

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 862, Page 5,
2 Section 135.341, Lines 21-22, by deleting the words "and ending on or before December 31, 2023"
3 and inserting in lieu thereof the words "but not after December 31, 2023"; and
4

5 Further amend said bill, page, and section, Lines 24-26, by deleting all of said lines and inserting in
6 lieu thereof the following:
7

8 "credit. For all tax years beginning on or after January 1, 2024, a champion for children tax
9 credit may be claimed in an amount not to exceed seventy percent of a verified contribution to a
10 qualified agency. The minimum amount of any tax credit issued shall"; and
11

12 Further amend said bill, Page 17, Section 192.2560, Line 22, by inserting after all of said section
13 and line the following:
14

15 "197.135. 1. Beginning January 1, 2023, or no later than six months after the establishment
16 of the statewide telehealth network under section 192.2520, whichever is later, any hospital licensed
17 under this chapter shall perform a forensic examination using an evidentiary collection kit upon the
18 request and consent of the victim of a sexual offense, or the victim's guardian, when the victim is at
19 least fourteen years of age. In the case of minor consent, the provisions of subsection 2 of section
20 595.220 shall apply. Victims under fourteen years of age shall be referred, and victims fourteen
21 years of age or older but less than eighteen years of age may be referred, to a SAFE CARE provider,
22 as such term is defined in section 334.950, for medical or forensic evaluation and case review.
23 Nothing in this section shall be interpreted to preclude a hospital from performing a forensic
24 examination for a victim under fourteen years of age upon the request and consent of the victim or
25 victim's guardian, subject to the provisions of section 595.220 and the rules promulgated by the
26 department of public safety.

27 2. (1) An appropriate medical provider, as such term is defined in section 595.220, shall
28 perform the forensic examination of a victim of a sexual offense. The hospital shall ensure that any
29 provider performing the examination has received training conducting such examinations that is, at
30 a minimum, equivalent to the training offered by the statewide telehealth network under subsection
31 4 of section 192.2520. Nothing in this section shall require providers to utilize the training offered

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1 by the statewide telehealth network, as long as the training utilized is, at a minimum, equivalent to
2 the training offered by the statewide telehealth network.

3 (2) If the provider is not a sexual assault nurse examiner (SANE), or another similarly
4 trained physician or nurse, then the hospital shall utilize telehealth services during the examination,
5 such as those provided by the statewide telehealth network, to provide guidance and support through
6 a SANE, or other similarly trained physician or nurse, who may observe the live forensic
7 examination and who shall communicate with and support the onsite provider with the examination,
8 forensic evidence collection, and proper transmission and storage of the examination evidence.

9 3. The department of health and senior services may issue a waiver of the telehealth
10 requirements of subsection 2 of this section if the hospital demonstrates to the department, in
11 writing, a technological hardship in accessing telehealth services or a lack of access to adequate
12 broadband services sufficient to access telehealth services. Such waivers shall be granted sparingly
13 and for no more than a year in length at a time, with the opportunity for renewal at the department's
14 discretion.

15 4. The department shall waive the requirements of this section if the statewide telehealth
16 network established under section 192.2520 ceases operation, the director of the department of
17 health and senior services has provided written notice to hospitals licensed under this chapter that
18 the network has ceased operation, and the hospital cannot, in good faith, comply with the
19 requirements of this section without assistance or resources of the statewide telehealth network.
20 Such waiver shall remain in effect until such time as the statewide telehealth network resumes
21 operation or until the hospital is able to demonstrate compliance with the provisions of this section
22 without the assistance or resources of the statewide telehealth network.

23 5. The provisions of section 595.220 shall apply to the reimbursement of the reasonable
24 costs of the examinations and the provision of the evidentiary collection kits.

25 6. No individual hospital shall be required to comply with the provisions of this section and
26 section 192.2520 unless and until the department provides such hospital with access to the statewide
27 telehealth network for the purposes of mentoring and training services required under section
28 192.2520 without charge to the hospital.

29 7. A specialty hospital shall be considered exempt from the provisions of this section and
30 section 192.2520 if such hospital has a policy for the transfer of a victim of a sexual offense to an
31 appropriate hospital with an emergency department. As used in this section, "specialty hospital"
32 shall mean a hospital licensed under this chapter and designated by the department as something
33 other than a general acute care hospital.

34 210.030. 1. Every licensed physician, midwife, registered nurse and all persons who may
35 undertake, in a professional way, the obstetrical and gynecological care of a pregnant woman in the
36 state of Missouri shall, if the woman consents, take or cause to be taken a sample of venous blood of
37 such woman at the time of the first prenatal examination, or not later than twenty days after the first
38 prenatal examination, and another sample at twenty-eight weeks of pregnancy and subject such
39 ~~[sample]~~ samples to an approved and standard serological test for syphilis~~[-an]~~ and approved

1 serological ~~[test]~~ tests for hepatitis B, hepatitis C, human immunodeficiency virus (HIV), and such
 2 other treatable diseases and metabolic disorders as are prescribed by the department of health and
 3 senior services. ~~[In any area of the state designated as a syphilis outbreak area by the department of~~
 4 ~~health and senior services, if the mother consents, a sample of her venous blood shall be taken later~~
 5 ~~in the course of pregnancy and at delivery for additional testing for syphilis as may be prescribed by~~
 6 ~~the department]~~ If a mother tests positive for syphilis, hepatitis B, hepatitis C, or HIV, or any
 7 combination of such diseases, the physician or person providing care shall administer treatment in
 8 accordance with the most recent accepted medical practice. If a mother tests positive for hepatitis
 9 B, the physician or person who professionally undertakes the pediatric care of a newborn shall also
 10 administer the appropriate doses of hepatitis B vaccine and hepatitis B immune globulin (HBIG) in
 11 accordance with the current recommendations of the Advisory Committee on Immunization
 12 Practices (ACIP). If the mother's hepatitis B status is unknown, the appropriate dose of hepatitis B
 13 vaccine shall be administered to the newborn in accordance with the current ACIP
 14 recommendations. If the mother consents, a sample of her venous blood shall be taken. If she tests
 15 positive for hepatitis B, hepatitis B immune globulin (HBIG) shall be administered to the newborn
 16 in accordance with the current ACIP recommendations.

17 2. The department of health and senior services shall~~[, in consultation with the Missouri genetic~~
 18 ~~disease advisory committee,]~~ make such rules pertaining to such tests as shall be dictated by
 19 accepted medical practice, and tests shall be of the types approved or accepted by the ~~[department of~~
 20 ~~health and senior services]~~ United States Food and Drug Administration. ~~[An approved and~~
 21 ~~standard test for syphilis, hepatitis B, and other treatable diseases and metabolic disorders shall~~
 22 ~~mean a test made in a laboratory approved by the department of health and senior services.]~~ No
 23 individual shall be denied testing by the department of health and senior services because of
 24 inability to pay."; and
 25

26 Further amend said bill, Page 40, Section 337.618, Line 16, by inserting after all of said section and
 27 line the following:
 28

29 "452.355. 1. Unless otherwise indicated, the court from time to time after considering all
 30 relevant factors including the financial resources of both parties, the merits of the case and the
 31 actions of the parties during the pendency of the action, may order a party to pay a reasonable
 32 amount for the cost to the other party of maintaining or defending any proceeding pursuant to
 33 sections 452.300 to 452.415 and for attorney's fees, including sums for legal services rendered and
 34 costs incurred prior to the commencement of the proceeding and after entry of a final judgment.
 35 The court may order that the amount be paid directly to the attorney, who may enforce the order in
 36 the attorney's name.

37 2. In actions brought to enforce a temporary order or final judgment of the court in any
 38 proceeding under sections 452.300 to 452.415, excluding any proceeding described in subsection 3
 39 of this section, the court shall order the party against whom enforcement is sought, if requested and
 40 for good cause shown, to pay the cost of the suit to the party seeking enforcement, including

1 attorney's fees. The court may order that the amount be paid directly to the attorney, who may
 2 enforce the order in the attorney's name.

3 3. In any proceeding in which the failure to pay child support pursuant to a temporary order
 4 or final judgment is an issue, if the court finds that the obligor has failed, without good cause, to
 5 comply with such order or decree to pay the child support, the court shall order the obligor, if
 6 requested and for good cause shown, to pay a reasonable amount for the cost of the suit to the
 7 obligee, including reasonable sums for legal services. The court may order that the amount be paid
 8 directly to the attorney, who may enforce the order in his name.

9 [3:] 4. For purposes of this section, an "obligor" is a person owing a duty of support and an
 10 "obligee" is a person to whom a duty of support is owed.

11 [4:] 5. For purposes of this section, "good cause" includes, but shall not be limited to, any
 12 substantial reason why the obligor is unable to pay the child support as ordered. Good cause does
 13 not exist if the obligor purposely maintains his inability to pay."; and

14
 15 Further amend said bill and page, Section 452.375, Lines 8-9, by deleting the words "significant, but
 16 not necessarily equal," and inserting in lieu thereof the words "[~~significant, but not necessarily~~
 17 equal,] substantially equal"; and

18
 19 Further amend said bill, page, and section, Line 16, by deleting the word "approximately" and
 20 inserting in lieu thereof the words "[~~approximately~~] substantially"; and

21
 22 Further amend said bill and section, Page 41, Lines 38-39, by deleting the words "and the child's
 23 physical, emotional, educational, and other needs"; and

24
 25 Further amend said bill, page, and section, Lines 42-43, by deleting the words "the mental health or"
 26 and inserting in lieu thereof the word "any"; and

27
 28 Further amend said bill, page, and section, Lines 54-55, by deleting the words ", whether physical,
 29 verbal, emotional, or psychological"; and

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 31 Further amend said bill, page, and section, Lines 61-65, by deleting all of said lines and inserting in
 32 lieu thereof the following:

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 34 "(9) The unobstructed input of a child, free of coercion and manipulation, as to the child's
 35 custodial arrangement, if the court deems the child to be of sufficient ability, age, and maturity to
 36 express an independent, reliable preference with due consideration of the influence that a parent
 37 may have on the child's input."; and

38
 39 Further amend said bill and section, Page 45, Line 191, by inserting after all of said section and line
 40 the following:

41
 42 "452.425. Any court order for the custody of, or visitation with, a child [~~may~~] shall include a
 43 provision that the sheriff or other law enforcement officer shall enforce the rights of any person to
 44 custody or visitation unless the court issues a subsequent order pursuant to chapter 210, 211, 452 or
 45 455 to limit or deny the custody of, or visitations with, the child. Such sheriff or law enforcement

1 officer shall not remove a child from a person who has actual physical custody of the child unless
2 such sheriff or officer is shown a court order or judgment which clearly and convincingly verifies
3 that such person is not entitled to the actual physical custody of the child, and there are not other
4 exigent circumstances that would give the sheriff or officer reasonable suspicion to believe that the
5 child would be harmed or that the court order presented to the sheriff or officer may not be valid.";
6 and

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8 Further amend said bill, Page 66, Section 453.710, Line 3, by deleting the word "may" and inserting
9 in lieu thereof the word "shall"; and

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11 Further amend said bill, page, and section, Line 14, by deleting the word "may" and inserting in lieu
12 thereof the word "shall"; and

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14 Further amend said bill, Page 67, Section 453.714, Line 1, by deleting the word "may" and inserting
15 in lieu thereof the word "shall"; and

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17 Further amend said bill, Page 78, Section 566.151, Lines 1-12, by deleting all of said lines and
18 section from the bill; and

19
20 Further amend said bill, Pages 78-79, Section 567.030, Lines 1-20, by deleting all of said lines and
21 section from the bill; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.