

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 862, Page 10,
2 Section 136.055, Line 117, by inserting after all of said section and line the following:

3
4 "161.854. 1. As used in this section, the following terms mean:

5 (1) "Individualized education program" or "IEP", a written statement for a child with a
6 disability that is developed, reviewed, and revised in accordance with 34 CFR 300.320 to 300.324
7 and under 20 U.S.C. Section 1401, as amended;

8 (2) "Local educational agency" or "LEA", a public school or other political subdivision of
9 the state serving any student with an IEP;

10 (3) "Parent", as defined in 34 CFR 300.30;

11 (4) "Public school", the same definition as in section 160.011.

12 2. Each local educational agency shall implement parental consent procedures as described
13 in 34 CFR 300.300 and this section.

14 3. (1) Each local educational agency shall obtain written or electronic parental consent for
15 the following placements, removals, additions, changes, or reductions of services in the
16 individualized education program of a child with disabilities prior to such placement, removal,
17 addition, change, or reduction:

18 (a) Initial placement;

19 (b) A placement change;

20 (c) The removal of a service or services; and

21 (d) The reduction or addition of service minutes of a service by more than twenty-five
22 percent.

23 (2) The LEA shall maintain written documentation of the date and signature of parental
24 consent for annual placement or revision to the IEP.

25 4. (1) If the parents and local educational agency fail to reach an agreement on the child's
26 individualized education program within ten business days but reach an agreement on certain IEP
27 services or interim placement, the child's current agreed-upon IEP shall be amended to include such
28 areas of agreement until the areas of disagreement are resolved, and the local educational agency
29 and the parents shall include an addendum in the IEP that specifies the date by which the areas of
30 disagreement shall be resolved. If the areas of disagreement are not resolved by the date specified

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1 in the addendum, the local educational agency or the parents may request a dispute resolution option
 2 pursuant to subsection 7 of this section.

3 (2) A local educational agency shall not proceed with implementing a child's individualized
 4 education program without parental consent unless the LEA documents reasonable efforts of
 5 attempts to arrange a mutually agreed-upon time and place, in accordance with 34 CFR 300.322(d),
 6 and the parent has refused to attend or the LEA obtains approval through a due process complaint
 7 and hearing in which the hearing officer or commissioner finds that the IEP with the proposed
 8 change or changes provides for a free appropriate public education for the student in accordance
 9 with 34 CFR 300.507 to 300.513.

10 5. Parents have the right to visit any program or classroom proposed for their child before
 11 consenting to IEP changes if the child is identified as eligible for special education services. A visit
 12 occurring under this subsection shall be scheduled before or after regular school hours to ensure that
 13 such child's hours of instruction are not interrupted.

14 6. (1) The department of elementary and secondary education shall adopt a parental consent
 15 form that each local educational agency shall use for any action related to a child's individualized
 16 education program. Such form shall be provided to the parent in the parent's native language, as
 17 described in 34 CFR 300.503, and shall include at least the following:

18 (a) A "Does consent" box, signature line, and date line;

19 (b) A "Does NOT consent" box, signature line, and date line as well as a box accompanying
 20 a statement that a parent who does not consent understands that the LEA is relieved of any future
 21 claims related to nonprovision of any services not consented to by the parent; and

22 (c) A "Partial consent" box, signature line, date line, and space for indicating the areas of
 23 agreement.

24 (2) A parental consent form shall not be required in situations where a placement, removal,
 25 addition, change, or reduction of services in the IEP of a child with disabilities occurs because of a
 26 violation of a code of student conduct that results in a suspension of such child in accordance with
 27 34 CFR 300.530.

28 7. If a local educational agency and parent fail to reach an agreement, either party may
 29 request a facilitated individualized education program meeting, mediation, due process complaint
 30 and hearing, or other dispute resolution options as outlined in the procedural safeguards notice under
 31 34 CFR 300.504.

32 8. This section shall not be construed to abrogate any parental right identified in the federal
 33 Individuals with Disabilities Education Act (IDEA) and such act's implementing regulations.

34 9. The provisions of this section shall become effective on July 1, 2026."; and

35
 36 Further amend said bill, Page 40, Section 337.618, Line 16, by inserting after all of said section and
 37 line the following:

38
 39 "376.1240. 1. For purposes of this section, terms shall have the same meanings as ascribed

1 to them in section 376.1350, and the term "self-administered hormonal contraceptive" shall mean a
 2 drug that is composed of one or more hormones and that is approved by the Food and Drug
 3 Administration to prevent pregnancy, excluding emergency contraception. Nothing in this section
 4 shall be construed to apply to medications approved by the Food and Drug Administration to
 5 terminate an existing pregnancy.

6 2. Any health benefit plan delivered, issued for delivery, continued, or renewed in this state
 7 on or after January 1, 2025, that provides coverage for self-administered hormonal contraceptives
 8 shall provide coverage to reimburse a health care provider or dispensing entity for the dispensing of
 9 a supply of self-administered hormonal contraceptives intended to last up to one year.

10 3. The coverage required under this section shall not be subject to any greater deductible or
 11 co-payment than other similar health care services provided by the health benefit plan."; and

12
 13 Further amend said bill, Page 81, Section 590.050, Line 25, by inserting after all of said section and
 14 line the following:

15
 16 ~~"[192.769. 1. On completion of a mammogram, a mammography facility~~
 17 ~~certified by the United States Food and Drug Administration (FDA) or by a~~
 18 ~~certification agency approved by the FDA shall provide to the patient the~~
 19 ~~following notice:~~

20 ~~"If your mammogram demonstrates that you have dense breast tissue,~~
 21 ~~which could hide abnormalities, and you have other risk factors for breast cancer~~
 22 ~~that have been identified, you might benefit from supplemental screening tests that~~
 23 ~~may be suggested by your ordering physician. Dense breast tissue, in and of itself,~~
 24 ~~is a relatively common condition. Therefore, this information is not provided to~~
 25 ~~cause undue concern, but rather to raise your awareness and to promote discussion~~
 26 ~~with your physician regarding the presence of other risk factors, in addition to~~
 27 ~~dense breast tissue. A report of your mammography results will be sent to you and~~
 28 ~~your physician. You should contact your physician if you have any questions or~~
 29 ~~concerns regarding this report."~~

30 ~~2. Nothing in this section shall be construed to create a duty of care~~
 31 ~~beyond the duty to provide notice as set forth in this section.~~

32 ~~3. The information required by this section or evidence that a person~~
 33 ~~violated this section is not admissible in a civil, judicial, or administrative~~
 34 ~~proceeding.~~

35 ~~4. A mammography facility is not required to comply with the~~
 36 ~~requirements of this section until January 1, 2015.]"~~; and

37
 38 Further amend said bill by amending the title, enacting clause, and intersectional references
 39 accordingly.