

**HOUSE AMENDMENT NO. \_\_\_\_**

**TO**

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**Offered By**

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1 AMEND House Amendment No. \_\_\_\_\_ to House Bill No. 2245, Page 1, Line 20 of said  
2 amendment by deleting all of said line and inserting in lieu thereof the following:

3  
4 “the general assembly.

5 Section 1. 1. For each school year beginning July 1, 2010, the department of social  
6 services shall provide all state licensed child-care providers who receive state or federal funds  
7 under section 210.027 and all public school districts in this state with written information  
8 regarding eligibility criteria and application procedures for the state children's health insurance  
9 program (SCHIP) authorized in sections 208.631 to 208.657, to be distributed by the child-care  
10 providers or school districts to parents and guardians at the time of enrollment of their children in  
11 child-care or school, as applicable.

12 2. The department of elementary and secondary education shall add an attachment to the  
13 application for the free and reduced lunch program for a parent or guardian to check a box  
14 indicating yes or no whether each child in the family has health care insurance. If any such child  
15 does not have health care insurance, and the parent or guardian's household income does not  
16 exceed the highest income level under 42 U.S.C. Section 1397CC, as amended, the school district  
17 shall provide a notice to such parent or guardian that the uninsured child may qualify for health  
18 insurance under SCHIP.

19 3. The notice described in subsection 2 shall be developed by the department of social  
20 services and shall include information on enrolling the child in the program. No notices relating  
21 to the state children's health insurance program shall be provided to a parent or guardian under  
22 this section other than the notices developed by the department of social services under this  
23 section.

24 4. Notwithstanding any other provision of law to the contrary, no penalty shall be assessed

1 upon any parent or guardian who fails to provide or provides any inaccurate information required  
2 under this section.

3 5. The department of elementary and secondary education and the department of social  
4 services may adopt rules to implement the provisions of this section. Any rule or portion of a  
5 rule, as that term is defined in section 536.010, that is created under the authority delegated in this  
6 section shall become effective only if it complies with and is subject to all of the provisions of  
7 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable  
8 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to  
9 delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,  
10 then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010,  
11 shall be invalid and void.

12 6. The department of elementary and secondary education, in collaboration with the  
13 department of social services, shall report annually to the governor and the house budget  
14 committee chair and the senate appropriations committee chair on the following:

- 15 (1) The number of families in each district receiving free lunch and reduced lunches;  
16 (2) The number of families who indicate the absence of health care insurance on the  
17 application for free and reduced lunches;  
18 (3) The number of families who received information on the state children's health  
19 insurance program under this section; and  
20 (4) The number of families who received the information in subdivision (3) of this  
21 subsection and applied to the state children's health insurance program.”; and

22  
23 Further amend said Page of said amendment, Line 24 by inserting after all of said line the  
24 following:

25 “Further amend said bill, Section B, Page 6, Line 5 by inserting after all of said line the  
26 following:

27 “ Section C. Because immediate action is necessary to ensure the health of a vulnerable  
28 population and to synchronize the issuance of information with the beginning of the school year,  
29 the enactment of Section 1 of section A of this act is deemed necessary for the immediate  
30 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an  
31 emergency act within the meaning of the constitution, and the enactment of Section 1 of section A  
32 of this act shall be in full force and effect upon its passage and approval.”; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references  
35 accordingly.