

JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 16, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray, from *Psalms* 25:

"Guide me in your truth and teach me,
For you are God my savior,
And for you I wait all the day."
(*Psalms* 25:5)

Almighty God, many topics compete for our attention; help us to see the truth and wisdom each has to offer. When several conflicting values seek our support, give us the vision and wisdom to judge which are of greater importance, which correspond best to what is real and true, which best serve the common good.

Give us the courage always to stand up for what is right and just.

To You, Almighty God, be honor and glory forever. Amen.

The Pledge of Allegiance to the flag was recited.

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

SPECIAL RECOGNITION

The 2010 Future Farmers of America (FFA) State Officers were introduced by Representative Viebrock.

Samantha Warner, State FFA President, addressed the House.

HOUSE RESOLUTION

Representative Englund offered House Resolution No. 786.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 767 through House Resolution No. 785

House Resolution No. 787 through House Resolution No. 792

HOUSE CONCURRENT RESOLUTION

Representative Smith (14), et al., offered House Concurrent Resolution No. 61.

SECOND READING OF HOUSE BILLS

HB 2153 through **HB 2163** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1675, relating to the Manufacturing Jobs Act, was taken up by Representative Nolte.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1675, Section 620.1910, Page 1, Lines 12-14, by deleting all of said lines and inserting in lieu thereof "**Budget**"; and

Further amend said section, Page 2, Line 23, by deleting "**state average wage**" and inserting in lieu thereof "**industry average wage for Missouri as determined by the department using NAICS industry classifications**"; and

Further amend said section and page, Lines 49-52, by deleting all of said lines and inserting in lieu thereof following after:

"(9) "Retained job", the number of full-time employees located at the project facility that existed in the taxable year immediately preceding the year in which application for the program is made;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax imposed in chapter 147, 148, or 153;

(11) "Withholding tax", the state tax imposed by sections 143.191 to 143.265.;" and

Further amend said section, Page 3, Line 70, by deleting "**industrial**" and inserting "**industry**"; and

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

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

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

Representative Cox raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

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

Representative Cox raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Nolte, **HCS HB 1675, as amended**, was adopted.

On motion of Representative Nolte, **HCS HB 1675, as amended**, was ordered perfected and printed by the following vote:

AYES: 143

Allen	Atkins	Aull	Ayres	Biermann
Bivins	Brandom	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Calloway	Carter	Casey
Chappelle-Nadal	Colona	Cooper	Corcoran	Cox
Cunningham	Curls	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dixon	Dougherty
Dugger	Dusenberg	Emery	Englund	Ervin
Faith	Fallert	Fisher 125	Flanigan	Flook
Frame	Franz	Funderburk	Gatschenberger	Grill
Grisamore	Guernsey	Guest	Hobbs	Hodges
Holsman	Hoskins 80	Hoskins 121	Hummel	Icet
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly	Kingery	Kirkton	Koenig	Komo
Kratky	Kraus	Kuessner	Lair	Lampe
Largent	LeBlanc	LeVota	Liese	Lipke
Loehner	McClanahan	McDonald	McGhee	McNary
McNeil	Meadows	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Parkinson	Parson	Pollock
Pratt	Riddle	Roorda	Rucker	Ruestman
Ruzicka	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Schoemehl	Schupp	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	Still	Storch	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Tracy
Viebrock	Vogt	Wallace	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Weter
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 006

Bringer	Davis	Fischer 107	Harris	Scavuzzo
Schieffer				

PRESENT: 003

Low	Oxford	Quinn
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ABSENT WITH LEAVE: 008

Burnett	Hughes	Leara	Pace	Salva
Sander	Skaggs	Stream		

VACANCIES: 003

HCS HBs 1311 & 1341, relating to pervasive developmental disorders, was taken up by Representative Scharnhorst.

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

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 376.1224, Page 16, Line 92, by deleting the number “**twenty-one**” and inserting in lieu thereof the number “**fifteen**”; and

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

Representative Grill offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 376.1224, Page 16, Lines 89-96, by deleting all of said lines and insert in lieu thereof the following:

“6. Coverage provided under this section for applied behavior analysis shall be subject to a maximum total benefit of thirty-six thousand dollars per year for individuals through age nine and thirty thousand dollars per calendar year for children ages ten through eighteen. No coverage for applied behavior analysis shall be required for individuals older than eighteen years of age. Payments made by a health carrier on behalf of a covered individual for any care, treatment, intervention, service or item, the provision of which was for the treatment of a health condition unrelated to the covered individual's autism spectrum disorder, shall not be applied toward any maximum benefit established under this subsection.”; and

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

Representative Scharnhorst offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

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

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1311 & 1341, Page 1, Lines 3-5, by deleting all of said lines and insert in lieu thereof the following:

“6. Coverage provided under this section for applied behavior analysis shall be subject to a maximum total benefit of thirty thousand dollars per year for individuals through eighteen years of age. No coverage”; and

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

HCS HBs 1311 & 1341, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

On motion of Representative Tilley, the House recessed until 6:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Richard.

PERFECTION OF HOUSE BILL

HCS HBs 1311 & 1341, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, relating to pervasive developmental disorders, was again taken up by Representative Scharnhorst.

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Scharnhorst offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Amendment No. 2
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1311 & 1341, Page 1, Lines 3-5, by deleting all of said lines and insert in lieu thereof the following:

“6. Coverage provided under this section for applied behavior analysis shall be subject to a maximum total benefit of thirty-six thousand dollars per year for individuals through eighteen years of age. No coverage”; and

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

On motion of Representative Scharnhorst, **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Grill, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Sections 337.300, 337.305, 337.310, 337.315, 337.320, 337.325, 337.330, 337.335, 37.340, 337.345, and 376.1224 by deleting all occurrences of the words **“pervasive developmental disorders”** and insert in lieu thereof the words **“autism spectrum disorders”** and by deleting all occurrences of the letters **“PDD”** and insert in lieu thereof the letters **“ASD”**; and

Further amend said bill, Section 376.1224, Pages 14-15, Lines 1-47, by deleting all of said lines and insert in lieu thereof the following:

“376.1224. 1. For purposes of this section, the following terms shall mean:

(1) "Applied behavior analysis", the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationships between environment and behavior;

(2) "Autism service provider",

(a) Any person, entity or group that provides diagnostic or treatment services for autism spectrum disorders who is licensed or certified by the state of Missouri;

(b) Any person who is certified as a board certified behavior analyst by the behavior analyst certification board; or

(c) Any person, if not licensed or certified, who is supervised by a person who is certified as a board certified behavior analyst by the Behavior Analyst Certification Board, whether such board certified behavior analyst supervises as an individual or as an employee of or in association with an entity or group; provided however, the definition of autism service provider shall specifically exclude parents and siblings of autistic children to the extent such parents or siblings are providing diagnostic or treatment services to their child or sibling;

(3) "Autism spectrum disorder" or "ASD", a neurobiological disorder, an illness of the nervous system, which includes:

(A) "Autistic Disorder", which is

(1) six or more items from subdivision (a), (b), and (c), of this subdivision with at least two items from subdivision (a) of this subdivision, and one item each from subdivisions (b) and (c) of this subdivision:

(a) Qualitative impairment in social interaction, as manifested by at least two of the following:

(i) Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;

(ii) Failure to develop peer relationships appropriate to developmental level;

(iii) A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people;

(iv) Lack of social or emotional reciprocity.

(b) Qualitative impairments in communication as manifested by at least one of the following:

(i) Delay in, or total lack of, the development of spoken language;

(ii) In individuals with adequate speech, marked impairment in the ability to initiate or sustain a conversation with others;

(iii) Stereotyped and repetitive use of language or idiosyncratic language

(iv) Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level

(c) Restricted repetitive and stereotyped patterns of behavior, interests, and activities, as manifested by at least one of the following:

(i) Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;

(ii) Apparently inflexible adherence to specific, nonfunctional routines or rituals;

(iii) Stereotyped and repetitive motor mannerisms;

(iv) Persistent preoccupation with parts of objects.

(2) Delays or abnormal functioning in at least one of the following areas, with onset prior to age 3 years including social interaction, language as used in social communication, or symbolic or imaginative play.

(3) The disturbance is not better accounted for by Rett's Disorder or Childhood Disintegrative Disorder.

(B) "Asperger's Disorder",

(1) Qualitative impairment in social interaction, as manifested by at least two of the following:

(a) Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;

(b) Failure to develop peer relationships appropriate to developmental level;

(c) A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people; and

(d) Lack of social or emotional reciprocity.

(2) Restricted repetitive and stereotyped patterns of behavior, interests, and activities, as manifested by at least one of the following:

(a) Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;

(b) Apparently inflexible adherence to specific, nonfunctional routines or rituals;

(c) Stereotyped and repetitive motor mannerisms; and

(d) Persistent preoccupation with parts of objects.

(3) The disturbance causes clinically significant impairment in social, occupational, or other important areas of functioning.

(4) There is no clinically significant general delay in language.

(5) There is no clinically significant delay in cognitive development or in the development of age-appropriate self-help skills, adaptive behavior (other than in social interaction), and curiosity about the environment in childhood.

(6) Criteria are not met for another specific Pervasive Developmental Disorder or Schizophrenia.

(C) "Pervasive Developmental Disorder Not Otherwise Specified", a severe and pervasive impairment in the development of reciprocal social interaction associated with impairment in either verbal or nonverbal communication skills or with the presence of stereotyped behavior, interests, and activities, but the criteria are not met for a specific Pervasive Developmental Disorder, Schizophrenia, Schizotypal Personality Disorder, or Avoidant Personality Disorder.;

(D) "Rett's Disorder", includes

(1) All of the following:

(a) Apparently normal prenatal and perinatal development;

(b) Apparently normal psychomotor development through the first 5 months after birth;

(c) Normal head circumference at birth.

(2) Onset of all of the following after the period of normal development:

(a) Deceleration of head growth between ages 5 and 48 months;

(b) Loss of previously acquired purposeful hand skills between ages 5 and 30 months with the subsequent development of stereotyped hand movements;

(c) Loss of social engagement early in the course;

(d) Appearance of poorly coordinated gait or trunk movements;

(e) Severely impaired expressive and receptive language development with severe psychomotor retardation ; or

(E) "Childhood Disintegrative Disorder", is

(1) Apparently normal development for at least the first 2 years after birth as manifested by the presence of age-appropriate verbal and nonverbal communication, social relationships, play, and adaptive behavior;

(2) Clinically significant loss of previously acquired skills in at least two of the following areas: expressive or receptive language, social skills or adaptive behavior, bowel or bladder control, play, and motor skills;

(3) Abnormalities of functioning in at least two of the following areas: qualitative impairment in social interaction, qualitative impairments in communication, restricted, repetitive, and stereotyped patterns of behavior, interests, and activities, including motor stereotypies and mannerisms; and

(4) The disturbance is not better accounted for by another specific Pervasive Developmental Disorder or by Schizophrenia.

(4) "Diagnosis of autism spectrum disorders", medically necessary assessments, evaluations, or tests in order to diagnose whether an individual has an autism spectrum disorder;

(5) "Habilitative or rehabilitative care", professional, counseling, and guidance services and treatment programs, including applied behavior analysis, that are necessary to develop the functioning of an individual;

(6) "Health benefit plan", shall have the same meaning ascribed to it as in section 376.1350;

(7) "Health carrier", shall have the same meaning ascribed to it as in section 376.1350;

(8) "Pharmacy care", medications used to address symptoms of an autism spectrum disorder prescribed by a licensed physician, and any health-related services deemed medically necessary to determine the need or effectiveness of the medications only to the extent that such medications are included in the insured's health benefit plan;

(9) "Psychiatric care", direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices;

(10) "Psychological care", direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices;

(11) "Therapeutic care", services provided by licensed speech therapists, occupational therapists, or physical therapists;

(12) "Treatment for autism spectrum disorders", care prescribed or ordered for an individual diagnosed with an autism spectrum disorder by a licensed physician or licensed psychologist, provided by an autism service provider, and pursuant to the powers granted under such licensed physician's or licensed psychologist's license, including, but not limited to:

- (a) Psychiatric care;
- (b) Psychological care;
- (c) Habilitative or rehabilitative care, including applied behavior analysis therapy;
- (d) Therapeutic care; or
- (e) Pharmacy care.”; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 376.1224, Page 15, Lines 58-66, by deleting all of said lines and insert in lieu thereof the following:

“3. The director of the department of insurance, financial institutions and professional registration shall grant a small employer with a group health plan, as that term is defined in section 379.930, a waiver from the provisions of this section if the small employer demonstrates to the director by actual experience over any consecutive twelve month period that compliance with this section has increased the cost of the health insurance plan by an amount that results in at least a two and one-half percent increase over the period of a calendar year in premium costs to the small employer.”; and

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

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

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

On motion of Representative Scharnhorst, **House Amendment No. 3** was adopted by the following vote:

AYES: 143

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Cooper	Corcoran	Cox	Cunningham
Curls	Davis	Day	Deeken	Denison
Dieckhaus	Diehl	Dougherty	Dusenberg	Emery
Englund	Ervin	Faith	Fallert	Fischer 107
Fisher 125	Flanigan	Flook	Frame	Franz
Funderburk	Gatschenberger	Grill	Grisamore	Guest
Harris	Hobbs	Hodges	Holsman	Hoskins 80
Hoskins 121	Hummel	Icet	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly	Kingery
Kirkton	Komo	Kratky	Kraus	Kuessner
Lair	Lampe	Largent	LeBlanc	Liese
Lipke	Loehner	Low	McClanahan	McDonald

McGhee	McNary	McNeil	Meadows	Meiners
Molendorp	Morris	Munzlinger	Nance	Nasheed
Newman	Nieves	Nolte	Norr	Oxford
Parkinson	Parson	Pollock	Pratt	Quinn
Riddle	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schoemehl	Schupp
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Still	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Tracy	Viebrock	Wallace	Walsh	Walton Gray
Wasson	Webb	Webber	Wells	Weter
Wilson 119	Wilson 130	Witte	Wright	Yaeger
Zerr	Zimmerman	Mr Speaker		

NOES: 010

Ayres	Burlison	Burnett	Dethrow	Dugger
Guernsey	Koenig	LeVota	Schoeller	Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 007

Dixon	Hughes	Leara	Pace	Schlottach
Spreng	Vogt			

VACANCIES: 003

Representative Jones (63) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 376.1224, Page 16, Lines 97-99, by deleting all of said lines and insert in lieu thereof the following:

“7. Subject to the provisions set forth in subdivision (3) of subsection 5 of this section, coverage provided under this section shall not be subject to any limits on the number of visits an individual may make to a ASD service provider; except that, the maximum benefit total benefit for applied behavior analysis set forth in subsection 6 of this section shall apply to this subsection.”; and

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

On motion of Representative Jones (63), **House Amendment No. 4** was adopted.

Representative Grisamore offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 376.1224, Pages 17-18, Lines 138-145, by deleting all of said lines and insert in lieu thereof the following:

“14. Any health carrier or other entity subject to the provisions of this section shall not be required to provide reimbursement for the services delivered by any school-based service.”; and

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

On motion of Representative Grisamore, **House Amendment No. 5** was adopted by the following vote:

AYES: 089

Allen	Ayres	Bivins	Brandom	Brown 30
Brown 149	Bruns	Burlison	Cooper	Cox
Cunningham	Davis	Day	Deeken	Denison
Dethrow	Dieckhaus	Diehl	Dougherty	Dugger
Dusenberg	Emery	Ervin	Faith	Fisher 125
Flanigan	Flook	Franz	Funderburk	Gatschenberger
Grisamore	Guernsey	Guest	Hobbs	Hoskins 80
Hoskins 121	Icet	Jones 63	Jones 89	Jones 117
Keeney	Kingery	Koenig	Kraus	Lair
Largent	Lipke	Loehner	McGhee	McNary
Molendorp	Munzlinger	Nance	Nasheed	Nieves
Nolte	Parkinson	Parson	Pollock	Pratt
Riddle	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Thomson	Tilley	Tracy	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wright	Zerr	Mr Speaker	

NOES: 062

Atkins	Aull	Biermann	Bringer	Brown 50
Burnett	Calloway	Carter	Casey	Chappelle-Nadal
Colona	Curls	Englund	Fallert	Fischer 107
Frame	Grill	Harris	Hodges	Holsman
Hummel	Kander	Kelly	Kirkton	Komo
Kratky	Kuessner	Lampe	LeBlanc	LeVota
Liese	Low	McClanahan	McDonald	McNeil
Meadows	Morris	Newman	Norr	Oxford
Quinn	Roorda	Rucker	Salva	Sander
Seavuzzo	Schoemehl	Schupp	Shively	Skaggs
Still	Storch	Swinger	Talboy	Todd
Walsh	Walton Gray	Webb	Webber	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Corcoran	Dixon	Hughes	Leara	Meiners
Pace	Schlottach	Spreng	Vogt	

VACANCIES: 003

Representative Wilson (130) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Section 337.300, Page 2, Lines 22-24, by deleting all of said lines and inserting in lieu thereof the following:

“(8) "Line therapist", an individual who provides supervision of an individual diagnosed with an autism diagnosis and other neurodevelopmental disorders pursuant to the prescribed treatment plan, and implements specific behavioral”; and

Further amend said bill, Section 337.305, Page 3, Line 23, by inserting after the word **“board”** the phrase **“who shall have experience in the practice of applied behavior analysis”**; and

Further amend said bill, Section 337.315, Page 5, Line 17, by deleting all of said line and inserting in lieu thereof the following:

“(4) Provide two classified sets of fingerprints for processing by the Missouri state highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files;”; and

Further amend said bill and section, Page 6, Line 54, by inserting immediately after the word **“state”** the following:

“, only if the applicant has submitted fingerprints and no disqualifying criminal history appears on the family care safety registry”; and

Further amend said bill, Section 337.325, Page 10, Line 9, by inserting after the word **“obtaining”** the words **“professional education or”**; and

Further amend said bill, Section 337.345, Page 13, Lines 10, 17, and 27, by inserting after the word **“date”** the following:

“, and only if the applicant has submitted fingerprints and no disqualifying criminal history appears on the family care safety registry”; and

Further amend said bill, Section 376.1224, Page 15, Lines 48-57, by deleting all of said lines and insert in lieu thereof the following:

“2. All group health benefit plans that are delivered, issued for delivery, continued, or renewed on or after January 1, 2011, if written inside the state of Missouri, or written outside the state of Missouri but insuring Missouri residents, shall provide coverage for the diagnosis and treatment of autism spectrum disorders to the extent that such diagnosis and treatment is not already covered by the health benefit plan.”; and

Further amend said bill, section and page, Line 69, by deleting the word **“solely”** and Lines 70-71, by deleting the phrase **“or because the individual receives coverage under this section”**; and

Further amend said bill and section, Page 16, Lines 72-88, by deleting all of said lines and insert in lieu thereof the following:

“5. (1) Coverage provided under this section is limited to medically necessary treatment that is ordered by the insured's treating licensed physician or licensed psychologist, pursuant to the powers granted under such licensed physician's or licensed psychologist's license, in accordance with a treatment plan.

(2) The treatment plan upon request by the health benefit plan or health carrier shall include all elements necessary for the health benefit plan or health carrier to pay claims. Such elements include, but are not limited to, a diagnosis, proposed treatment by type, frequency and duration of treatment, and goals.

(3) Except for inpatient services, if an individual is receiving treatment for an autism spectrum disorder, a health carrier shall have the right to review the treatment plan not more than once every three months unless the health carrier and the individual's treating physician or psychologist agree that a more frequent review is necessary. The cost of obtaining any review shall be borne by the health benefit plan or health carrier, as applicable.”; and

Further amend said bill and section, Pages 16-17, Lines 100-112, by deleting all of said lines and insert in lieu thereof the following:

“8. This section shall not be construed as limiting benefits which are otherwise available to an individual under a health benefit plan. The health care services required by this section shall not be subject to any greater deductible, coinsurance or co-payment than other physical health care services provided by a health benefit plan. Coverage of services may be subject to other general exclusions and limitations of the contract or benefit plan, such as coordination of benefits, services provided by family or household members, and utilization review of health care services, including review of medical necessity and care management; however, coverage for treatment under this section shall not be denied on the basis that it is educational or habilitative in nature.

9. To the extent any payments or reimbursements are being made for applied behavior analysis, such payments or reimbursements shall be made to the autism service providers except for line therapists as defined in section 337.300; the person who is supervising an autism service provider who is also certified as a board certified behavior analyst and licensed by the state of Missouri; or any entity or group for whom such supervising person, who is certified as a board certified behavior analyst by the Behavior Analyst Certification Board, works or is associated.

10. If a request for qualifications is made by a health carrier of a person who is not licensed as an autism service provider, such person shall provide documented evidence of education and professional training, if any, in applied behavior analysis.”; and

Further amend said bill and section, Page 17, Lines 130-133, by deleting all of said lines and inserting in lieu thereof the following:

“(1) To the MO HealthNet program as described in chapter 208; or”; and

Further amend said bill and section, Page 18, Line 147, by inserting after all of said line the following:

“16. The provisions of this section shall not automatically apply to an individually underwritten health benefit plan, but shall be offered as an option to any such plan.”; and

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

On motion of Representative Wilson (130), **House Amendment No. 6** was adopted.

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

House Amendment No. 7

AMEND House Committee Substitute for House Bill Nos. 1311 & 1341, Page 17, Section 376.1224, Line 130 of said page, by deleting the word "To" and inserting in lieu thereof the following:

"Except as otherwise provided in subsection 17 of this section, to"; and

Further amend said bill and section, Page 18, Line 159 of said page, by inserting after all of said line the following:

"17. (1) The provisions of this section shall only apply to children born prior to the effective date of this section. No health carrier or health benefit plan shall be required to provide PDD coverage under this section for children born after the effective date of this section.

(2) For children born after the effective date of this section, the state of Missouri shall provide the coverage required under this section either by waiver under the MO HealthNet program or funded in whole by the state.

(3) The department of social services shall apply to the federal Centers for Medicare and Medicaid Services for a waiver to provide pervasive developmental disorder coverage to all children born after the effective date of this section who are diagnosed with a pervasive developmental disorder and who are not otherwise eligible for MO HealthNet benefits. Coverage under such a waiver shall:

(a) Be available to all children born after the effective date of this section;

(b) Not provide coverage to such children for any other health care services;

(c) Require precertification, utilization review, and effectiveness of treatment monitoring to be developed by the department;

(d) Require schools to provide PDD services to such children if funding for such services becomes available; and

(e) Require premiums identical to those required under section 208.640; except that, for children in families with a gross income greater than or equal to three hundred percent of the federal poverty level the total aggregate cost sharing for care provide under this section shall not exceed six percent of such family's income for the years involved.

(4) If the waiver application is denied, the state of Missouri shall fund, consistent with subdivision 3 of this subsection, the coverage provided in this section for all children born after the effective date of this section who are diagnosed with a pervasive developmental disorder and who are not otherwise eligible for coverage under the MO HealthNet program.

(5) The department shall notify the revisor of statutes as soon as practicable whether the application was approved or denied and the date of such approval or denial."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative LeVota offered **House Amendment No. 1 to House Amendment No. 7**.

Representative Schaaf raised a point of order that **House Amendment No. 1 to House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Silvey offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

Representative Pratt raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 7** goes beyond the scope of the bill and is not a true substitute amendment.

The Chair ruled the second point of order well taken.

Representative Schaaf moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Biermann	Bringer	Brown 30	Brown 50	Burnett
Calloway	Carter	Casey	Cox	Curls
Davis	Day	Englund	Fallert	Fischer 107
Frame	Grill	Guernsey	Guest	Harris
Hodges	Holsman	Hummel	Kander	Kelly
Kirkton	Komo	Kuessner	Lampe	Largent
LeBlanc	LeVota	Liese	Low	McClanahan
McDonald	McNeil	Meadows	Meiners	Nasheed
Newman	Norr	Oxford	Pollock	Quinn
Roorda	Rucker	Salva	Sander	Scavuzzo
Schaaf	Schieffer	Schupp	Shively	Skaggs
Still	Storch	Swinger	Talboy	Todd
Walton Gray	Webber	Witte	Yaeger	Zimmerman

NOES: 087

Allen	Atkins	Aull	Ayres	Bivins
Brandom	Brown 149	Bruns	Burlison	Chappelle-Nadal
Colona	Cooper	Corcoran	Cunningham	Deeken
Denison	Dethrow	Dieckhaus	Diehl	Dougherty
Dugger	Dusenberg	Emery	Ervin	Faith
Fisher 125	Flanigan	Flook	Franz	Funderburk
Gatschenberger	Grisamore	Hobbs	Hoskins 80	Hoskins 121
Icet	Jones 63	Jones 89	Jones 117	Keeney
Kingery	Koenig	Kratky	Kraus	Lair
Lipke	Loehner	McGhee	McNary	Molendorp
Morris	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pratt	Riddle	Ruzicka
Sater	Schad	Scharnhorst	Schoeller	Schoemehl
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Tilley	Tracy
Viebrock	Wallace	Walsh	Wasson	Webb
Wells	Weter	Wilson 119	Wilson 130	Wright
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Dixon	Hughes	Leara	Pace	Ruestman
Schlottach	Spreng	Vogt		

VACANCIES: 003

On motion of Representative Scharnhorst, **HCS HBs 1311 & 1341, as amended**, was adopted.

On motion of Representative Scharnhorst, **HCS HB 1311 & 1341, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 786 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1675 - Fiscal Review (Fiscal Note)

HB 1451 - Crime Prevention

HB 1826 - Special Standing Committee on Urban Issues

HB 1998 - Special Standing Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1802**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1840**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Public Safety, to which was referred **HB 1472**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hoskins (80) reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 1519**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 62, introduced by Representatives Englund, Yaeger, Brown (50), McNeil, Walton Gray, Fischer (107), Schupp, Todd, Carter, Kelly, Komo, Norr, Casey, Atkins, Still, Spreng, McDonald, Hummel, Skaggs, Tilley, Sater, Wallace, Pace, Biermann, LeBlanc, Schlottach, Jones (117), Stream, Kingery, Newman, Guernsey, Sutherland, Brown (149), Lair, Ruzicka, Colona, McClanahan, Storch, Fallert, Lampe, Low, Schieffer, Hodges, Webb, Jones (63), Bringer, Talboy, Funderburk, Loehner, Liese, Meiners, Corcoran, Fisher (125), Denison, Dusenberg, Parkinson, Flanigan, Guest, Silvey, Dougherty, Vogt, Kratky, Kirkton, Scavuzzo, Harris, Grill, Morris, Aull, Bivins, Zerr, Ayres, Molendorp, Burnett, Calloway, Holsman, Oxford, Quinn, Witte, Walsh, Webber, Rucker, Kuessner, Roorda, Kander, Faith, Salva, Meadows, Shively and Pratt, relating to the designation of Take Our Daughters and Sons to Work Day in Missouri.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 2014, introduced by Representative Icet, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the purchase of equipment, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2010.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2164, introduced by Representatives Holsman, Oxford, Low, Brown (50), Kander, Carter, Walton Gray, Morris, Skaggs, Webb, Pace, Fallert, Casey, Roorda, Meadows, Schupp, Hummel, Englund, Chappelle-Nadal, Atkins, Kirkton and Grill, relating to public financing of certain election campaigns.

HB 2165, introduced by Representatives Zerr, Schad and Allen, relating to water quality testing.

HB 2166, introduced by Representatives Wallace, Munzlinger, Shively, Guest, Denison, Wasson, Kingery, Bringer, Weter, Dethrow, Wells, Hobbs, Thomson, Sater, Schad, Sander and McNary, relating to school funding.

HB 2167, introduced by Representatives Denison, Burlison, Schoeller, Wells, Dugger, Franz, Parson, Pollock, Smith (150), Tracy, Flanigan, Diehl, Weter, Dixon, Viebrock, Schad, Cunningham, Wasson, Jones (117) and Nance, relating to the designation of a memorial highway.

HB 2168, introduced by Representatives Kingery, Wright, Brandom and Swinger, relating to major water users.

HB 2169, introduced by Representatives Smith (14) and Dieckhaus, relating to a road project to reduce flooding.

HB 2170, introduced by Representative Wasson, relating to the professional registration of private investigators.

HB 2171, introduced by Representatives Scavuzzo, Yaeger, Atkins, Molendorp and Weter, relating to water supply districts.

HB 2172, introduced by Representatives Frame, LeVota, Carter, Colona, Hummel and Low, relating to annexation of adjacent territory in cities of the fourth classification.

HB 2173, introduced by Representative Parson, relating to the circuit clerk's record preservation fund.

HB 2174, introduced by Representative Kelly, relating to parentage of a child.

HB 2175, introduced by Representatives Stream, Lampe and Nasheed, relating to charter schools.

ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 17, 2010.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 17, 2010, 2:30 p.m. Hearing Room 2.

Executive session to follow.

Public hearing to be held on: HB 1571, HB 1645, HR 628

AGRICULTURE POLICY

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 6.

Executive session will be at the beginning of the meeting.

Public hearing to be held on: HB 1747

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 17, 2010, 2:00 p.m. Hearing Room 4.

Executive session continued on HB 2006. CANCELLED

APPROPRIATIONS - EDUCATION

Wednesday, February 17, 2010, 2:00 p.m. Hearing Room 1.

Presentation by institutions of Higher Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 17, 2010, Hearing Room 3 upon morning adjournment.

Executive session will be held on: HB 2001, HB 2004, HB 2005, HB 2012

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 17, 2010, 2:00 p.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 2010, HB 2011

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 2010, HB 2011

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 17, 2010, 2:00 p.m. Hearing Room 6. AMENDED

Executive session will be held on: HB 2008, HB 2009

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 17, 2010, 2:00 p.m. Hearing Room 7.

Executive session will be held on: HB 2007

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 18, 2010, Hearing Room 7 upon morning adjournment.

Executive session will be held on: HB 2007

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, February 17, 2010, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1466, HB 1644

CRIME PREVENTION

Wednesday, February 17, 2010, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1695, HB 1674, HB 1742

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 17, 2010, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1905

FISCAL REVIEW

Wednesday, February 17, 2010, 9:00 a.m. House Chamber south gallery.

Any bills referred to committee.

Executive session may follow.

FISCAL REVIEW

Thursday, February 18, 2010, 9:00 a.m. House Chamber south gallery.

Any bills referred to committee.

Executive session may follow.

FISCAL REVIEW

Wednesday, February 24, 2010, 9:00 a.m. South Gallery.

All bills referred to committee.

Executive session may follow.

FISCAL REVIEW

Thursday, February 25, 2010, 9:00 a.m. South Gallery.

All bills referred to committee.

Executive session may follow

HEALTH CARE POLICY

Wednesday, February 17, 2010, Hearing Room 6, 12:00 p.m. or upon morning adjournment.

Executive session may follow. CORRECTED

Public hearing to be held on: HB 1918

INSURANCE POLICY

Wednesday, February 17, 2010, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1841, HB 1904

JOINT COMMITTEE ON TAX POLICY

Tuesday, February 23, 2010, 1:30 p.m. Senate Committee Room 1.

Discussions on Low-Income Housing Tax Credits.

Testimony by MO Housing Development Commission Director Pete Ramsel.

Under 21.810, RSMo, this meeting will conduct the annual election of Chairman and Vice Chairman.

JUDICIARY

Wednesday, February 17, 2010, 12:00 p.m. Hearing Room 1.

Executive session.

LOCAL GOVERNMENT

Wednesday, February 17, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1593, HB 1595, HB 1680, HB 1759

SPECIAL STANDING COMMITTEE ON CHILDREN AND FAMILIES

Wednesday, February 17, 2010, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1327, HB 2000

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Wednesday, February 17, 2010, 5:00 p.m. Hearing Room 4.

Working session.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL ACCOUNTABILITY AND ETHICS REFORM

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 1.

Working session.

SPECIAL STANDING COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 22, 2010, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1892

TAX REFORM

Wednesday, February 17, 2010, 8:45 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1800, HB 1240

TOURISM

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1691, HB 1268, HB 1677

VETERANS

Thursday, February 18, 2010, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: HB 1893

WAYS AND MEANS

Thursday, February 18, 2010, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: HB 1392, HB 1420, HB 1424, HB 2048

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 17, 2010

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 62

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 2014

HOUSE BILLS FOR SECOND READING

HB 2164 through HB 2175

HOUSE BILLS FOR PERFECTION

- 1 HB 1542 - Deeken
- 2 HCS HB 1684 - Zerr
- 3 HCS HB 1750 - Jones (89)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/15/2010)

- 1 HB 1208 - Day
- 2 HB 1559 - Brown (30)
- 3 HB 1745 - Day

HOUSE BILLS FOR THIRD READING

HCS HB 1675, (Fiscal Review 2-16-10) - Nolte

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCS SCRs 35 & 32, (2-1-10, Pages 185-186) - Munzlinger