

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
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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 18, Section 210.109, Lines 37-41, by deleting all of said lines and
 27 inserting in lieu thereof the following:
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29 "abuse and neglect investigation, and the initial family assessment. The division shall attempt to
 30 seek input from child welfare service providers in"; and
 31

32 Further amend said bill, Page 19, Section 210.201, Lines 34-36, by deleting all of said lines and
 33 inserting in lieu thereof the following:
 34

35 "(11) "School system", a program established primarily for education and that meets"; and
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37 Further amend said bill and section, Page 20, Line 41, by deleting the phrase "~~(12)~~ (13)" and
 38 inserting in lieu thereof the following "(12)"; and
 39

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

1
2 "376.1758. 1. For purposes of this section, the term "doula" means an individual who has
3 been trained to provide physical, emotional, and educational support, but not medical or midwifery
4 care, to pregnant and birthing women and their families before, during, and after childbirth.

5 2. The department of health and senior services shall review and approve doula registration
6 to allow for health insurance reimbursement of doula services.

7 3. The department of health and senior services shall:

8 (1) Create the criteria for the doula registration application;

9 (2) Review applications for doulas to register to receive health insurance reimbursement in
10 this state;

11 (3) Approve applications to designate registered doula status based on the criteria created
12 under subdivision (1) of this subsection;

13 (4) Notify applicants of approval or denial of doula registration status. Any denial
14 notification shall include the specific reason or reasons for the denial; and

15 (5) Maintain a statewide registry of doulas approved for health insurance reimbursement in
16 this state.

17 4. In creating the criteria for the doula registration application to be used to approve doula
18 registration status, the department of health and senior services shall consult relevant organizations,
19 including community-based organizations that:

20 (1) Are directly involved in antepartum and postpartum doula work;

21 (2) Understand the importance of health-related social needs, including the navigation of
22 social services and resources and trauma-informed care, and the importance of strategies tailored to
23 the community served; and

24 (3) Shall be actively engaged in working with pregnant patients who are most at risk for
25 adverse health outcomes and providing community-based doula services in this state.

26 5. Nothing in this section prohibits any person from practicing as a doula in this state
27 regardless of whether the person is registered in accordance with the provisions of this section.

28 6. The department of health and senior services shall promulgate all necessary rules and
29 regulations for the administration of this section. Any rule or portion of a rule, as that term is
30 defined in section 536.010, that is created under the authority delegated in this section shall become
31 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
32 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
33 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
35 authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

36 452.355. 1. Unless otherwise indicated, the court from time to time after considering all
37 relevant factors including the financial resources of both parties, the merits of the case and the
38 actions of the parties during the pendency of the action, may order a party to pay a reasonable
39 amount for the cost to the other party of maintaining or defending any proceeding pursuant to
40 sections 452.300 to 452.415 and for attorney's fees, including sums for legal services rendered and

costs incurred prior to the commencement of the proceeding and after entry of a final judgment. The court may order that the amount be paid directly to the attorney, who may enforce the order in the attorney's name.

2. In actions brought to enforce a temporary order or final judgment of the court in any proceeding under sections 452.300 to 452.415, excluding any proceeding described in subsection 3 of this section, the court shall order the party against whom enforcement is sought, if requested and for good cause shown, to pay the cost of the suit to the party seeking enforcement, including attorney's fees. The court may order that the amount be paid directly to the attorney, who may enforce the order in the attorney's name.

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

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

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

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

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

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

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

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

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

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

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2 Further amend said bill and section, Page 45, Line 191, by inserting after all of said section and line
3 the following:
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5 "452.425. Any court order for the custody of, or visitation with, a child [~~may~~] shall include a
6 provision that the sheriff or other law enforcement officer shall enforce the rights of any person to
7 custody or visitation unless the court issues a subsequent order pursuant to chapter 210, 211, 452 or
8 455 to limit or deny the custody of, or visitations with, the child. Such sheriff or law enforcement
9 officer shall not remove a child from a person who has actual physical custody of the child unless
10 such sheriff or officer is shown a court order or judgment which clearly and convincingly verifies
11 that such person is not entitled to the actual physical custody of the child, and there are not other
12 exigent circumstances that would give the sheriff or officer reasonable suspicion to believe that the
13 child would be harmed or that the court order presented to the sheriff or officer may not be valid.";
14 and
15

16 Further amend said bill, Page 66, Section 453.710, Line 3, by deleting the word "may" and inserting
17 in lieu thereof the word "shall"; and
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19 Further amend said bill, page, and section, Line 14, by deleting the word "may" and inserting in lieu
20 thereof the word "shall"; and
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22 Further amend said bill, Page 67, Section 453.714, Line 1, by deleting the word "may" and inserting
23 in lieu thereof the word "shall"; and
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25 Further amend said bill, Page 78, Section 566.151, Lines 1-12, by deleting all of said lines and
26 section from the bill; and
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28 Further amend said bill, Pages 78-79, Section 567.030, Lines 1-20, by deleting all of said lines and
29 section from the bill; and
30

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