under subsection 2 of this section, taxpayers described in subdivision (1) or (2) of this subsection shall be allowed such deduction apportioned in proportion to their share of ownership of the business as reported on the taxpayer's Schedule K-1, or its successor form, for the tax period for which such deduction is being claimed when determining the Missouri adjusted gross income of:

- (1) The shareholders of an S corporation as described in section 143.471;
- (2) The partners in a partnership.

4. The percentage to be subtracted under subsection 2 of this section shall be increased over a period of years. Each increase in the percentage shall be by five percent and no more than one increase shall occur in a calendar year. The maximum percentage that may be subtracted is twenty percent of business income. Any increase in the percentage that may be subtracted shall take effect on January first of a calendar year and such percentage shall continue in effect until the next percentage increase occurs. An increase shall only apply to tax years that begin on or after the increase takes effect.

5. An increase in the percentage that may be subtracted under subsection 2 of this section shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

6. The first year that a taxpayer may make the subtraction under subsection 2 of this section is 2017, provided that the provisions of subsection 5 of this section are met. If the provisions of subsection 5 of this section are met, the percentage that may be subtracted in 2017 is five percent."; and

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

On motion of Representative McGirl, **House Amendment No. 1** was adopted.

Representative Baker offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 247, Page 19, Section 143.114, Line 47, by inserting after all of said section and line the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit. The amount added pursuant to this subdivision shall not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, and deducted from Missouri adjusted gross income pursuant to section 143.171. The amount added under this subdivision shall also not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax liability under any other federal law that provides direct economic impact payments to taxpayers to mitigate financial challenges related to the COVID-19 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

(2) Interest on certain governmental obligations excluded from federal gross income by 26 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by

the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of 26 U.S.C. Section 265 of the Internal Revenue Code, as amended. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by 26 U.S.C. Section 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia;

(6) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section 163, as amended, in the current taxable year by reason of the carryforward of disallowed business interest provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest received on deposits held at a federal reserve bank or interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone;

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection;

(10) For all tax years beginning on or after January 1, 2014, the amount of any income received as payment from any program which provides compensation to agricultural producers who have suffered a loss as the result of a disaster or emergency, including the:

- (a) Livestock Forage Disaster Program;
- (b) Livestock Indemnity Program;
- (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;
- (d) Emergency Conservation Program;
- (e) Noninsured Crop Disaster Assistance Program;
- (f) Pasture, Rangeland, Forage Pilot Insurance Program;
- (g) Annual Forage Pilot Program;
- (h) Livestock Risk Protection Insurance Plan;
- (i) Livestock Gross Margin Insurance Plan;

(11) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in the current taxable year, but not deducted as a result of the limitation imposed under 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist; ~~and~~

(12) One hundred percent of any retirement benefits received by any taxpayer as a result of the taxpayer's service in the Armed Forces of the United States, including reserve components and the National Guard of this state, as defined in 32 U.S.C. Sections 101(3) and 109, and any other military force organized under the laws of this state; **and**

**(13) For all tax years ending on or after December 31, 2022, the amount of any federal, state, or local grant received by the taxpayer, and the amount of any discharged federal, state, or local indebtedness incurred by the taxpayer, for purposes of providing or expanding access to broadband services in this state.**

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020."; and

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

On motion of Representative Baker, **House Amendment No. 2** was adopted.

Representative Hudson offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 247, Page 9, Section 137.115, Line 117, by deleting the number "2023" and inserting in lieu thereof the number "2024"; and

Further amend said bill, page, and section, Line 131, by deleting the number "2024" and inserting in lieu thereof the number "2025"; and

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

On motion of Representative Hudson, **House Amendment No. 3** was adopted.

Representative Patterson moved the previous question.

Which motion was adopted by the following vote:

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AYES: 098

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 149	Brown 16	Buchheit-Courtway	Burger	Busick
Byrnes	Casteel	Chappell	Coleman	Cook
Copeland	Davidson	Davis	Deaton	Diehl
Dinkins	Evans	Falkner	Farnan	Francis
Gallick	Gragg	Gregory	Griffith	Haden
Haffner	Haley	Hardwick	Hausman	Henderson
Hicks	Hinman	Houx	Hovis	Hudson
Hurlbert	Johnson 23	Jones	Justus	Kalberloh
Keathley	Kelley 127	Kelly 141	Knight	Lewis 6
Marquart	Matthiesen	Mayhew	McGaugh	McGirl
McMullen	Murphy	O'Donnell	Owen	Parker
Patterson	Peters	Pollitt	Pouche	Reedy
Richey	Riggs	Riley	Roberts	Sander
Sassmann	Schnelting	Schulte	Schwadron	Seitz
Sharpe 4	Shields	Smith 155	Sparks	Stacy
Stinnett	Taylor 48	Thomas	Thompson	Titus
Toalson Reisch	Van Schoiack	Veit	Voss	Waller
West	Wright	Mr. Speaker		

NOES: 037

Adams	Anderson	Appelbaum	Aune	Baringer
Barnes	Bosley	Burnett	Burton	Butz
Collins	Crossley	Fogle	Fountain Henderson	Gray
Hein	Ingle	Johnson 12	Lavender	Lewis 25
Mackey	Mann	Merideth	Mosley	Nickson-Clark
Phifer	Quade	Sauls	Smith 46	Steinhoff
Strickler	Terry	Unsicker	Walsh Moore	Weber
Woods	Young			

PRESENT: 000

ABSENT WITH LEAVE: 027

Bangert	Bland Manlove	Boggs	Brown 27	Brown 87
Christ	Christofanelli	Clemens	Cupps	Doll
Ealy	Lonsdale	Lovasco	Morse	Myers
Nurrenbern	Oehlerking	Perkins	Plank	Proudie
Reuter	Sharp 37	Smith 163	Stephens	Taylor 84
Wilson	Windham			

VACANCIES: 001

On motion of Representative Baker, **HCS SB 247, as amended**, was adopted.

On motion of Representative Baker, **HCS SB 247, as amended**, was read the third time and passed by the following vote:

AYES: 099

Allen	Amato	Atchison	Baker	Banderman
Billington	Black	Bonacker	Boyd	Bromley
Brown 16	Buchheit-Courtway	Burger	Busick	Byrnes
Casteel	Chappell	Christ	Coleman	Cook

Copeland	Cupps	Davidson	Davis	Deaton
Diehl	Dinkins	Evans	Falkner	Farnan
Francis	Gallick	Gragg	Gregory	Griffith
Haden	Haffner	Haley	Hardwick	Hausman
Henderson	Hicks	Hinman	Houx	Hovis
Hudson	Jones	Justus	Kalberloh	Keathley
Kelley 127	Kelly 141	Knight	Lewis 6	Lovasco
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Murphy	O'Donnell	Oehlerking	Owen
Parker	Patterson	Peters	Pollitt	Pouche
Reedy	Richey	Riggs	Riley	Roberts
Sander	Sassmann	Schnelting	Schulte	Schwadron
Seitz	Sharpe 4	Smith 155	Smith 163	Stacy
Stephens	Stinnett	Taylor 48	Thomas	Thompson
Titus	Toalson Reisch	Van Schoiack	Veit	Voss
Waller	West	Wilson	Mr. Speaker	

NOES: 041

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bosley	Brown 149	Burnett
Butz	Collins	Crossley	Fogle	Fountain Henderson
Gray	Hein	Ingle	Johnson 12	Johnson 23
Lavender	Lewis 25	Mackey	Mann	Merideth
Mosley	Nickson-Clark	Phifer	Quade	Sauls
Shields	Smith 46	Steinhoff	Strickler	Terry
Unsicker	Walsh Moore	Weber	Woods	Wright
Young				

PRESENT: 000

ABSENT WITH LEAVE: 022

Bland Manlove	Boggs	Brown 27	Brown 87	Burton
Christofanelli	Clemens	Doll	Ealy	Hurlbert
Lonsdale	Morse	Myers	Nurrenbern	Perkins
Plank	Proudie	Reuter	Sharp 37	Sparks
Taylor 84	Windham			

VACANCIES: 001

Speaker Plocher declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 095

Allen	Amato	Atchison	Baker	Billington
Black	Bonacker	Bromley	Brown 16	Buchheit-Courtway
Busick	Byrnes	Casteel	Christ	Christofanelli
Coleman	Cook	Copeland	Cupps	Davidson
Deaton	Diehl	Dinkins	Evans	Falkner
Farnan	Francis	Gallick	Gragg	Gregory
Griffith	Haden	Haffner	Haley	Hardwick
Hausman	Henderson	Hicks	Hinman	Houx
Hovis	Hudson	Hurlbert	Jones	Justus

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Kalberloh	Keathley	Kelley 127	Kelly 141	Knight
Marquart	Matthiesen	Mayhew	McGaugh	McGill
McMullen	Murphy	Myers	O'Donnell	Oehlerking
Owen	Patterson	Perkins	Peters	Pollitt
Pouche	Reedy	Richey	Riggs	Riley
Roberts	Sander	Sassmann	Schnelting	Schulte
Schwadron	Sharpe 4	Shields	Smith 155	Smith 163
Sparks	Stacy	Stephens	Stinnett	Taylor 48
Thomas	Thompson	Titus	Toalson Reisch	Van Schoiack
Waller	West	Wilson	Wright	Mr. Speaker

NOES: 054

Adams	Anderson	Appelbaum	Aune	Banderman
Bangert	Baringer	Barnes	Bosley	Boyd
Brown 149	Brown 27	Burger	Burnett	Burton
Butz	Chappell	Clemens	Collins	Crossley
Davis	Ealy	Fogle	Fountain Henderson	Gray
Hein	Ingle	Johnson 12	Johnson 23	Lavender
Lewis 25	Lewis 6	Lovasco	Mackey	Mann
Merideth	Mosley	Nickson-Clark	Nurrenbern	Parker
Phifer	Quade	Sauls	Seitz	Smith 46
Steinhoff	Strickler	Terry	Unsicker	Voss
Walsh Moore	Weber	Woods	Young	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland Manlove	Boggs	Brown 87	Doll	Lonsdale
Morse	Plank	Proudie	Reuter	Sharp 37
Taylor 84	Veit	Windham		

VACANCIES: 001

## COMMITTEE REPORTS

### **Committee on Emerging Issues**, Chairman Hardwick reporting:

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Aune, Diehl, Farnan, Gallick, Haffner, Hardwick and Mann

Noes (3): Hinman, Hurlbert and Jones

Absent (4): Davidson, Johnson (12), Schnelting and Smith (46)

### **Special Committee on Tax Reform**, Chairman Baker reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SS SB 143**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:



Ayes (8): Baker, Deaton, Hinman, Hudson, Hurlbert, Justus, Peters and Richey

Noes (4): Butz, Lavender, Merideth and Strickler

Absent (2): Davidson and McMullen

**Committee on Transportation Accountability, Chairman Mayhew reporting:**

Mr. Speaker: Your Committee on Transportation Accountability, to which was referred **HB 1302**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (7): Bromley, Hurlbert, Kalberloh, Mayhew, Taylor (48), Voss and Waller

Noes (2): Adams and Burton

Absent (5): Busick, Butz, Johnson (23), Pouche and Veit

**Committee on Ways and Means, Chairman McGirl reporting:**

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 275**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** by the following vote:

Ayes (7): Casteel, Chappell, McGirl, Smith (155), Thompson, Titus and Wright

Noes (3): Bland Manlove, Gray and Phifer

Absent (4): Hicks, Hudson, Lovasco and Taylor (84)

**Committee on Rules - Administrative Oversight, Chairman Francis reporting:**

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SCS SB 157**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Copeland, Francis, Griffith, Haden, Mackey, Myers and Smith (46)

Noes (0)

Absent (3): Baker, Bland Manlove and Houx

**Committee on Rules - Legislative Oversight, Chairman Knight reporting:**

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Buchheit-Courtway, Burger, Hudson, Knight, McGirl and Owen

Noes (3): Lavender, Schnelting and Unsicker

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HB 159**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 224**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (2): Lavender and Unsicker

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HBs 494 & 498**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Buchheit-Courtway, Burger, Hudson, Knight, McGirl, Owen and Schnelting

Noes (2): Lavender and Unsicker

Absent (1): Bosley

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SB 540**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Buchheit-Courtway, Burger, Hudson, Knight, Lavender, McGirl, Owen, Schnelting and Unsicker

Noes (0)

Absent (1): Bosley

**Committee on Rules - Regulatory Oversight**, Chairman Gregory reporting:

Mr. Speaker: Your Committee on Rules - Regulatory Oversight, to which was referred **HCS HB 1134**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Evans, Gregory, Haffner, Ingle, O'Donnell, Riley, Roberts and Strickler

Noes (0)

Absent (2): Cupps and Proudie

**REFERRAL OF HOUSE BILLS - RULES**

The following House Bill was referred to the Committee indicated:

**HCS HB 1071** - Rules - Regulatory Oversight

**REFERRAL OF SENATE JOINT RESOLUTIONS - RULES**

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 21** - Rules - Regulatory Oversight

**REFERRAL OF SENATE BILLS - RULES**

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SBs 119 & 120** - Rules - Legislative Oversight

**HCS SS#3 SCS SB 131** - Rules - Regulatory Oversight

**HCS SS SB 143** - Rules - Regulatory Oversight

**HCS SB 275** - Rules - Administrative Oversight

**HCS SS SCS SB 398** - Rules - Legislative Oversight

**SB 542** - Rules - Regulatory Oversight

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 655** entitled:

An act to repeal sections 287.690, 287.715, 287.900, 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, 287.920, 303.039, 375.1275, and 379.316, RSMo, and section 303.041 as enacted by senate bill no. 267, ninety-first general assembly, first regular session, and section 303.041 as enacted by house bill no. 2168, one hundred first general assembly, second regular session, and to enact in lieu thereof thirty-eight new sections relating to property and casualty insurance, with penalty provisions and a delayed effective date for certain sections.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

*Senate Amendment No. 1*  
*to*  
*Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 655, Page 1, Line 13, by striking "and"; and

Further amend Line 16, by inserting after "driver" the following:

**"; and**  
**(3) The TNC driver is a natural person".**

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 655, Page 37, Section 379.1869, Line 14, by inserting after all of said line the following:

**“387.435. A TNC shall not be vicariously liable under any law by reason of owning, operating, or maintaining the digital network accessed by a TNC driver or rider, or by being the TNC affiliated with a TNC driver, for harm to persons or property that results or arises out of the use, operation, or possession of a motor vehicle operating as a TNC vehicle while the driver is logged on to the digital network if:**

**(1) There is no negligence under sections 387.400 to 387.440 or criminal wrongdoing under the federal or Missouri criminal code on the part of the TNC; and**

**(2) The TNC has fulfilled all of its obligations under sections 387.400 to 387.440 with respect to the TNC driver.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HBs 903, 465, 430 & 499, as amended**, and grants the House a conference thereon.

### **REFERRAL OF HOUSE BILLS**

The following House Bills was referred to the Committee indicated:

**SS SCS HCS HB 655, as amended** - Fiscal Review

### **REFERRAL OF SENATE BILLS**

The following Senate Bill was referred to the Committee indicated:

**HCS SS SCS SB 157** - Fiscal Review

### **COMMITTEE CHANGES**

May 1, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Donnie Brown to the Seismic Safety Commission and remove Representative Jamie Burger.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

May 1, 2023

Ms. Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

Pursuant to Chapter 476.055, RSMo, I hereby appoint Representative Renee Reuter to the Joint Committee on Court Automation.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Dean Plocher  
Speaker of the House

## **ADJOURNMENT**

On motion of Representative Patterson, the House adjourned until 9:00 a.m., Tuesday, May 2, 2023.

## **COMMITTEE HEARINGS**

### **CONFERENCE COMMITTEE ON BUDGET**

Tuesday, May 2, 2023, 3:10 PM, Joint Hearing Room (117).

Conference Committee on Budget for SS SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SS SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SS SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SS SCS HCS HB 12, SCS HCS HB 13, and SCS HCS HB 15.

### **CONFERENCE COMMITTEE ON BUDGET**

Wednesday, May 3, 2023, 8:00 AM, Joint Hearing Room (117).

Conference Committee on Budget for SS SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SS SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SS SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SS SCS HCS HB 12, SCS HCS HB 13, and SCS HCS HB 15.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, May 4, 2023, 8:00 AM, House Hearing Room 7.

Executive session will be held: HB 1227

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, May 3, 2023, 8:00 AM, House Hearing Room 7.

Executive session will be held: SB 122

EMERGING ISSUES

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 6.

Executive session will be held: HB 801, HB 755

FINANCIAL INSTITUTIONS

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 5.

Executive session will be held: HB 1216, HB 649

FISCAL REVIEW

Tuesday, May 2, 2023, 9:45 AM, House Lounge.

Executive session may be held on any matter referred to the committee.

Pending bill referral.

FISCAL REVIEW

Wednesday, May 3, 2023, 8:45 AM, House Lounge.

Executive session may be held on any matter referred to the committee.

Pending bill referral.

FISCAL REVIEW

Thursday, May 4, 2023, 8:45 AM, House Lounge.

Executive session may be held on any matter referred to the committee.

Pending bill referral.

GENERAL LAWS

Tuesday, May 2, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 7.

Public hearing will be held: SS SB 378

Executive session will be held: SS SCS SBs 411 & 230

HEALTHCARE REFORM

Tuesday, May 2, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 1.

Executive session will be held: HB 1239, HB 1148, HB 900

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, May 2, 2023, 8:30 AM, House Hearing Room 5.

Quarterly investment reporting.

JUDICIARY

Tuesday, May 2, 2023, 4:30 PM or upon adjournment (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 1254

Executive session will be held: SS SB 35, SS SCS SBs 189, 36 & 37, SS SCS SB 129

LEGISLATIVE REVIEW

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 3.

Executive session will be held: HCS SS#2 SCS SB 96, HCS SS SCS SB 133

LOCAL GOVERNMENT

Tuesday, May 2, 2023, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SS SB 148

Executive session will be held: HB 1049, HB 296

Removed HB 1049.

AMENDED

LOCAL GOVERNMENT

Wednesday, May 3, 2023, 8:00 AM, House Hearing Room 5.

Executive session will be held: SS SB 148

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 1.

Public hearing will be held: HB 331, HB 1385

Executive session will be held: HB 873, HB 845

RULES - REGULATORY OVERSIGHT

Tuesday, May 2, 2023, 4:00 PM or upon adjournment (whichever is later),  
House Hearing Room 4.

Executive session will be held: HCS SS SCS SB 92

Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, May 2, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 7.

Executive session will be held: SS SB 190

UTILITIES

Wednesday, May 3, 2023, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 1.

Public hearing will be held: HB 637

CANCELLED

VETERANS

Tuesday, May 2, 2023, 8:00 AM, House Hearing Room 1.

Presentation by Chuck Gatschenberger from the Office of the Missouri Military Advocate.

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, TUESDAY, MAY 2, 2023

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 66 - Baker

**HOUSE BILLS FOR PERFECTION**

HCS HB 355, (Legislative Review 4/4/23) - Davidson

HCS HB 736 - Riggs

HB 920 - Anderson

HCS HBs 348, 285 & 407 - Coleman

HB 44, (Legislative Review 3/21/23) - Haley

HB 67, (Legislative Review 3/21/23) - Terry

HB 487, (Legislative Review 3/21/23) - Francis

HB 528, (Legislative Review 3/21/23) - Murphy

HB 547, (Legislative Review 3/21/23) - Roberts

HS HB 1021 - Baker

HB 1055, (Legislative Review 3/21/23) - Mayhew

HB 512 - Mayhew

HCS HB 584 - Owen

HCS HB 586 - Owen

HCS HB 824 - O'Donnell

HB 1154, with HA 1, pending - Houx

HB 102 - Baringer

HB 212 - Smith (46)

HCS HB 271 - Riley

HB 436 - Nickson-Clark

HCS HB 714 - Kelly (141)

HB 999 - Anderson

HB 1078 - Chappell

HCS HB 464 - Gregory

HB 1052 - Haffner

HB 234 - Bangert

HCS HB 250 - Haley

HCS HB 262 - Sander

HCS HB 336 - Boggs

HCS HBs 404 & 501 - Haden

HCS HB 580 - Houx

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 1028 - Smith (155)

HB 770 - Thompson



HB 571 - Allen  
HCS HB 157 - O'Donnell  
HCS HB 342 - Pouche  
HCS HB 425 - Perkins  
HB 513 - Mayhew  
HCS HB 134 - Hudson  
HCS HBs 604 & 180 - Reedy  
HB 696 - Hovis  
HB 1370 - Mayhew  
HCS HBs 185 & 281 - Murphy  
HB 516 - Mayhew  
HCS HB 198 - Wright  
HB 822 - Smith (155)  
HB 77 - Kelley (127)  
HCS HB 106 - Barnes  
HB 232 - Bangert  
HB 391 - Murphy  
HCS HB 393 - Black  
HB 440 - Hovis  
HB 449 - Butz  
HCS HB 489 - Baker  
HCS HBs 502 & 887 - Haley  
HCS HB 515 - Mayhew  
HCS HB 633 - Kelley (127)  
HB 697 - Hovis  
HB 734 - Knight  
HB 823 - Smith (155)  
HCS HB 881 - Christofanelli  
HB 891 - Falkner  
HCS HB 959 - Gregory  
HCS HB 1129 - Burger  
HCS HB 992, with HA 1, pending - Lewis (6)  
HCS HB 109 - Sharp (37)  
HB 775 - Coleman  
HCS HB 960 - Baringer  
HCS HB 968 - Thompson  
HB 152 - Thomas  
HB 369 - West

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 11 - Schnelting

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS HB 536 - Keathley  
HCS HBs 876, 771, 676 & 551, (Fiscal Review 4/18/23) - Hurlbert  
HB 246 - Hurlbert  
HB 349, (Fiscal Review 4/18/23) - Christofanelli  
HCS HB 733 - Boggs  
HCS HB 657 - Smith (155)  
HB 1208 - Casteel  
HCS HB 48 - Haley  
HCS HBs 700 & 445 - Hardwick  
HCS HB 719, E.C. - Riley

**HOUSE BILLS FOR THIRD READING - CONSENT**

HB 746 - Sauls

**SENATE BILLS FOR THIRD READING**

HCS SS SB 138, E.C. - Kelly (141)  
HCS SS SCS SB 106, E.C. - Kelly (141)  
SS SCS SBs 94, 52, 57, 58 & 67 - Hudson  
HCS SS#2 SCS SBs 4, 42 & 89, (Fiscal Review 4/27/23) - Christofanelli  
HCS SB 101 - Knight  
HCS SCS SB 103 - Veit  
HCS SS SB 75 - Hovis  
HCS SS SCS SB 70 - Coleman  
HCS SS SB 111 - Griffith  
HCS SS SB 24 - Schwadron  
HCS SS SCS SB 157, (Fiscal Review 5/1/23) - Coleman

**SENATE BILLS FOR THIRD READING - INFORMAL**

SS SB 139 - Griffith  
SB 20 - Hovis  
HCS SB 109 - Houx  
HCS SS SCS SB 133, (Legislative Review 4/27/23), E.C. - Baker  
HCS SS#2 SCS SB 96, (Legislative Review 4/27/23), E.C. - Keathley  
HCS SB 47 - Riley  
SS SCS SBs 167 & 171 - Mayhew  
HCS SS SCS SB 72 - Christofanelli

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS SCR 7 - Van Schoiack  
SCR 8 - Parker

**HOUSE BILLS WITH SENATE AMENDMENTS**

SS HCS HBs 115 & 99 - Shields  
SS HB 402, as amended - Henderson  
SS SCS HCS HB 655, as amended (Fiscal Review 5/1/23) - Knight

**BILLS CARRYING REQUEST MESSAGES**

SS#3 HCS HJR 43, (request Senate recede/grant conference) - Henderson

**BILLS IN CONFERENCE**

SS SCS HCS HB 2 - Smith (163)  
SCS HCS HB 3 - Smith (163)  
SCS HCS HB 4 - Smith (163)  
SS SCS HCS HB 5 - Smith (163)  
SCS HCS HB 6 - Smith (163)  
SCS HCS HB 7 - Smith (163)  
SS SCS HCS HB 8 - Smith (163)  
SCS HCS HB 9 - Smith (163)  
SCS HCS HB 10 - Smith (163)  
SCS HCS HB 11 - Smith (163)  
SS SCS HCS HB 12 - Smith (163)  
SCS HCS HB 13 - Smith (163)  
SCS HCS HB 15 - Smith (163)  
SS SCS HCS HBs 903, 465, 430 & 499, as amended, E.C. - Haffner

**HOUSE RESOLUTIONS**

HCS HR 12 - Owen

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 3001 - Smith (163)  
CCS SS SCS HCS HB 3002 - Smith (163)  
CCS SS SCS HCS HB 3003 - Smith (163)  
CCS SCS HCS HB 3004 - Smith (163)  
CCS SCS HCS HB 3005 - Smith (163)  
CCS SCS HCS HB 3006 - Smith (163)  
CCS SCS HCS HB 3007 - Smith (163)  
CCS SS SCS HCS HB 3008 - Smith (163)  
CCS SCS HCS HB 3009 - Smith (163)  
CCS SS SCS HCS HB 3010 - Smith (163)  
CCS SS SCS HCS HB 3011 - Smith (163)  
CCS SS SCS HCS HB 3012 - Smith (163)

CCS SCS HCS HB 3013 - Smith (163)

SCS HCS HB 3017 - Smith (163)

SCS HCS HB 3018 - Smith (163)

SCS HCS HB 3019 - Smith (163)

SS SCS HCS HB 3020 - Smith (163)