

JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2018

The House met pursuant to adjournment.

Representative Fitzwater in the Chair.

Representative Austin suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 040

Alferman	Barnes 60	Barnes 28	Basye	Beard
Bernskoetter	Black	Bondon	Burns	Butler
Cookson	Curtman	DeGroot	Dinkins	Evans
Fraker	Francis	Franklin	Gannon	Henderson
Hill	Hurst	Justus	Kelley 127	Kelly 141
Korman	Lichtenegger	Mathews	May	Muntzel
Phillips	Reiboldt	Reisch	Remole	Rone
Rowland 29	Stevens 46	Taylor	Walsh	White

NOES: 001

Curtis

PRESENT: 070

Adams	Anderson	Andrews	Arthur	Austin
Bahr	Brown 57	Burnett	Chipman	Conway 10
Conway 104	Corlew	Cornejo	Cross	Davis
Dohrman	Eggleston	Ellebracht	Fitzwater	Franks Jr
Frederick	Gregory	Haefner	Hannegan	Hansen
Helms	Higdon	Houghton	Houx	Johnson
Kendrick	Knight	Kolkmeier	Lant	Lauer
Love	Lynch	Marshall	Matthiesen	McCann Beatty
McCreery	McGaugh	Meredith 71	Messenger	Miller
Mitten	Nichols	Pfautsch	Pierson Jr	Plocher
Razer	Rehder	Rhoads	Roberts	Rowland 155
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Sommer	Stacy	Stephens 128	Swan
Vescovo	Walker 3	Walker 74	Wiemann	Wilson

ABSENT WITH LEAVE: 050

Anders	Bangert	Baringer	Beck	Berry
Brattin	Brown 27	Carpenter	Christofanelli	Dogan
Ellington	Engler	Fitzpatrick	Gray	Green

Grier	Haahr	Harris	Kidd	Lavender
McDaniel	McGee	Merideth 80	Moon	Morgan
Morris 140	Morse 151	Mosley	Neely	Newman
Peters	Pietzman	Pike	Pogue	Quade
Redmon	Revis	Roden	Roeber	Ross
Smith 85	Smith 163	Spencer	Tate	Trent
Unsicker	Washington	Wessels	Wood	Mr. Speaker

VACANCIES: 002

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

The just shall live by faith. (Romans 1:17)

Most Merciful God, we begin this day conscious of our own strengths and needs yet very aware of Your great power to sustain us in our endeavors. Keep us faithful in the performance of our duties, loyal to every high and lofty principle, responsive to the needs of our citizens, and, above all, receptive to the leading of Your living spirit.

We pray for our state and our leaders, that we may be delivered from malice, bitterness, and revenge. Strengthen within us all a true sense of justice, a proper regard for the rights of others, and a genuine spirit of goodness. Together may we walk with You, and with one another, as we go forward, with liberty, humility and justice for all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Speaker Richardson assumed the Chair.

The Journal of the sixty-ninth day was approved as printed by the following vote:

AYES: 133

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brown 57	Burnett
Burns	Chipman	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gregory	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	May	McCann Beatty	McCreery	McGaugh
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Newman	Nichols	Pfautsch	Phillips	Pierson Jr
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Revis	Rhoads
Roberts	Rone	Rowland 155	Rowland 29	Runions

Ruth	Schroer	Shaul 113	Shull 16	Shumake
Sommer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 028

Barnes 60	Brattin	Brown 27	Butler	Carpenter
Christofanelli	Ellington	Fitzpatrick	Gray	Green
Grier	Haahr	McDaniel	McGee	Moon
Neely	Peters	Pietzman	Pogue	Remole
Roden	Roeber	Ross	Smith 85	Smith 163
Spencer	Trent	Washington		

VACANCIES: 002

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Anderson, Conway (104), Fraker, Haefner, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (2): Alferman and Morgan

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 966**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Conway (104), Fraker, Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Alferman

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1350** entitled:

An act to repeal sections 43.500, 43.503, 43.504, 43.506, 43.509, 43.527, 43.530, 43.535, 43.540, 43.543, 43.546, 43.547, 192.2495, 208.909, 210.025, 210.254, 210.258, 210.482, 210.487, 302.060, 313.810, and 610.120, RSMo, and to enact in lieu thereof twenty-three new sections relating to criminal history records, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1350, Page 61, Section 610.120, Line 16, by inserting after all of said line the following:

“650.055. 1. Every individual who:

- (1) Is found guilty of a felony or any offense under chapter 566; or
- (2) Is seventeen years of age or older and arrested for [burglary in the first degree under section 569.160, or burglary in the second degree under section 569.170, or] a felony offense [under chapter 565, 566, 567, 568, or 573]; or
- (3) Has been determined to be a sexually violent predator pursuant to sections 632.480 to 632.513; or
- (4) Is an individual required to register as a sexual offender under sections 589.400 to 589.425;

shall have a fingerprint and blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis.

2. Any individual subject to DNA collection and profiling analysis under this section shall provide a DNA sample:

- (1) Upon booking at a county jail or detention facility; or
- (2) Upon entering or before release from the department of corrections reception and diagnostic centers; or
- (3) Upon entering or before release from a county jail or detention facility, state correctional facility, or any other detention facility or institution, whether operated by a private, local, or state agency, or any mental health facility if committed as a sexually violent predator pursuant to sections 632.480 to 632.513; or
- (4) When the state accepts a person from another state under any interstate compact, or under any other reciprocal agreement with any county, state, or federal agency, or any other provision of law, whether or not the person is confined or released, the acceptance is conditional on the person providing a DNA sample if the person was found guilty of a felony offense in any other jurisdiction; or
- (5) If such individual is under the jurisdiction of the department of corrections. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in section 217.650, and on parole, as also defined in section 217.650; or
- (6) At the time of registering as a sex offender under sections 589.400 to 589.425.

3. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over individuals included in subsection 1 of this section which shall not be set aside or reversed is hereby made mandatory. The board of probation or parole shall recommend that an individual on probation or parole who refuses to provide a DNA sample have his or her probation or parole revoked. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.

4. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA databank system.

5. Unauthorized use or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice or law enforcement is a class A misdemeanor.

6. Implementation of sections 650.050 to 650.100 shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA databank system.

7. All DNA records and biological materials retained in the DNA profiling system are considered closed records pursuant to chapter 610. All records containing any information held or maintained by any person or by any agency, department, or political subdivision of the state concerning an individual's DNA profile shall be strictly confidential and shall not be disclosed, except to:

- (1) Peace officers, as defined in section 590.010, and other employees of law enforcement agencies who need to obtain such records to perform their public duties;
- (2) The attorney general or any assistant attorneys general acting on his or her behalf, as defined in chapter 27;
- (3) Prosecuting attorneys or circuit attorneys as defined in chapter 56, and their employees who need to obtain such records to perform their public duties;
- (4) The individual whose DNA sample has been collected, or his or her attorney; or
- (5) Associate circuit judges, circuit judges, judges of the courts of appeals, supreme court judges, and their employees who need to obtain such records to perform their public duties.

8. Any person who obtains records pursuant to the provisions of this section shall use such records only for investigative and prosecutorial purposes, including but not limited to use at any criminal trial, hearing, or proceeding; or for law enforcement identification purposes, including identification of human remains. Such records shall be considered strictly confidential and shall only be released as authorized by this section.

9. (1) An individual may request expungement of his or her DNA sample and DNA profile through the court issuing the reversal or dismissal, or through the court granting an expungement of all official records under section 568.040. A certified copy of the court order establishing that such conviction has been reversed, guilty plea has been set aside, or expungement has been granted under section 568.040 shall be sent to the Missouri state highway patrol crime laboratory. Upon receipt of the court order, the laboratory will determine that the requesting individual has no other qualifying offense as a result of any separate plea or conviction and no other qualifying arrest prior to expungement.

(2) A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section and sections 650.050, 650.052, and 650.100 may request expungement on **one or more of the following** grounds [that the conviction has been reversed, the guilty plea on which the authority for including that person's DNA record or DNA profile was based has been set aside, or an expungement of all official records has been granted by the court under section 568.040]:

- (a) **The conviction on which the authority for including that person's DNA record or DNA profile was based on has been reversed;**
- (b) **The guilty plea on which the authority for including that person's DNA record or DNA profile was based on has been set aside;**
- (c) **The prosecutor has declined prosecution on all alleged offenses which, upon conviction, would authorize the inclusion of that person's DNA record or DNA profile;**
- (d) **The prosecutor has withdrawn all qualifying charges which, upon conviction, would authorize the inclusion of that person's DNA record or DNA profile;**
- (e) **The case or cases containing all charges which, upon conviction, would authorize the inclusion of that person's DNA record or DNA profile, are dismissed;**
- (f) **The court finds at a preliminary hearing that there is no probable cause to try that person for any charge which, upon conviction, would authorize the inclusion of that person's DNA record or DNA profile;**
- (g) **That person is found not guilty of all charges which, upon conviction, would authorize the inclusion of that person's DNA record or DNA profile.**

(3) Upon receipt of a written request for expungement, a certified copy of the final court order reversing the conviction, setting aside the plea, or granting an expungement of all official records under section 568.040, and any other information necessary to ascertain the validity of the request, the Missouri state highway patrol crime laboratory shall expunge all DNA records and identifiable information in the state DNA database pertaining to the person and destroy the DNA sample of the person, unless the Missouri state highway patrol determines that the person is otherwise obligated to submit a DNA sample. Within thirty days after the receipt of the court order, the Missouri state highway patrol shall notify the individual that it has expunged his or her DNA sample and DNA profile, or the basis for its determination that the person is otherwise obligated to submit a DNA sample.

(4) The Missouri state highway patrol is not required to destroy any item of physical evidence obtained from a DNA sample if evidence relating to another person would thereby be destroyed.

(5) Any identification, warrant, arrest, or evidentiary use of a DNA match derived from the database shall not be excluded or suppressed from evidence, nor shall any conviction be invalidated or reversed or plea set aside due to the failure to expunge or a delay in expunging DNA records.

[10. When a DNA sample is taken from an individual pursuant to subdivision (2) of subsection 1 of this section and the prosecutor declines prosecution and notifies the arresting agency of that decision, the arresting agency shall notify the Missouri state highway patrol crime laboratory within ninety days of receiving such notification. Within thirty days of being notified by the arresting agency that the prosecutor has declined prosecution, the Missouri state highway patrol crime laboratory shall determine whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken and retained. If the individual has no other qualifying offenses or arrests, the crime laboratory shall expunge all DNA records in the database taken at the arrest for which the prosecution was declined pertaining to the person and destroy the DNA sample of such person.

11. When a DNA sample is taken of an arrestee for any offense listed under subsection 1 of this section and charges are filed:

(1) If the charges are later withdrawn, the prosecutor shall notify the state highway patrol crime laboratory that such charges have been withdrawn;

(2) If the case is dismissed, the court shall notify the state highway patrol crime laboratory of such dismissal;

(3) If the court finds at the preliminary hearing that there is no probable cause that the defendant committed the offense, the court shall notify the state highway patrol crime laboratory of such finding;

(4) If the defendant is found not guilty, the court shall notify the state highway patrol crime laboratory of such verdict.

If the state highway patrol crime laboratory receives notice under this subsection, such crime laboratory shall determine, within thirty days, whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken. If the individual has no other qualifying arrests or offenses, the crime laboratory shall expunge all DNA records in the database pertaining to such person and destroy the person's DNA sample.]; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1350, Page 20, Section 43.540, Line 17, by inserting after the word "damages" the following:

"solely"; and

Further amend Lines 19-22, by striking all of said lines and inserting in lieu thereof the following:

"with respect to an applicant. The state, any political subdivision".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1355** entitled:

An act to repeal sections 43.505, 43.507, 57.117, 57.450, 84.510, 190.335, 217.015, 217.030, 217.075, 217.655, 217.665, 217.670, 217.690, 217.703, 217.705, 217.720, 217.722, 217.735, 217.750, 217.755, 217.760, 217.762, 217.777, 217.810, 221.050, 221.105, 260.391, 292.606, 302.176, 306.030, 306.126, 414.032, 488.5320, 513.653, 589.303, 595.010, 595.015, 595.020, 595.025, 595.030, 595.035, 595.055, and 595.220, RSMo, and to enact in lieu thereof fifty-four new sections relating to public safety, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Pages 62-63, Section 260.558, by striking said section and inserting in lieu thereof the following:

“260.558. 1. There is hereby created in the state treasury the “Radioactive Waste Investigation Fund”. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the department of natural resources to investigate concerns of exposure to radioactive waste. Upon written request by a local governing body expressing concerns of radioactive waste contamination in a specified area within its jurisdiction, the department of natural resources shall use moneys in the radioactive waste investigation fund to develop and conduct an investigation, using sound scientific methods, for the specified area of concern. The request by a local governing body shall include a specified area of concern and any supporting documentation related to the concern. The department shall prioritize requests in the order in which they are received, except that the department may give priority to requests that are in close proximity to federally designated sites where radioactive contaminants are known or reasonably expected to exist. The investigation shall be performed by applicable federal or state agencies or by a qualified contractor selected by the department through a competitive bidding process. In conducting an investigation under this section, the department shall work with the applicable government agency or approved contractor, as well as local officials, to develop a sampling and analysis plan to determine if radioactive contaminants in the area of concern exceed federal standards for remedial action due to contamination. Within a residential area, this plan may include dust samples collected inside residential homes only after obtaining permission from the homeowners. The samples shall be analyzed for the isotopes necessary to correlate the samples with the suspected contamination, as described in the sampling and analysis plan. Within forty-five days of receiving the final sampling results, the department shall report the results to the attorney general and the local governing body that requested the investigation and make the finalized report and testing results publicly available on the department's website.

2. The transfer to the fund shall not exceed one hundred fifty thousand dollars per fiscal year. Investigation costs expended from this fund shall not exceed one hundred fifty thousand dollars per fiscal year. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the hazardous waste fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Page 13, Section 84.510, Line 22 of said page, by inserting immediately after said line the following:

“99.848. 1. Notwithstanding subsection 1 of section [99.847] 99.845, any district or county imposing a property tax for the purposes of providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent [nor] but not more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

2. Beginning August 28, 2018, an ambulance district board operating under chapter 190, a fire protection district board operating under chapter 321, or the governing body of a county operating a 911 center providing emergency or dispatch services under chapter 190 or chapter 321 shall annually set the reimbursement rate under subsection 1 of this section prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means after August 28, 2018, the ambulance or fire protection district board or the governing body of a county operating a 911 center providing emergency or dispatch services under chapter 190 or chapter 321 shall have the right to recalculate the reimbursement rate under this section.

135.090. 1. As used in this section, the following terms mean:

(1) "Homestead", the dwelling in Missouri owned by the surviving spouse and not exceeding five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. As used in this section, "homestead" shall not include any dwelling which is occupied by more than two families;

(2) "Public safety officer", any firefighter, police officer, capitol police officer, parole officer, probation officer, correctional employee, water patrol officer, park ranger, conservation officer, commercial motor **vehicle** enforcement officer, emergency medical technician, **emergency medical responder, as defined in section 190.100**, first responder, or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed in the line of duty, unless the death was the result of the officer's own misconduct or abuse of alcohol or drugs;

(3) "Surviving spouse", a spouse, who has not remarried, of a public safety officer.

2. For all tax years beginning on or after January 1, 2008, a surviving spouse shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the total amount of the property taxes on the surviving spouse's homestead paid during the tax year for which the credit is claimed. A surviving spouse may claim the credit authorized under this section for each tax year beginning the year of death of the public safety officer spouse until the tax year in which the surviving spouse remarries. No credit shall be allowed for the tax year in which the surviving spouse remarries. If the amount allowable as a credit exceeds the income tax reduced by other credits, then the excess shall be considered an overpayment of the income tax.

3. The department of revenue shall promulgate rules to implement the provisions of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall expire on December 31, 2019, unless reauthorized by the general assembly; and

(2) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.

190.094. 1. Any ambulance licensed in this state, when used as an ambulance and staffed with volunteer staff, shall be staffed with a minimum of one emergency medical technician and one other crew member who may be a licensed emergency medical technician, registered nurse, physician, or someone who has a [first] **emergency medical responder** certification.

2. When transporting a patient, at least one licensed emergency medical technician, registered nurse, or physician shall be in attendance with the patient in the patient compartment at all times.

3. For purposes of this section, "volunteer" shall mean an individual who performs hours of service without promise, expectation or receipt of compensation for services rendered. Compensation such as a nominal stipend per call to compensate for fuel, uniforms, and training shall not nullify the volunteer status.

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

(1) "**Advanced emergency medical technician**" or "**AEMT**", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

[(2)] (3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

[(3)] (4) “Ambulance service”, a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

[(4)] (5) “Ambulance service area”, a specific geographic area in which an ambulance service has been authorized to operate;

[(5)] (6) “Basic life support (BLS)”, a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

[(6)] (7) “Council”, the state advisory council on emergency medical services;

[(7)] (8) “Department”, the department of health and senior services, state of Missouri;

[(8)] (9) “Director”, the director of the department of health and senior services or the director's duly authorized representative;

[(9)] (10) “Dispatch agency”, any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

[(10)] (11) “Emergency”, the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

[(11)] (12) “Emergency medical dispatcher”, a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

[(12)] (13) “Emergency medical responder”, a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation and any modifications to such curricula specified by the department through rules adopted under sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

[(12)] (14) “Emergency medical response agency”, any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

[(13)] (15) “Emergency medical services for children (EMS-C) system”, the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

[(14)] (16) “Emergency medical services (EMS) system”, the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

[(15)] (17) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

[(16)] (18) “Emergency medical technician-basic” or “EMT-B”, a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

[(17)] (19) “Emergency medical technician-community paramedic”, “community paramedic”, or “EMT-CP”, a person who is certified as an emergency medical technician-paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

[(18)] “Emergency medical technician-intermediate” or “EMT-I”, a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is

licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;]

[(19)] (20) “Emergency medical technician-paramedic” or “EMT-P”, a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

[(20)] (21) “Emergency services”, health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

[(21)] (21) “First responder”, a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;]

(22) “Health care facility”, a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

(23) “Hospital”, an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

(24) “Medical control”, supervision provided by or under the direction of physicians [to providers by written or verbal communications], **or their designated registered nurse, including both online medical control, instructions by radio, telephone, or other means of direct communications, and offline medical control through supervision by treatment protocols, case review, training, and standing orders for treatment;**

(25) “Medical direction”, medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

(26) “Medical director”, a physician licensed pursuant to chapter 334 designated by the ambulance service or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

(27) “Memorandum of understanding”, an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

(28) “Patient”, an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

(29) “Person”, as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

(30) “Physician”, a person licensed as a physician pursuant to chapter 334;

(31) “Political subdivision”, any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

(32) “Professional organization”, any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

(33) “Proof of financial responsibility”, proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

(34) “Protocol”, a predetermined, written medical care guideline, which may include standing orders;

(35) “Regional EMS advisory committee”, a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

(36) “Specialty care transportation”, the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

(37) “Stabilize”, with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

(38) “State advisory council on emergency medical services”, a committee formed to advise the department on policy affecting emergency medical service throughout the state;

(39) “State EMS medical directors advisory committee”, a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

(40) “STEMI” or “ST-elevation myocardial infarction”, a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

(41) “STEMI care”, includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

(42) “STEMI center”, a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

(43) “Stroke”, a condition of impaired blood flow to a patient's brain as defined by the department;

(44) “Stroke care”, includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

(45) “Stroke center”, a hospital that is currently designated as such by the department;

(46) “Trauma”, an injury to human tissues and organs resulting from the transfer of energy from the environment;

(47) “Trauma care” includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

(48) “Trauma center”, a hospital that is currently designated as such by the department.

190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region's EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director's advisory committee and shall advise the department and their region's ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. The state EMS medical director shall be the chair of the state EMS medical director's advisory committee, **and shall be elected by the members of the regional EMS medical director's advisory committee, shall serve a term of four years, and shall seek to coordinate EMS services between the EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally in the role of the state EMS medical director, and seek to incorporate the EMS system into the health care system serving Missouri.**

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national

standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders. **Emergency medical technicians shall only perform those medical procedures as directed by treatment protocols approved by the local medical director or when authorized through direct communication with online medical control.**

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors **and the state EMS medical director** elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to **AEMTs**, EMT-Bs, [EMT-Is,] EMT-Ps, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including **AEMTs**, EMT-Bs, [EMT-Is,] EMT-Ps, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. Notwithstanding any other provision of law to the contrary, when regional EMS medical directors are providing either online telecommunication medical direction to **AEMTs**, EMT-Bs, [EMT-Is,] EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for an ambulance service issued pursuant to the provisions of sections 190.001 to 190.245.

2. No ground ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes in the state of Missouri unless the ground ambulance is under the immediate supervision and direction of a person who is holding a currently valid Missouri license as an emergency medical technician. Nothing in this section shall be construed to mean that a duly registered nurse or a duly licensed physician be required to hold an emergency medical technician's license. Each ambulance service is responsible for assuring that any person driving its ambulance is competent in emergency vehicle operations and has a safe driving record. Each ground ambulance shall be staffed with at least two licensed individuals when transporting a patient, except as provided in section 190.094. In emergency situations which require additional medical personnel to assist the patient during transportation, [a first] **an emergency medical** responder, firefighter, or law enforcement personnel with a valid driver's license and prior experience with driving emergency vehicles may drive the ground ambulance provided the ground ambulance service stipulates to this practice in operational policies.

3. No license shall be required for an ambulance service, or for the attendant of an ambulance, which:

(1) Is rendering assistance in the case of an emergency, major catastrophe or any other unforeseen event or series of events which jeopardizes the ability of the local ambulance service to promptly respond to emergencies; or

(2) Is operated from a location or headquarters outside of Missouri in order to transport patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri, but no such outside ambulance shall be used to pick up patients within Missouri for transportation to locations within Missouri, except as provided in subdivision (1) of this subsection.

4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245 shall not be construed so as to authorize any person to provide ambulance services or to operate any ambulances without a franchise in any city not within a county or in a political subdivision in any county with a population of over nine hundred thousand inhabitants, or a franchise, contract or mutual-aid agreement in any other political subdivision which has enacted an ordinance making it unlawful to do so.

5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or regulation not in conflict with such sections by any city not within a county, or at least as strict as such sections by any county, municipality or political subdivision except that no such regulations or ordinances shall be adopted by a political subdivision in a county with a population of over nine hundred thousand inhabitants except by the county's governing body.

6. In a county with a population of over nine hundred thousand inhabitants, the governing body of the county shall set the standards for all ambulance services which shall comply with subsection 5 of this section. All such ambulance services must be licensed by the department. The governing body of such county shall not prohibit a licensed ambulance service from operating in the county, as long as the ambulance service meets county standards.

7. An ambulance service or vehicle when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad safety.

8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of such employer's employees whose illness or injury occurs on private property, and not on a public highway or property, nor to any person operating such a motor vehicle.

9. A political subdivision that is authorized to operate a licensed ambulance service may establish, operate, maintain and manage its ambulance service, and select and contract with a licensed ambulance service. Any political subdivision may contract with a licensed ambulance service.

10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection 2 of section 190.109, shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to promulgate laws, ordinances or regulations related to the provision of ambulance services. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to operate an ambulance service without a franchise in an ambulance district or a fire protection district that is authorized to provide ambulance service which has enacted an ordinance making it unlawful to do so. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

12. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section, is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages pursuant to chapter 67.

14. Upon the sale or transfer of any ground ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245.

190.131. 1. The department shall accredit or certify training entities for [first] **emergency medical responders**, emergency medical dispatchers, **and** emergency medical [technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic] **technicians**, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245.

2. Such rules promulgated by the department shall set forth the minimum requirements for entrance criteria, training program curricula, instructors, facilities, equipment, medical oversight, record keeping, and reporting.

3. Application for training entity accreditation or certification shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems reasonably necessary to make a determination as to whether the training entity meets all requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. Upon receipt of such application for training entity accreditation or certification, the department shall determine whether the training entity, its instructors, facilities, equipment, curricula and medical oversight meet the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

5. Upon finding these requirements satisfied, the department shall issue a training entity accreditation or certification in accordance with rules promulgated by the department pursuant to sections 190.001 to 190.245.

6. Subsequent to the issuance of a training entity accreditation or certification, the department shall cause a periodic review of the training entity to assure continued compliance with the requirements of sections 190.001 to 190.245 and all rules promulgated pursuant to sections 190.001 to 190.245.

7. No person or entity shall hold itself out or provide training required by this section without accreditation or certification by the department.

190.142. 1. **(1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect**, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license.

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, of the recognition of EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

(3) The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) **Emergency medical technician and paramedic** education and training requirements based on respective [national curricula of the United States Department of Transportation] **National Emergency Medical Services Education Standards** and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) **Paramedic accreditation requirements. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Program (CAAHEP) or hold a CAAHEP letter of review;**

(4) Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs [or examinations developed and administered by the department of health and senior services];

[(4)] (5) Continuing education and relicensure requirements; and

[(5)] (6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:
 - (1) Consistent with the training, education and experience of the particular emergency medical technician;
and
 - (2) Ordered by a physician or set forth in protocols approved by the medical director.
5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.
6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

190.143. 1. Notwithstanding any other provisions of law, the department may grant a ninety-day temporary emergency medical technician license to all levels of emergency medical technicians who meet the following:

- (1) Can demonstrate that they have, or will have, employment requiring an emergency medical technician license;
- (2) Are not currently licensed as an emergency medical technician in Missouri or have been licensed as an emergency medical technician in Missouri and fingerprints need to be submitted to the Federal Bureau of Investigation to verify the existence or absence of a criminal history, or they are currently licensed and the license will expire before a verification can be completed of the existence or absence of a criminal history;
- (3) Have submitted a complete application upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245;
- (4) Have not been disciplined pursuant to sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245;
- (5) Meet all the requirements of rules promulgated pursuant to sections 190.001 to 190.245.

2. A temporary emergency medical technician license shall only authorize the license to practice while under the immediate supervision of a licensed emergency medical [technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic] **technician**, registered nurse, or physician who is currently licensed, without restrictions, to practice in Missouri.

3. A temporary emergency medical technician license shall automatically expire either ninety days from the date of issuance or upon the issuance of a five-year emergency medical technician license.

190.147. 1. Emergency medical technician paramedics (EMT-Ps):

(1) **Who have completed a standard crisis intervention training course as endorsed and developed by the state EMS medical director's advisory committee;**

(2) **Who have been authorized by their ground or air ambulance service's administration and medical director under subsection 3 of section 190.103; and**

(3) **Whose ground or air ambulance service has developed and adopted standardized triage, treatment, and transport protocols under subsection 3 of section 190.103, which address the challenge of treating and transporting behavioral health patients who present a likelihood of serious harm to themselves or others as the term "likelihood of serious harm" is defined under section 632.005 or who are significantly incapacitated by alcohol or drugs; provided, that such protocols shall be reviewed and approved by the state EMS medical director's advisory committee and that such protocols shall direct the EMT-P regarding the proper use of patient restraint and coordination with area law enforcement. Patient restraint protocols shall be based upon current applicable national guidelines; may make a good faith determination that such patients shall be placed into a temporary hold for the sole purposes of transport to the nearest appropriate facility; provided, that such determination shall be made in cooperation with at least one other EMT-P or other medical professional involved in the transport. Once in a temporary hold, the patient shall be treated with humane care in a manner that preserves human dignity, consistent with applicable federal regulations and nationally-recognized guidelines regarding the appropriate use of temporary holds and restraints in medical transport.**

2. **In any instance in which a good faith determination for a temporary hold of a patient has been made, such hold shall be made in a clinically appropriate and adequately justified manner, and shall be documented and attested to in writing. The writing shall be retained by the ambulance service and included as part of the patient's medical file.**

3. EMT-Ps who have made a good faith decision for a temporary hold of a patient as authorized by this section shall no longer have to rely on the common law doctrine of implied consent and therefore shall not be civilly liable for a good faith determination made in accordance with this section and shall not have waived any sovereign immunity defense, official immunity defense, or Missouri public duty doctrine defense if employed at the time of the good faith determination by a government employer.

4. Any ground or air ambulance service that adopts the authority and protocols provided for by this section shall have a memorandum of understanding with applicable local law enforcement agencies in order to achieve a collaborative and coordinated response to patients displaying symptoms of either a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs, which require a crisis intervention response. The memorandum of understanding shall include, but not be limited to, the following:

- (1) Administrative oversight, including coordination between ambulance services and law enforcement agencies;**
- (2) Patient restraint techniques and coordination of agency responses to situations in which patient restraint may be required;**
- (3) Field interaction between paramedics and law enforcement, including patient destination and transportation; and**
- (4) Coordination of program quality assurance.**

5. The physical restraint of a patient by an emergency medical technician under the authority of this section shall be permitted only in order to provide for the safety of bystanders, the patient, or emergency personnel due to an imminent or immediate danger, or upon approval by local medical control through direct communications. Restraint shall also be permitted through cooperation with on-scene law enforcement officers. All incidents involving patient restraint used under the authority of this section shall be reviewed by the ambulance service physician medical director.

190.165. 1. The department may refuse to issue or deny renewal of any certificate, permit or license required pursuant to sections 190.100 to 190.245 for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement its provisions as described in subsection 2 of this section. The department shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate, permit or license required by sections 190.100 to 190.245 or any person who has failed to renew or has surrendered his or her certificate, permit or license for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement such sections. Those regulations shall be limited to the following:

- (1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any activity licensed or regulated by sections 190.100 to 190.245;
- (2) Being finally adjudicated and found guilty, or having entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any activity licensed or regulated pursuant to sections 190.100 to 190.245, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3) Use of fraud, deception, misrepresentation or bribery in securing any certificate, permit or license issued pursuant to sections 190.100 to 190.245 or in obtaining permission to take any examination given or required pursuant to sections 190.100 to 190.245;
- (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;
- (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245;
- (6) Violation of, or assisting or enabling any person to violate, any provision of sections 190.100 to 190.245, or of any lawful rule or regulation adopted by the department pursuant to sections 190.100 to 190.245;
- (7) Impersonation of any person holding a certificate, permit or license or allowing any person to use his or her certificate, permit, license or diploma from any school;
- (8) Disciplinary action against the holder of a license or other right to practice any activity regulated by sections 190.100 to 190.245 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

- (9) For an individual being finally adjudged insane or incompetent by a court of competent jurisdiction;
- (10) Assisting or enabling any person to practice or offer to practice any activity licensed or regulated by sections 190.100 to 190.245 who is not licensed and currently eligible to practice pursuant to sections 190.100 to 190.245;
- (11) Issuance of a certificate, permit or license based upon a material mistake of fact;
- (12) Violation of any professional trust, confidence, or legally protected privacy rights of a patient by means of an unauthorized or unlawful disclosure;
- (13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;
- (14) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;
- (15) Refusal of any applicant or licensee to respond to reasonable department of health and senior services' requests for necessary information to process an application or to determine license status or license eligibility;
- (16) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health or safety of a patient or the public;
- (17) Repeated acts of negligence or recklessness in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245.

3. If the department conducts investigations, the department, prior to interviewing a licensee who is the subject of the investigation, shall explain to the licensee that he or she has the right to:

- (1) Consult legal counsel or have legal counsel present;
- (2) Have anyone present whom he or she deems to be necessary or desirable[, except for any holder of any certificate, permit, or license required by sections 190.100 to 190.245]; and
- (3) Refuse to answer any question or refuse to provide or sign any written statement.

The assertion of any right listed in this subsection shall not be deemed by the department to be a failure to cooperate with any department investigation.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the department may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate or permit. Notwithstanding any provision of law to the contrary, the department shall be authorized to impose a suspension or revocation as a disciplinary action only if it first files the requisite complaint with the administrative hearing commission. **The administrative hearing commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the department of health and senior services as to licensure disposition based on such evidence.**

5. An individual whose license has been revoked shall wait one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the department after compliance with all the requirements of sections 190.100 to 190.245 relative to the licensing of an applicant for the first time. Any individual whose license has been revoked twice within a ten-year period shall not be eligible for relicensure.

6. The department may notify the proper licensing authority of any other state in which the person whose license was suspended or revoked was also licensed of the suspension or revocation.

7. Any person, organization, association or corporation who reports or provides information to the department pursuant to the provisions of sections 190.100 to 190.245 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

8. The department of health and senior services may suspend any certificate, permit or license required pursuant to sections 190.100 to 190.245 simultaneously with the filing of the complaint with the administrative hearing commission as set forth in subsection 2 of this section, if the department finds that there is an imminent threat to the public health. The notice of suspension shall include the basis of the suspension and notice of the right to appeal such suspension. The licensee may appeal the decision to suspend the license, certificate or permit to the department. The appeal shall be filed within ten days from the date of the filing of the complaint. A hearing shall be conducted by the department within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission.

190.173. 1. All complaints, investigatory reports, and information pertaining to any applicant, holder of any certificate, permit, or license, or other individual are confidential and shall only be disclosed upon written consent of the person whose records are involved or to other administrative or law enforcement agencies acting within the scope of their statutory authority. However, no applicant, holder of any certificate, permit, or license, or other individual shall have access to any complaints, investigatory reports, or information concerning an investigation in progress until such time as the investigation has been completed as required by subsection 1 of section 190.248.

2. Any information regarding the identity, name, address, license, final disciplinary action taken, currency of the license, permit, or certificate of an applicant for or a person possessing a license, permit, or certificate in accordance with sections 190.100 to 190.245 shall not be confidential.

3. **Any information regarding the physical address, mailing address, phone number, fax number, or email address of a licensed ambulance service or a certified training entity, including the name of the medical director and organizational contact information, shall not be confidential.**

4. This section shall not be construed to authorize the release of records, reports, or other information which may be held in department files for any holder of or applicant for any certificate, permit, or license that is subject to other specific state or federal laws concerning their disclosure.

5. **Nothing in this section shall prohibit the department from releasing aggregate information in accordance with section 192.067.**

190.196. 1. No employer shall knowingly employ or permit any employee to perform any services for which a license, certificate or other authorization is required by sections 190.001 to 190.245, or by rules adopted pursuant to sections 190.001 to 190.245, unless and until the person so employed possesses all licenses, certificates or authorizations that are required.

2. Any person or entity that employs or supervises a person's activities as [a first] **an emergency medical responder, emergency medical dispatcher, emergency medical [technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic] technician, registered nurse, or physician** shall cooperate with the department's efforts to monitor and enforce compliance by those individuals subject to the requirements of sections 190.001 to 190.245.

3. Any person or entity who employs individuals licensed by the department pursuant to sections 190.001 to 190.245 shall report to the department within seventy-two hours of their having knowledge of any charges filed against a licensee in their employ for possible criminal action involving the following felony offenses:

- (1) Child abuse or sexual abuse of a child;
- (2) Crimes of violence; or
- (3) Rape or sexual abuse.

4. Any licensee who has charges filed against him or her for the felony offenses in subsection 3 of this section shall report such an occurrence to the department within seventy-two hours of the charges being filed.

5. The department will monitor these reports for possible licensure action authorized pursuant to section 190.165.

190.246. 1. As used in this section, the following terms shall mean:

(1) "Eligible person, firm, organization or other entity", an ambulance service or emergency medical response agency, [a certified first] **an emergency medical responder**, [emergency medical technical-basic] or **an emergency medical [technician-paramedic] technician** who is employed by, or an enrolled member, person, firm, organization or entity designated by, rule of the department of health and senior services in consultation with other appropriate agencies. All such eligible persons, firms, organizations or other entities shall be subject to the rules promulgated by the director of the department of health and senior services;

(2) "Emergency health care provider":

(a) A physician licensed pursuant to chapter 334 with knowledge and experience in the delivery of emergency care; or

(b) A hospital licensed pursuant to chapter 197 that provides emergency care.

2. Possession and use of epinephrine auto-injector devices shall be limited as follows:

(1) No person shall use an epinephrine auto-injector device unless such person has successfully completed a training course in the use of epinephrine auto-injector devices approved by the director of the department of health and senior services. Nothing in this section shall prohibit the use of an epinephrine auto-injector device:

(a) By a health care professional licensed or certified by this state who is acting within the scope of his or her practice; or

(b) By a person acting pursuant to a lawful prescription;

(2) Every person, firm, organization and entity authorized to possess and use epinephrine auto-injector devices pursuant to this section shall use, maintain and dispose of such devices in accordance with the rules of the department;

(3) Every use of an epinephrine auto-injector device pursuant to this section shall immediately be reported to the emergency health care provider.

3. (1) Use of an epinephrine auto-injector device pursuant to this section shall be considered first aid or emergency treatment for the purpose of any law relating to liability.

(2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a profession.

(3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device may sell or provide it to a person authorized to possess it pursuant to this section.

4. Any person, firm, organization or entity that violates the provisions of this section is guilty of a class B misdemeanor.”; and

Further amend said bill, Page 19, Section 190.335, Line 16 of said page, by inserting immediately after said line the following:

“190.900. 1. The “Recognition of EMS Personnel Licensure Interstate Compact” (REPLICA) is hereby enacted into law and entered into with all other jurisdictions legally joining therein, in the form substantially as follows in sections 190.900 to 190.939.

2. As used in sections 190.900 to 190.939, the following terms mean:

(1) **“Advanced emergency medical technician” or “AEMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;**

(2) **“Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state's laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual's license such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual's practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;**

(3) **“Certification”, the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;**

(4) **“Commission”, the national administrative body of which all states that have enacted the compact are members;**

(5) **“Emergency medical technician” or “EMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;**

(6) **“EMS”, emergency medical services;**

(7) **“Home state”, a member state where an individual is licensed to practice emergency medical services;**

(8) **“License”, the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;**

(9) **“Medical director”, a physician licensed in a member state who is accountable for the care delivered by EMS personnel;**

(10) **“Member state”, a state that has enacted this compact;**

(11) **“Paramedic”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;**

(12) **“Privilege to practice”, an individual's authority to deliver emergency medical services in remote states as authorized under this compact;**

(13) **“Remote state”, a member state in which an individual is not licensed;**

(14) **“Restricted”, the outcome of an adverse action that limits a license or the privilege to practice;**

(15) **“Rule”, a written statement by the interstate commission promulgated under section 190.930 of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force**

and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;

(16) "Scope of practice", defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;

(17) "Significant investigatory information":

(a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or

(b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond;

(18) "State", any state, commonwealth, district, or territory of the United States;

(19) "State EMS authority", the board, office, or other agency with the legislative mandate to license EMS personnel.

190.903. 1. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

2. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

3. A home state's license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

(1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;

(2) Has a mechanism in place for receiving and investigating complaints about individuals;

(3) Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding an individual;

(4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 5 CFR 731.202 and submit documentation of such as promulgated in the rules of the commission; and

(5) Complies with the rules of the commission.

190.906. 1. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 190.903.

2. To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

(1) Be at least eighteen years of age;

(2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and paramedic; and

(3) Practice under the supervision of a medical director.

3. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.

4. Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state's authority and laws. A remote state may, in accordance with due process and that state's laws, restrict, suspend, or revoke an individual's privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.

5. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

6. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

190.909. An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

- (1) The individual originates a patient transport in a home state and transports the patient to a remote state;
- (2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;
- (3) The individual enters a remote state to provide patient care or transport within that remote state;
- (4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or
- (5) Other conditions as determined by rules promulgated by the commission.

190.912. Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

190.915. 1. Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure.

2. Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour, or their spouses.

3. All individuals functioning with a privilege to practice under this section remain subject to the adverse action provisions of section 190.918.

190.918. 1. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

2. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall coordinate investigative activities, share information via the coordinated database, and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

190.921. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state's EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

190.924. 1. The compact states hereby create and establish a joint public agency known as the "Interstate Commission for EMS Personnel Practice".

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state shall determine which entity shall be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 190.930.

(4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

- (1) Establishing the fiscal year of the commission;
- (2) Providing reasonable standards and procedures:
 - (a) For the establishment and meetings of other committees; and
 - (b) Governing any general or specific delegation of any authority or function of the commission;
- (3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;
- (4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;
- (5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;
- (6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;
- (7) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;
- (8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;
- (9) The commission shall maintain its financial records in accordance with the bylaws; and
- (10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

- (1) To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;
- (2) To bring and prosecute legal proceedings or actions in the name of the commission; provided that, the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;
- (3) To purchase and maintain insurance and bonds;
- (4) To borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;
- (5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
- (6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that, at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;
- (7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed; provided that, at all times the commission shall strive to avoid any appearance of impropriety;
- (8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;
- (9) To establish a budget and make expenditures;
- (10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

190.927. 1. The commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

(1) Identifying information;

(2) Licensure data;

(3) Significant investigatory information;

(4) Adverse actions against an individual's license;

(5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;

(6) Nonconfidential information related to alternative program participation;
(7) Any denial of application for licensure and the reasons for such denial; and
(8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

190.930. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule or rules shall be considered and voted upon, the commission shall file a notice of proposed rulemaking:

(1) On the website of the commission; and

(2) On the website of each member state's EMS authority or the publication in which each state would otherwise publish proposed rules.

5. The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting at which the rule shall be considered and voted upon;

(2) The text of the proposed rule or amendment and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person; and

(4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments that shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) At least twenty-five persons;

(2) A governmental subdivision or agency; or

(3) An association having at least twenty-five members.

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing; provided that, the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;
- (2) Prevent a loss of commission or member state funds;
- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law

or rule; or

- (4) Protect public health and safety.

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

190.933. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

- (1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, or any other action to be taken by the commission; and
- (2) Provide remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

190.936. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

190.939. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.

191.630. As used in sections 191.630 and 191.631, the following terms mean:

(1) "Communicable disease", acquired immunodeficiency syndrome (AIDS), cutaneous anthrax, hepatitis in any form, human immunodeficiency virus (HIV), measles, meningococcal disease, mumps, pertussis, pneumonic plague, rubella, severe acute respiratory syndrome (SARS-CoV), smallpox, tuberculosis, varicella disease, vaccinia, viral hemorrhagic fevers, and other such diseases as the department may define by rule or regulation;

(2) "Communicable disease tests", tests designed for detection of communicable diseases. Rapid testing of the source patient in accordance with the Occupational Safety and Health Administration (OSHA) enforcement of the Centers for Disease Control and Prevention (CDC) guidelines shall be recommended;

(3) "Coroner or medical examiner", the same meaning as defined in chapter 58;

(4) "Department", the Missouri department of health and senior services;

(5) "Designated infection control officer", the person or persons within the entity or agency who are responsible for managing the infection control program and for coordinating efforts surrounding the investigation of an exposure such as:

(a) Collecting, upon request, facts surrounding possible exposure of an emergency care provider or Good Samaritan to a communicable disease;

(b) Contacting facilities that receive patients or clients of potentially exposed emergency care providers or Good Samaritans to ascertain if a determination has been made as to whether the patient or client has had a communicable disease and to ascertain the results of that determination; and

(c) Notifying the emergency care provider or Good Samaritan as to whether there is reason for concern regarding possible exposure;

(6) "Emergency care provider", a person who is serving as a licensed or certified person trained to provide emergency and nonemergency medical care as a first responder, emergency **medical** responder, [EMT-B, EMT-I, or EMT-P] **as defined in section 190.100, emergency medical technician**, as defined in section 190.100, firefighter, law enforcement officer, sheriff, deputy sheriff, registered nurse, physician, medical helicopter pilot, or other certification or licensure levels adopted by rule of the department;

(7) "Exposure", a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties;

(8) "Good Samaritan", any person who renders emergency medical assistance or aid within his or her level of training or skill until such time as he or she is relieved of those duties by an emergency care provider;

(9) "Hospital", the same meaning as defined in section 197.020;

(10) "Source patient", any person who is sick or injured and requiring the care or services of a Good Samaritan or emergency care provider, for whose blood or other potentially infectious materials have resulted in exposure."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Page 80, Section 455.095, Line 2 of said page, by inserting after all of said line the following:

"455.560. 1. A prosecuting attorney or circuit attorney may impanel a domestic violence fatality review panel for the county or city not within a county in which he or she serves to investigate the deaths of victims of homicides determined to be related to domestic violence, as the term is defined in section 455.010.

2. Members of the panel may include any representative of programs or organizations that provide services and responses to victims of domestic violence within the county or city not within a county. The panel shall include, but shall not be limited to, the following members:

(1) The prosecuting or circuit attorney;

(2) The coroner or medical examiner for the county or city not within a county;

(3) A representative of law enforcement personnel in the county or city not within a county;

(4) A provider of public health care services;

(5) A provider of emergency medical services or other medical or health care providers;

(6) A representative of any victim assistant unit for the prosecuting or circuit attorney, law enforcement organization, or court of the county or city not within a county;

(7) A representative of shelters for victims of domestic violence, as defined in section 455.200, or domestic violence services organizations that provide services for victims within the county or city not within a county; and

(8) A representative of rape crisis centers, as defined in section 455.003, that provide sexual assault services for victims within the county or city not within a county.

3. A prosecuting or circuit attorney shall organize the panel and shall call the first organizational meeting of the panel. The panel shall elect a chairperson who shall convene the panel to meet to review all deaths of victims of homicides determined to be related to domestic violence.

4. The executive officer of any municipality or county may request that a domestic violence fatality review panel be convened in response to any fatality which occurs within the boundaries of the municipality or county.

5. Work products of the domestic violence fatality review panel other than the final report required by subsection 6 of this section, including, but not limited to internal memoranda, summaries or minutes of panel meetings, and written, audio recorded, or electronic records and communications, are not public records as defined by subdivision (6) of section 610.010 and are not available for public examination, reproduction, or disclosure, and are not admissible as evidence in any civil, criminal, or administrative proceeding.

6. The panel shall issue a final report, which shall be a public record as defined by subdivision (6) of section 610.010, of each investigation. The final report shall include the panel's findings and recommendations for enhanced practices, protocols, and collaborations to address domestic violence and prevent homicides, and a copy shall be provided to the governor, the speaker of the house of representatives, the president pro tempore of the senate, the executive leadership of the government of the political subdivision of the state of Missouri in which the panel operates, and the statewide domestic violence coalition, as such is recognized by the United States Department of Justice and the United States Department of Health and Human Services. The final report shall also include a summary.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Page 10, Section 57.117, Line 7 of said page, by inserting after the word “state.” the following:

“The provisions of this section authorizing the appointment of a person as an under sheriff or deputy sheriff who is a bona fide resident of an adjoining state shall not apply to a sheriff of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.”; and

Further amend said bill, Page 13, Section 84.510, Line 22 of said page, by inserting after all of said line the following:

“87.135. 1. Under such rules and regulations as the board of trustees shall adopt, each member who was a firefighter on and prior to the date of the establishment of the retirement system shall file a detailed statement of all service as a firefighter rendered by him or her prior to that date for which the firefighter claims credit.

2. The board of trustees shall fix and determine by proper rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the board of trustees allow credit as service for any period of more than one month's duration during which the member was absent without pay.

3. Subject to the above restrictions and to such other rules and regulations as the board of trustees may adopt, the board of trustees shall verify the service claims as soon as practicable after the filing of the statement of service.

4. Upon verification of the statements of service the board of trustees shall issue prior service certificates, certifying to each member the length of prior service with which the member is credited on the basis of his or her statement of service. So long as the holder of the certificate continues to be a member, a prior service certificate shall be final and conclusive for retirement purposes as to such service, except that any member may, within one year from the date of issuance or modification of the certificate, request the board of trustees to modify or correct the member's prior service certificate, and upon such request or of its own motion the board may correct the certificate. When any firefighter ceases to be a member his or her prior service certificate shall become void. Should he or she again become a member, he or she shall enter the retirement system as a member not entitled to prior service credit except as provided in section 87.215.

5. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of creditable membership service rendered by him or her, and also if the member has a prior service certificate which is in full force and effect, the amount of the service certified on the member's prior service certificate. Service rendered by a firefighter after the operative date and prior to becoming a member shall be included as creditable membership service provided the service was rendered since he or she last became a firefighter.

6. The retirement system, with the approval of the board of trustees, may enter into cooperative agreements to transfer creditable service between the retirement system and any other retirement plan established by the state of Missouri or any political subdivision or instrumentality of the state when a member who has been employed in a position covered by one plan is employed in a position covered by another plan. The transfer of creditable service shall be in accordance with the provisions of section 105.691 and the policies and procedures established by the board of trustees.”; and

Further amend said bill, Page 83, Section 513.653, Line 18 of said page, by inserting immediately after said line the following:

“559.600. **1.** In cases where the board of probation and parole is not required under section 217.750 to provide probation supervision and rehabilitation services for misdemeanor offenders, the circuit and associate circuit judges in a circuit may contract with one or more private entities or other court-approved entity to provide such services. The court-approved entity, including private or other entities, shall act as a misdemeanor probation office in that circuit and shall, pursuant to the terms of the contract, supervise persons placed on probation by the judges for class A, B, C, and D misdemeanor offenses, specifically including persons placed on probation for violations of section 577.023. Nothing in sections 559.600 to 559.615 shall be construed to prohibit the board of probation and parole, or the court, from supervising misdemeanor offenders in a circuit where the judges have entered into a contract with a probation entity.

2. In all cases, the entity providing such private probation service shall utilize the cutoff concentrations utilized by the department of corrections with regard to drug and alcohol screening for clients assigned to such entity. A drug test is positive if drug presence is at or above the cutoff concentration or negative if no drug is detected or if drug presence is below the cutoff concentration.

3. In all cases, the entity providing such private probation service shall not require the clients assigned to such entity to travel in excess of fifty miles in order to attend their regular probation meetings.”; and

Further amend said bill, Page 106, Section 595.220, Lines 15-16 of said page, by striking the words “written or”; and

Further amend said bill and section, Page 108, Line 16 of said page, by inserting immediately after “victim” the following:

“, or his or her designee,”; and

Further amend said bill and section, Page 109, Line 4 of said page, by striking the words “written or”; and

Further amend Line 5 of said page, by inserting immediately after “victim” the following:

“, or his or her designee,”; and

Further amend said bill and section, Page 110, Line 3 of said page, by inserting immediately after “victim” the following:

“, or his or her designee,”; and

Further amend Line 7 of said page, by inserting immediately after “victim” the following:

“, or his or her designee,”; and

Further amend Line 10 of said page, by inserting after “9.” the following:

“The attorney general shall establish protocols and an electronic platform to implement an electronic evidence tracking system that:

(1) Identifies, documents, records, and tracks evidentiary collection kits and their components, including individual specimen containers, through their existence from forensic examination, to possession by a law enforcement agency, to testing, to use as evidence in criminal proceedings, and until disposition of such proceedings;

(2) Assigns a unique alphanumeric identifier to each respective evidentiary collection kit, and all its respective components, and to each respective person, or his or her designees, who may handle an evidentiary test kit;

(3) Links the identifiers of an evidentiary collection kit and its components, which shall be machine-readable indicia;

(4) Allows each person, or his or her designees, who is properly credentialed to handle an evidentiary test kit to check the status of an evidentiary test kit or its components and to save a portfolio of identifiers so that the person, or his or her designees may track, obtain reports, and receive updates of the status of evidentiary collection kits or their components; and

(5) Allows sexual assault victims or their designees access in order to monitor the current status of their evidentiary test kit.
10.”; and

Further amend Line 22 of said page, by inserting after all of said line the following:

“610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was charged or found guilty of any offenses, violations, or infractions for an order to expunge records of such arrest, plea, trial, or conviction. Subject to the limitations of subsection 12 of this section, a person may apply to have one or more offenses, violations, or infractions expunged if such offense, violation, or infraction occurred within the state of Missouri and was prosecuted under the jurisdiction of a Missouri municipal, associate circuit, or circuit court, so long as such person lists all the offenses, violations, and infractions he or she is seeking to have expunged in the petition and so long as all such offenses, violations, and infractions are not excluded under subsection 2 of this section. If the offenses, violations, or infractions were charged as counts in the same indictment or information or were committed as part of the same course of criminal conduct, the person may include all the related offenses, violations, and infractions in the petition, regardless of the limits of subsection 12 of this section, and the petition shall only count as a petition for expungement of the highest level violation or offense contained in the petition for the purpose of determining future eligibility for expungement.

2. The following offenses, violations, and infractions shall not be eligible for expungement under this section:

(1) Any class A felony offense;
(2) Any dangerous felony as that term is defined in section 556.061;
(3) Any offense that requires registration as a sex offender;
(4) Any felony offense where death is an element of the offense;
(5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;

(6) Any offense listed, or previously listed, in chapter 566 or section 105.454, 105.478, 115.631, 130.028, 188.030, 188.080, 191.677, 194.425, 217.360, 217.385, 334.245, 375.991, 389.653, 455.085, 455.538, 557.035, 565.084, 565.085, 565.086, 565.095, 565.120, 565.130, 565.156, 565.200, 565.214, 566.093, 566.111, 566.115, 568.020, 568.030, 568.032, 568.045, 568.060, 568.065, 568.080, 568.090, 568.175, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.072, 569.100, 569.160, 570.025, 570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310, 571.020, [571.030,] 571.060, 571.063, 571.070, 571.072, 571.150, 574.070, 574.105, 574.115, 574.120, 574.130, 575.040, 575.095, 575.153, 575.155, 575.157, 575.159, 575.195, 575.200, 575.210, 575.220, 575.230, 575.240, 575.350, 575.353, 577.078, 577.703, 577.706, 578.008, 578.305, 578.310, or 632.520;

(7) Any offense eligible for expungement under section 577.054 or 610.130;

(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;

(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section; [and]

(10) Any [violations] **violation** of any state law or county or municipal ordinance regulating the operation of motor vehicles when committed by an individual who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state; **and**

(11) Any offense of section 571.030, except any offense under subdivision (1) of subsection 1 of section 571.030 where the person was convicted or found guilty prior to January 1, 2017.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, municipal prosecuting attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses, violations, and infractions listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense, violation, or infraction for which the petitioner is requesting expungement;

(3) The approximate date the petitioner was charged for each offense, violation, or infraction; and

(4) The name of the county where the petitioner was charged for each offense, violation, or infraction and if any of the offenses, violations, or infractions occurred in a municipality, the name of the municipality for each offense, violation, or infraction; and

(5) The case number and name of the court for each offense.

5. The clerk of the court shall give notice of the filing of the petition to the office of the prosecuting attorney, circuit attorney, or municipal prosecuting attorney that prosecuted the offenses, violations, or infractions listed in the petition. If the prosecuting attorney, circuit attorney, or municipal prosecuting attorney objects to the petition for expungement, he or she shall do so in writing within thirty days after receipt of service. Unless otherwise agreed upon by the parties, the court shall hold a hearing within sixty days after any written objection is filed, giving reasonable notice of the hearing to the petitioner. If no objection has been filed within thirty days after receipt of service, the court may set a hearing on the matter and shall give reasonable notice of the hearing to each entity named in the petition. At any hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses, violations, or infractions listed in the petition for expungement:

(1) It has been at least seven years if the offense is a felony, or at least three years if the offense is a misdemeanor, municipal offense, or infraction, from the date the petitioner completed any authorized disposition imposed under section 557.011 for each offense, violation, or infraction listed in the petition;

(2) The person has not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense, violation, or infraction in subdivision (1) of this subsection;

(3) The person has satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;

(4) The person does not have charges pending;

(5) The petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and

(6) The expungement is consistent with the public welfare and the interests of justice warrant the expungement.

A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. The burden shall shift to the prosecuting attorney, circuit attorney, or municipal prosecuting attorney to rebut the presumption. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim's testimony.

6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.

7. If the court determines that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses, violations, or infractions listed in the petition for expungement, the court shall enter an order of expungement. In all cases under this section, the court shall issue an order of expungement or dismissal within six months of the filing of the petition. A copy of the order of expungement shall be provided to the petitioner and each entity possessing records subject to the order, and, upon receipt of the order, each entity shall close any record in its possession relating to any offense, violation, or infraction listed in the petition, in the manner established by section 610.120. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense, infraction, or violation ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

8. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense, violation, or infraction to any court when asked or upon being charged with any subsequent offense, violation, or infraction. The expunged offense, violation, or infraction may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

9. Notwithstanding the provisions of subsection 8 of this section to the contrary, a person granted an expungement shall disclose any expunged offense, violation, or infraction when the disclosure of such information is necessary to complete any application for:

- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
- (2) Any license issued under chapter 313 or permit issued under chapter 571;
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency;
- (4) Employment with any federally insured bank or savings institution or credit union or an affiliate of such institution or credit union for the purposes of compliance with 12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;
- (5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or
- (6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection. Notwithstanding any provision of law to the contrary, an expunged offense, violation, or infraction shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.

10. A person who has been granted an expungement of records pertaining to a misdemeanor or felony offense, an ordinance violation, or an infraction may answer "no" to an employer's inquiry into whether the person has ever been convicted of a crime if, after the granting of the expungement, the person has no public record of a misdemeanor or felony offense, an ordinance violation, or an infraction. The person, however, shall answer such an inquiry affirmatively and disclose his or her criminal convictions, including any offense or violation expunged under this section or similar law, if the employer is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

11. If the court determines that the petitioner has not met the criteria for any of the offenses, violations, or infractions listed in the petition for expungement or the petitioner has knowingly provided false information in the petition, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

12. A person may be granted more than one expungement under this section provided that during his or her lifetime, the total number of offenses, violations, or infractions for which orders of expungement are granted to the person shall not exceed the following limits:

- (1) Not more than two misdemeanor offenses or ordinance violations that have an authorized term of imprisonment; and
- (2) Not more than one felony offense.

A person may be granted expungement under this section for any number of infractions. Nothing in this section shall prevent the court from maintaining records to ensure that an individual has not exceeded the limitations of this subsection. Nothing in this section shall be construed to limit or impair in any way the subsequent use of any record expunged under this section of any arrests or findings of guilt by a law enforcement agency, criminal justice agency,

prosecuting attorney, circuit attorney, or municipal prosecuting attorney, including its use as a prior offense, violation, or infraction.

13. The court shall make available a form for pro se petitioners seeking expungement, which shall include the following statement: "I declare under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, information, and belief."

14. Nothing in this section shall be construed to limit or restrict the availability of expungement to any person under any other law."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Page 83, Section 513.653, Line 18, by inserting after all of said line the following:

"566.147. 1. Any person who, since July 1, 1979, has been or hereafter has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography, or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not reside within one thousand feet of any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, or any child care facility that is licensed under chapter 210, or any child care facility as defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, where the school or facility is in existence at the time the individual begins to reside at the location. **Such person shall also not reside within one thousand feet of the property line of the residence of a former victim of such person.**

2. If such person has already established a residence and a public school, a private school, or child care facility is subsequently built or placed within one thousand feet of such person's residence, **or a former victim subsequently resides on property with a property line within one thousand feet of such person's residence, or the former victim residing on the property**, notify the county sheriff where such public school, private school, [or] child care facility, **or residence of a former victim** is located that he or she is now residing within one thousand feet of such public school, private school, [or] child care facility, **or property line of the residence of a former victim**, and shall provide verifiable proof to the sheriff that he or she resided there prior to the opening of such public school, private school, or child care facility, **or the former victim residing on the property.**

3. For purposes of this section, "resides" means sleeps in a residence, which may include more than one location and may be mobile or transitory.

4. **For the purposes of the section, one thousand feet shall be measured from the edge of the offender's property nearest the public school, private school, child care facility, or former victim to the nearest edge of the public school, private school, child care facility, or former victim's property.**

5. Violation of the provisions of subsection 1 of this section is a class E felony except that the second or any subsequent violation is a class B felony. Violation of the provisions of subsection 2 of this section is a class A misdemeanor except that the second or subsequent violation is a class E felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1355, Page 10, Section 57.117, Line 7 of said page, by inserting after the word "state." the following:

“The provisions of this section authorizing the appointment of a person as an under sheriff or deputy sheriff who is a bona fide resident of an adjoining state shall not apply to a sheriff of any city not within a county.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1606** entitled:

An act to repeal sections 160.011, 160.041, 160.530, 161.094, 161.095, 161.106, 161.670, 162.064, 162.401, 162.720, 163.018, 163.021, 163.073, 167.121, 167.225, 171.029, 171.031, 171.033, 173.1004, and 302.272, RSMo, and to enact in lieu thereof twenty-seven new sections relating to elementary and secondary education, with an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 23, Section 161.670, Line 9, by inserting after “providers” the following:

“and learning management systems”.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 55, Section 302.272, Line 9, by inserting after all of said line the following:

“304.060. 1. The state board of education shall adopt and enforce regulations not inconsistent with law to cover the design and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and such regulations shall by reference be made a part of any such contract with a school district. The state board of education may adopt rules and regulations governing the use of other vehicles owned by a district or operated under contract with any school district in this state and used for the purpose of transporting school children. The operator of such vehicle shall be licensed in accordance with section 302.272, and such vehicle shall transport no more children than the manufacturer suggests as appropriate for such vehicle. The state board of education may also adopt rules and regulations governing the use of authorized common carriers for the transportation of students on field trips or other special trips for educational purposes. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations. The state board of education shall cooperate with the state transportation department and the state highway patrol in placing suitable warning signs at intervals on the highways of the state.

2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri in an urban district containing the greater part of the population of a city which has more than three hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be for additional transportation services, and shall not replace or fulfill any of the school district's obligations pursuant to section 167.231. The school district may notify students of the option to use district contracted transportation services.

3. Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with such regulations in any contract executed by him on behalf of a school district shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulations shall be guilty of breach of contract and such contract shall be cancelled after notice and hearing by the responsible officers of such school district.

[3.] 4. Any other provision of the law to the contrary notwithstanding, in any county of the first class with a charter form of government adjoining a city not within a county, school buses may bear the word “special.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 35, Section 167.121, Line 9 of said page, by inserting immediately after the word “his” the following:

“or her”; and

Further amend Line 10 of said page, by inserting immediately after the word “district” the following:

“, except as provided in section 167.125”; and

Further amend Line 12 of said page, by inserting at the end of said line the following:

“Any assignment granted to a pupil under this section prior to August 28, 2018, shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. Any assignment granted to a pupil under this section prior to August 28, 2018, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment.”; and

Further amend said bill and section, Page 36, Line 26 of said page, by inserting after all of said line the following:

“167.125. 1. (1) For the purposes of this section, the term “attendance center” shall mean a public school building or buildings or part of a school building that constitutes one unit for accountability purposes under the Missouri school improvement program.

(2) For any pupil residing in any unincorporated area located in any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants that also borders on any county with a charter form of government and with more than nine hundred fifty thousand inhabitants and any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, and for any pupil residing in any village with more than three hundred twenty but fewer than three hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a village with more than two hundred but fewer than two hundred fifty inhabitants as the county seat, the commissioner of education or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another school district if the pupil is eligible as described under subsection 2 of this section and the following conditions are met:

(a) The actual driving distance from the pupil's residence to the attendance center in the district of residence is fifteen miles or more by the shortest route available as determined by the commissioner or his or her designee;

(b) The attendance center to which the pupil would be assigned in the receiving district is at least five miles closer in actual driving distance by the shortest route available to the pupil's residence than the current attendance center in the district of residence as determined by the commissioner or his or her designee; and

(c) The attendance of the pupil will not cause the classroom in the receiving district to exceed the maximum number of pupils per class as determined by the receiving district.

2. (1) For pupils applying to the commissioner of education under this section, the commissioner, or his or her designee, shall assign pupils in the order in which applications are received, provided the applications are properly completed and the conditions of subsection 1 of this section are met.

(2) Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary.

(3) A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. Any pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district.

(4) A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the pupil has enrolled in and completed a full school year in a public school in his or her district of residence.

3. The board of education of the district in which the pupil resides shall pay the tuition of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction. However, if the tuition of the receiving district is greater than the tuition of the pupil's district of residence, the pupil's parent or guardian shall pay the difference in tuition.

4. A receiving district shall not be required to alter its transportation route to accommodate pupils that are assigned to the receiving district under the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 47, Section 168.024, Line 10, by inserting after all of said line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;

(4) Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan;

(5) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

(6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

(7) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline; [and]

(8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends; **and**

(9) Teach pupils about sexual harassment, sexual violence, and consent:

(a) For the purposes of this subdivision, the term "consent" shall mean a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent;

(b) For the purposes of this subdivision, the term "sexual harassment" shall mean uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a person in authority toward a subordinate;

(c) For the purposes of this subdivision, the term "sexual violence" shall mean causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent.

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; **and**

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 24, Section 162.064, Line 2, by striking “1.”; and

Further amend Lines 5-6 by striking the words “an annual” and inserting in lieu thereof the following:

“**a biennial**”; and

Further amend Lines 6-9 by striking all of the underlined words; and

Further amend Lines 17-28 by striking all of said lines; and

Further amend said bill and section, Page 25, Line 1, by striking all of said line.

Senate Amendment No. 6

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 12, Section 160.572, Line 4, by inserting immediately after said line the following:

“161.026. 1. Notwithstanding the provisions of section 161.032 or any other provision of law, the governor shall, by and with the advice and consent of the senate, appoint a teacher representative to the state board of education, who shall attend all meetings and participate in all deliberations of the board. The teacher representative shall not have the right to vote on any matter before the board or be counted in establishing a quorum under section 161.082.

2. The teacher representative shall be an active classroom teacher. For purposes of this section, “active classroom teacher” means a resident of the state of Missouri who is a full-time teacher with at least five years of teaching experience in the state of Missouri, who is certified to teach under the laws governing the certification of teachers in Missouri, and who is not on leave at the time of the appointment to the position of teacher representative. The teacher representative shall have the written support of the local school board prior to accepting the appointment.

3. The term of the teacher representative shall be four years, and appointments made under this section shall be made in rotation from each congressional district beginning with the first congressional district and continuing in numerical order.

4. If a vacancy occurs for any reason in the position of teacher representative, the governor shall appoint, by and with the advice and consent of the senate, a replacement for the unexpired term. Such replacement shall be a resident of the same congressional district as the teacher representative being replaced, shall meet the qualifications set forth under subsection 2 of this section, and shall serve until his or her successor is appointed and qualified.

5. If the teacher representative ceases to be an active classroom teacher, as defined under subsection 2 of this section, or fails to follow the board's attendance policy, the teacher representative's position shall immediately become vacant unless an absence is caused by sickness or some accident preventing the representative's arrival at the time and place appointed for the meeting.

6. The teacher representative shall receive the same reimbursement for expenses as members of the state board of education receive under section 161.022.

7. At no time shall more than one nonvoting member serve on the state board of education.

8. The provisions of this section shall expire on August 28, 2026.

161.072. **1.** The state board of education shall meet semiannually in December and in June in Jefferson City. Other meetings may be called by the president of the board on seven days' written notice to the members. In the absence of the president, the commissioner of education shall call a meeting on request of three members of the

board, and if both the president and the commissioner of education are absent or refuse to call a meeting, any three members of the board may call a meeting by similar notices in writing. The business to come before the board shall be available by free electronic record at least seven business days prior to the start of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available by free electronic media within forty-eight hours following the conclusion of every meeting. Any materials prepared for the members of the board by the staff shall be delivered to the members at least five days before the meeting, and to the extent such materials are public records as defined in section 610.010 and are not permitted to be closed under section 610.021, shall be made available by free electronic media at least five business days in advance of the meeting.

2. Upon an affirmative vote of the members of the board who are present and who are not teacher representatives, a given meeting closed under sections 610.021 and 610.022 shall be closed to the teacher representative.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 39, Section 167.266, Line 22, by inserting after all of said line the following:

“167.637. If the local board of education of a school district provides information on immunizations, infectious diseases, medications, or other school health issues to parents and guardians of students in a grade or grades not lower than kindergarten nor higher than the twelfth grade, the board shall include information that is identical or similar to that produced by the Centers for Disease Control and Prevention about influenza and influenza vaccinations.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 15, Section 161.670, Line 28 of said page, by striking all of said line; and

Further amend said bill and section, Page 16, Lines 1-4 of said page, by striking all of said lines and inserting in lieu thereof the following:

“school, including any charter school; except that, no student seeking to enroll in Missouri course access and virtual school program courses under this subdivision shall be required to have attended a public school during the previous semester if the student has a documented”; and

Further amend Lines 12-16 by striking all of said lines and inserting in lieu thereof the following:

“(2) Each”; and

Further amend Line 27 by striking the words “In case of”;

Further amend Line 28 by striking all of said line; and

Further amend said bill and section, Page 17, Lines 1-6 by striking all of said lines and inserting in lieu thereof the following:

“If the school district or charter school disapproves a student's request to enroll in a course or courses provided by the Missouri course access and virtual school program, including full-time enrollment in courses provided by the Missouri course access and virtual school program, the reason shall be provided in writing and it shall be for “good cause”. “Good cause” justification to disapprove a student's request for enrollment in a course shall be a determination that doing so is not in the best educational interest of the student. In cases of denial by the school district or charter school, local education agencies shall inform the student and the

student's family of their right to appeal any enrollment denial in the Missouri course access and virtual school program to the local school district board or charter school governing body where the family shall be given an opportunity to present their reasons for their child or children to enroll in the Missouri course access and virtual school program in an official school board meeting. In addition, the school district or charter school administration shall provide its “good cause” justification for denial at a school board meeting or governing body meeting. Both the family and school administration shall also provide their reasons in writing to the members of the school board or governing body and the documents shall be entered into the official board minutes. The members of the board or governing body shall issue their decision in writing within thirty calendar days, and then an appeal may be made to the department of elementary and secondary education, which shall provide a final enrollment decision within seven calendar days.”.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 55, Section B, Line 40, by striking “sections 161.670 and” and inserting in lieu thereof the following:

“section”.

Senate Amendment No. 10

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 20, Section 161.670, Line 8 of said page, by inserting immediately after said line the following:

“(14) Any online course or virtual program offered by a school district or charter school, including those offered prior to August 28, 2018, which meets the requirements of section 162.1250 shall be automatically approved to participate in the Missouri course access and virtual school program. Such course or program shall be subject to periodic renewal. A school district or charter school offering such a course or virtual school program shall be deemed an approved provider.”.

Senate Amendment No. 11

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1606, Page 28, Section 163.018, Line 1, by inserting an opening bracket after the “2.”; and

Further amend said bill and section, Page 29, Line 4, by inserting a closing bracket after the “3.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1769** entitled:

An act to repeal section 400.9-501, RSMo, and to enact in lieu thereof two new sections relating to the offense of filing false documents, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 660, as amended**.

Senators: Riddle, Sater, Hegeman, Schupp, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 687, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 743, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 806, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILLS IN CONFERENCE

CCR SCS HCS HB 2002, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Alferman.

Representative Rowland (155) assumed the Chair.

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Chipman	Christofanelli
Conway 104	Cookson	Corlew	Cornejo	Cross
Curtman	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gregory
Grier	Hannegan	Hansen	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Matthiesen
McGaugh	Messenger	Moon	Morris 140	Morse 151
Muntzel	Pfautsch	Phillips	Pietzman	Pike
Plocher	Redmon	Reiboldt	Reisch	Remole
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 039

Adams	Anders	Arthur	Bangert	Baringer
Beck	Burnett	Burns	Butler	Carpenter
Curtis	Ellington	Franks Jr	Gray	Green
Harris	Kendrick	Lavender	May	McCann Beatty
McCreery	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Pierson Jr	Quade
Razer	Revis	Roberts	Rowland 29	Runions
Stevens 46	Unsicker	Walker 74	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes 60	Barnes 28	Brown 27	Conway 10	Davis
Ellebracht	Engler	Haahr	Haefner	Mathews
McDaniel	McGee	Miller	Neely	Peters
Pogue	Rehder	Rhoads	Smith 85	Washington

VACANCIES: 002

On motion of Representative Alferman, **CCR SCS HCS HB 2002** was adopted by the following vote:

AYES: 131

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Carpenter	Chipman	Christofanelli	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Lant	Lauer	Lichtenegger
Love	Lynch	Matthiesen	May	McCann Beatty
McGaugh	McGee	Messenger	Miller	Morris 140
Morse 151	Mosley	Muntzel	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

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NOES: 017

Beck	Burnett	Burns	Conway 10	Curtis
Ellington	Hurst	Lavender	Marshall	McCreery
Meredith 71	Merideth 80	Mitten	Moon	Morgan
Newman	Stevens 46			

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Brown 27	Ellebracht	Haahr	Korman
Mathews	McDaniel	Neely	Peters	Pogue
Rhoads	Smith 85	Washington		

VACANCIES: 002

On motion of Representative Alferman, **CCS SCS HCS HB 2002** was read the third time and passed by the following vote:

AYES: 133

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeier	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Matthiesen	May	McCann Beatty	McGaugh	McGee
Messenger	Miller	Morris 140	Morse 151	Muntzel
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roden	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 018

Beck	Burnett	Burns	Curtis	Ellington
Hurst	Lavender	Marshall	McCreery	Meredith 71
Merideth 80	Mitten	Moon	Morgan	Mosley
Newman	Roberts	Stevens 46		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes 60	Brown 27	Haahr	Mathews	McDaniel
Neely	Peters	Pogue	Smith 85	Washington

VACANCIES: 002

Representative Rowland (155) declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1252**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1558** entitled:

An act to amend chapter 573, RSMo, by adding thereto two new sections relating to the offense of nonconsensual dissemination of private sexual images, with a penalty provision.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1558, Page 5, Section 573.112, Line 20, by inserting after all of said line the following:

“Section B. Because of the urgent need to protect the safety of the citizens of this state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1646**.

BILLS IN CONFERENCE

CCR SCS HCS HB 2003, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2003** was adopted by the following vote:

AYES: 121

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Barnes 28	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Butler	Chipman	Christofanelli	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Gray	Green	Gregory	Grier
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Hou	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lauer	Lichtenegger
Love	Lynch	Mathews	Matthiesen	May
McCann Beatty	McGaugh	McGee	Messenger	Miller
Morris 140	Morse 151	Muntzel	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 027

Adams	Arthur	Baringer	Basye	Beck
Burnett	Carpenter	Curtis	Ellington	Franks Jr
Hurst	Lavender	Marshall	McCreery	Meredith 71
Merideth 80	Mitten	Moon	Morgan	Mosley
Newman	Quade	Roberts	Stevens 46	Unsicker
Walker 74	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Brown 27	Burns	Haahr	Haefner
Houghton	McDaniel	Neely	Peters	Pogue
Rhoads	Smith 85	Washington		

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2003** was read the third time and passed by the following vote:

AYES: 119

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Barnes 28	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57

Butler	Chipman	Christofanelli	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houx	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeier	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McGaugh
McGee	Messenger	Miller	Morris 140	Morse 151
Muntzel	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 028

Adams	Arthur	Baringer	Basye	Beck
Burnett	Carpenter	Curtis	Ellington	Franks Jr
Gray	Hurst	Lavender	Marshall	McCreery
Meredith 71	Merideth 80	Mitten	Moon	Morgan
Mosley	Newman	Quade	Roberts	Stevens 46
Unsicker	Walker 74	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes 60	Brown 27	Burns	Conway 10	Haahr
Haefner	Houghton	McDaniel	Neely	Peters
Pogue	Rhoads	Smith 85	Washington	

VACANCIES: 002

Representative Rowland (155) declared the bill passed.

Representative Conway (104) assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS#2 HB 1503** entitled:

An act to repeal sections 30.750, 30.756, 41.050, 41.070, 41.080, 41.110, 41.260, 41.450, 41.460, 41.490, 41.500, 115.013, 301.074, 301.075, and 301.145, RSMo, and to enact in lieu thereof seventeen new sections relating to military affairs, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2171** entitled:

An act to repeal sections 209.030 and 209.040, RSMo, and to enact in lieu thereof two new sections relating to the blind pension fund.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2171, Page 2, Section 209.030, Line 19, by inserting immediately after “services” the following:

“ The department of social services shall notify eligible blind persons with valid driver's licenses that they shall surrender such licenses within sixty days of approval for a blind pension. Upon receipt of a relinquished license under this subdivision, the department of revenue shall, if requested by the person, issue a nondriver's license card compliant with the provisions of chapter 302 at no charge to the person. The department of social services and the department of revenue shall jointly establish procedures and shall share any information necessary to implement this subdivision”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2183**.

BILLS IN CONFERENCE

CCR SCS HCS HB 2004, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2004** was adopted by the following vote:

AYES: 109

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtman
Davis	Dinkins	Dogan	Dohrman	Eggleston
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Frederick	Gannon	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McGaugh	Messenger	Miller	Morris 140
Morse 151	Muntzel	Nichols	Pfautsch	Phillips

Pietzman	Pike	Plocher	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 033

Adams	Arthur	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	DeGroot
Ellebracht	Ellington	Franks Jr	Gray	Hurst
Lavender	Marshall	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Mitten	Moon	Morgan
Mosley	Newman	Pierson Jr	Quade	Roberts
Unsicker	Walker 74	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes 60	Brown 27	Burns	Conway 10	Cookson
Cross	Curtis	Engler	Haahr	Haefner
Houghton	McDaniel	Neely	Peters	Pogue
Rhoads	Smith 85	Stevens 46	Washington	

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2004** was read the third time and passed by the following vote:

AYES: 109

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtman
Davis	Dinkins	Dogan	Dohrman	Eggleston
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Frederick	Gannon	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McGaugh	Messenger	Miller	Morris 140
Morse 151	Muntzel	Nichols	Pfautsch	Phillips
Pietzman	Pike	Plocher	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roden	Roeber	Rone	Ross	Rowland 155
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walsh	Wessels	White
Wiemann	Wilson	Wood	Mr. Speaker	

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NOES: 033

Adams	Arthur	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	DeGroot
Ellebracht	Ellington	Franks Jr	Gray	Hurst
Lavender	Marshall	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Mitten	Moon	Morgan
Mosley	Newman	Pierson Jr	Quade	Roberts
Rowland 29	Stevens 46	Unsicker		

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes 60	Brown 27	Burns	Conway 10	Cookson
Cross	Curtis	Engler	Haahr	Haefner
Houghton	McDaniel	Neely	Peters	Pogue
Rhoads	Smith 85	Walker 74	Washington	

VACANCIES: 002

Representative Conway (104) declared the bill passed.

Representative Bahr assumed the Chair.

CCR SCS HCS HB 2005, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2005** was adopted by the following vote:

AYES: 117

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Barnes 60	Basye	Beard
Bernskoetter	Berry	Bondon	Brattin	Brown 57
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lichtenegger
Love	Lynch	Mathews	May	McDaniel
McGaugh	McGee	Meredith 71	Messenger	Miller
Morris 140	Morse 151	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Razer	Redmon	Rehder	Reiboldt

Reisch	Remole	Revis	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Walker 3	Walsh	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 029

Adams	Arthur	Baringer	Barnes 28	Beck
Burnett	Butler	Carpenter	Curtis	Ellington
Franks Jr	Gray	Green	Lavender	Marshall
McCann Beatty	McCreery	Merideth 80	Mitten	Moon
Morgan	Mosley	Newman	Quade	Roberts
Smith 85	Stevens 46	Unsicker	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 015

Black	Brown 27	Burns	Cookson	Haahr
Haefner	Higdon	Houghton	Lauer	Matthiesen
Peters	Pogue	Vescovo	Walker 74	Washington

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2005** was read the third time and passed by the following vote:

AYES: 118

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Barnes 60	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gregory	Grier	Hannegan	Hansen	Harris
Helms	Henderson	Hill	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McDaniel	McGaugh	Meredith 71
Messenger	Miller	Morris 140	Morse 151	Muntzel
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Walker 3	Walsh	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 029

Adams	Arthur	Baringer	Barnes 28	Beck
Burnett	Butler	Carpenter	Curtis	Ellington
Franks Jr	Green	Lavender	Marshall	McCann Beatty
McCreery	McGee	Merideth 80	Mitten	Moon
Morgan	Mosley	Newman	Quade	Roberts
Smith 85	Stevens 46	Unsicker	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 27	Burns	Cookson	Gray	Haahr
Haefner	Higdon	Houghton	Neely	Peters
Pogue	Vescovo	Walker 74	Washington	

VACANCIES: 002

Representative Bahr declared the bill passed.

Representative Redmon assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1991** entitled:

An act to repeal sections 67.1830 and 67.1846, RSMo, and to enact in lieu thereof sixteen new sections relating to the deployment of wireless facilities infrastructure, with a delayed effective date for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1991, Page 32, Section 67.5116, Line 5 of said page, by inserting immediately after "hundred" the word "**fifty**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1991, Page 27, Section 67.5113, Line 14 of said page, by striking the following:

“, permit, or charge a fee”.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR SCS HCS HB 2006, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair,

replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2006, as amended**, was adopted by the following vote:

AYES: 126

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtis	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McDaniel	McGaugh	Merideth 80
Messenger	Miller	Mitten	Morris 140	Muntzel
Neely	Nichols	Pfausch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 020

Arthur	Beck	Burnett	Carpenter	Ellington
Hurst	Lavender	Marshall	McCann Beatty	McCreery
McGee	Meredith 71	Moon	Morgan	Mosley
Newman	Roberts	Rowland 29	Stevens 46	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 27	Burns	Cookson	Curtman	Gray
Haahr	Haefner	Higdon	Houghton	Morse 151
Peters	Pogue	Smith 85	Walker 74	Washington

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2006** was read the third time and passed by the following vote:

AYES: 124

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 60
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Butler	Chipman
Christofanelli	Conway 10	Conway 104	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Lynch	Mathews	Matthiesen
May	McDaniel	McGaugh	Merideth 80	Messenger
Miller	Mitten	Morris 140	Morse 151	Muntzel
Neely	Nichols	Pfausch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Runions	Ruth	Shaul 113
Shull 16	Shumake	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 022

Arthur	Barnes 28	Beck	Burnett	Carpenter
Ellington	Gray	Hurst	Lavender	Marshall
McCann Beatty	McCreery	McGee	Meredith 71	Moon
Morgan	Mosley	Newman	Roberts	Rowland 29
Stevens 46	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 27	Burns	Cookson	Haahr	Haefner
Higdon	Houghton	Love	Peters	Pogue
Schroer	Smith 85	Smith 163	Walker 74	Washington

VACANCIES: 002

Representative Redmon declared the bill passed.

CCR SCS HCS HB 2007, as amended, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as

provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2007, as amended**, was adopted by the following vote:

AYES: 130

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Butler	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellington	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Green	Gregory	Grier
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houx	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCann Beatty
McDaniel	McGaugh	McGee	Messenger	Miller
Morris 140	Morse 151	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Runions	Ruth	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walsh	Washington	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 016

Burnett	Gray	Hurst	Lavender	Marshall
McCreery	Meredith 71	Merideth 80	Mitten	Moon
Morgan	Mosley	Newman	Rowland 29	Stevens 46
Unsicker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Beck	Brown 27	Burns	Carpenter	Cookson
Ellebracht	Haahr	Haefner	Higdon	Houghton
Peters	Pogue	Rhoads	Schroer	Walker 74

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2007** was read the third time and passed by the following vote:

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AYES: 128

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Butler
Chipman	Christofanelli	Conway 104	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McCann Beatty	McDaniel	McGaugh
McGee	Messenger	Miller	Morris 140	Morse 151
Muntzel	Neely	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	Washington	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 017

Beck	Burnett	Hurst	Lavender	Marshall
McCreery	Meredith 71	Merideth 80	Mitten	Moon
Morgan	Mosley	Newman	Rowland 29	Stevens 46
Unsicker	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 016

Black	Brown 27	Burns	Carpenter	Conway 10
Cookson	Ellington	Green	Haahr	Haefner
Higdon	Houghton	Peters	Pogue	Rhoads
Walker 74				

VACANCIES: 002

Representative Redmon declared the bill passed.

Speaker Richardson resumed the Chair.

CCR SCS HCS HB 2008, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2008** was adopted by the following vote:

AYES: 127

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Chipman	Christofanelli	Conway 104	Corlew	Cornejo
Curtis	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	May	McCann Beatty	McDaniel	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Moon	Morris 140	Morse 151	Muntzel
Neely	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Roberts	Roden	Roeber	Rone
Rowland 155	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 011

Beck	Burnett	Ellington	Lavender	Marshall
McCreery	Morgan	Mosley	Newman	Rowland 29
Stevens 46				

PRESENT: 000

ABSENT WITH LEAVE: 023

Barnes 60	Brown 27	Burns	Carpenter	Conway 10
Cookson	Cross	DeGroot	Franks Jr	Gray
Green	Haahr	Haefner	Higdon	Houghton
Kolkmeier	Matthiesen	Peters	Pogue	Rhoads
Ross	Washington	Wessels		

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2008** was read the third time and passed by the following vote:

AYES: 131

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Chipman	Christofanelli	Conway 104	Corlew	Cornejo
Curtis	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	May	McCann Beatty	McDaniel	McGaugh
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Moon	Morris 140	Morse 151	Muntzel	Neely
Nichols	Pfausch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Roberts	Roden	Roeber	Rone	Rowland 155
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 011

Beck	Burnett	Ellington	Lavender	Marshall
McCreery	Morgan	Mosley	Newman	Rowland 29
Stevens 46				

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes 60	Brown 27	Burns	Carpenter	Conway 10
Cookson	Cross	Haahr	Haefner	Higdon
Houghton	Matthiesen	McGee	Peters	Pogue
Rhoads	Ross	Walker 74	Wessels	

VACANCIES: 002

Speaker Richardson declared the bill passed.

Representative Alferman assumed the Chair.

CCR SCS HCS HB 2009, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2009** was adopted by the following vote:

AYES: 130

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Burnett	Butler
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	May	McCann Beatty	McDaniel	McGaugh
McGee	Messenger	Miller	Morgan	Morris 140
Morse 151	Muntzel	Neely	Newman	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roberts	Roden	Roeber	Rone	Rowland 155
Runions	Ruth	Schroer	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 011

Curtis	Hurst	Marshall	McCreery	Meredith 71
Merideth 80	Moon	Mosley	Rowland 29	Stevens 46
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Barnes 60	Beck	Brown 27	Burns
Carpenter	Cookson	Ellington	Grier	Haahr
Haefner	Higdon	Houghton	Matthiesen	Mitten
Peters	Pogue	Ross	Shaul 113	Washington

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2009** was read the third time and passed by the following vote:

AYES: 130

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beard	Bernskoetter	Berry	Black

Bondon	Brattin	Brown 57	Burnett	Butler
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Gray	Green
Gregory	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McDaniel	McGaugh	McGee
Messenger	Miller	Morgan	Morris 140	Morse 151
Muntzel	Neely	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Rone	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 013

Beck	Curtis	Ellington	Hurst	Marshall
McCreery	Meredith 71	Merideth 80	Moon	Mosley
Rowland 29	Stevens 46	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 018

Bahr	Barnes 60	Brown 27	Burns	Carpenter
Cookson	Frederick	Gannon	Grier	Haahr
Haefner	Higdon	Houghton	Mitten	Peters
Pogue	Ross	Washington		

VACANCIES: 002

Representative Alferman declared the bill passed.

CCR SS SCS HCS HB 2010, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

Representative Taylor assumed the Chair.

Speaker Richardson resumed the Chair.

On motion of Representative Fitzpatrick, **CCR SS SCS HCS HB 2010** was adopted by the following vote:

AYES: 106

Alferman	Anderson	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Eggleston
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Gannon	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kidd	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McDaniel
McGaugh	McGee	Messenger	Miller	Moon
Morris 140	Morse 151	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Reisch	Remole
Roden	Roeber	Rone	Rowland 155	Runions
Ruth	Schroer	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 035

Anders	Arthur	Bangert	Baringer	Barnes 60
Barnes 28	Beck	Burnett	Butler	Carpenter
Ellebracht	Ellington	Franks Jr	Frederick	Gray
Kendrick	Lavender	Marshall	McCann Beatty	McCreery
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Quade	Razer	Revis	Roberts
Rowland 29	Stevens 46	Unsicker	Walker 74	Washington

PRESENT: 000

ABSENT WITH LEAVE: 020

Adams	Andrews	Brown 27	Burns	Cookson
Curtis	Dohrman	Haahr	Haefner	Higdon
Houghton	Knight	Peters	Pierson Jr	Pogue
Rhoads	Ross	Shaul 113	Smith 85	Wessels

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SS SCS HCS HB 2010** was read the third time and passed by the following vote:

AYES: 110

Adams	Alferman	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler

Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Gannon	Green	Gregory	Grier
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Kolkmeyer	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McDaniel	McGaugh
McGee	Messenger	Miller	Moon	Morris 140
Morse 151	Muntzel	Neely	Nichols	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder
Reiboldt	Reisch	Remole	Roden	Roeber
Rone	Rowland 155	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 034

Anders	Arthur	Bangert	Baringer	Barnes 28
Beck	Burnett	Carpenter	Ellebracht	Ellington
Franks Jr	Frederick	Gray	Kendrick	Lavender
Marshall	McCann Beatty	McCreery	Meredith 71	Merideth 80
Mitten	Morgan	Mosley	Newman	Pierson Jr
Quade	Razer	Revis	Roberts	Rowland 29
Stevens 46	Unsicker	Walker 74	Washington	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes 60	Brown 27	Burns	Cookson	Curtis
Haahr	Haefner	Higdon	Houghton	Knight
Peters	Plocher	Pogue	Rhoads	Ross
Smith 85	Wessels			

VACANCIES: 002

Speaker Richardson declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 70**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 35**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 52**.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR SCS HCS HB 2011, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

Representative Wood assumed the Chair.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2011** was adopted by the following vote:

AYES: 111

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kidd	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McDaniel	McGaugh	Messenger	Miller
Moon	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Phillips	Pietzman	Pike	Plocher
Quade	Redmon	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 038

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burnett	Butler	Carpenter
Curtis	Ellebracht	Ellington	Franks Jr	Gray
Kendrick	Lavender	Marshall	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Pierson Jr	Razer
Revis	Roberts	Smith 85	Stevens 46	Unsicker
Walker 74	Washington	Wessels		

PRESENT: 000

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ABSENT WITH LEAVE: 012

Barnes 60	Brown 27	Brown 57	Burns	Cookson
Haahr	Haefner	Higdon	Houghton	Knight
Peters	Pogue			

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2011** was read the third time and passed by the following vote:

AYES: 111

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Chipman	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Green	Gregory	Grier	Hannegan
Hansen	Harris	Henderson	Hill	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McDaniel	McGaugh	Messenger
Miller	Moon	Morris 140	Morse 151	Neely
Pfautsch	Phillips	Pietzman	Pike	Plocher
Quade	Redmon	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood

Mr. Speaker

NOES: 037

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burnett	Butler	Carpenter
Curtis	Ellebracht	Ellington	Gray	Kendrick
Lavender	Marshall	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Pierson Jr	Razer	Revis
Roberts	Smith 85	Stevens 46	Unsicker	Walker 74
Washington	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 27	Brown 57	Burns	Cookson	Franks Jr
Haahr	Haefner	Helms	Higdon	Houghton
Muntzel	Peters	Pogue		

VACANCIES: 002

Representative Wood declared the bill passed.

Speaker Richardson resumed the Chair.

CCR SCS HCS HB 2012, to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **CCR SCS HCS HB 2012** was adopted by the following vote:

AYES: 132

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Burnett	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeier	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCann Beatty
McCreery	McDaniel	McGaugh	Meredith 71	Messenger
Miller	Mitten	Moon	Morgan	Morris 140
Morse 151	Muntzel	Neely	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roden	Roerber
Rone	Ross	Rowland 155	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walker 74	Walsh	White	Wiemann	Wilson
Wood	Mr. Speaker			

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NOES: 016

Beck	Curtis	Ellington	Gray	Marshall
Merideth 80	Mosley	Newman	Quade	Roberts
Rowland 29	Smith 85	Stevens 46	Unsicker	Washington
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Brown 27	Brown 57	Burns	Cookson
Franks Jr	Haahr	Haefner	Higdon	Houghton
McGee	Peters	Pogue		

VACANCIES: 002

On motion of Representative Fitzpatrick, **CCS SCS HCS HB 2012** was read the third time and passed by the following vote:

AYES: 134

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Burnett	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCann Beatty
McCreery	McDaniel	McGaugh	McGee	Meredith 71
Messenger	Miller	Mitten	Moon	Morgan
Morris 140	Morse 151	Muntzel	Neely	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walker 74	Walsh	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 015

Beck	Curtis	Ellington	Gray	Marshall
Merideth 80	Mosley	Newman	Quade	Roberts
Rowland 29	Stevens 46	Unsicker	Washington	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes 60	Brown 27	Brown 57	Burns	Cookson
Franks Jr	Haahr	Haefner	Higdon	Houghton
Peters	Pogue			

VACANCIES: 002

Speaker Richardson declared the bill passed.

SCS HCS HB 2013, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

Representative Fitzpatrick moved that the Conference Committee on **SCS HCS HB 2013** be dissolved.

Which motion was adopted.

On motion of Representative Fitzpatrick, **SCS HCS HB 2013** was adopted by the following vote:

AYES: 144

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Burnett
Butler	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtis
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gray	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McDaniel	McGaugh	McGee
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Newman	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16

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Shumake	Smith 85	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	Washington	Wessels	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 004

Ellington	Hurst	Marshall	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Brown 27	Brown 57	Burns	Cookson
Franks Jr	Haahr	Haefner	Higdon	Houghton
Love	Peters	Pogue		

VACANCIES: 002

On motion of Representative Fitzpatrick, **SCS HCS HB 2013** was truly agreed to and finally passed by the following vote:

AYES: 141

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Burnett	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gray	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Miller	Mitten	Morgan
Morris 140	Morse 151	Muntzel	Neely	Newman
Nichols	Pfausch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 006

Ellington	Hurst	Marshall	Moon	Mosley
Washington				

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 27	Brown 57	Burns	Cookson	Curtis
Franks Jr	Haahr	Haefner	Higdon	Houghton
Love	McDaniel	Peters	Pogue	

VACANCIES: 002

Speaker Richardson declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2002** and has taken up and passed **CCS SCS HCS HB 2002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2003** and has taken up and passed **CCS SCS HCS HB 2003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2004** and has taken up and passed **CCS SCS HCS HB 2004**.

On motion of Representative Austin, the House recessed until 7:30 p.m.

EVENING SESSION

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 028

Alferman	Beard	Bernskoetter	Black	Bondon
Butler	DeGroot	Engler	Fraker	Francis
Hannegan	Hansen	Henderson	Hurst	Justus
Kelly 141	Korman	Morris 140	Morse 151	Phillips
Pietzman	Redmon	Reiboldt	Remole	Roeber
Taylor	Walsh	White		

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NOES: 000

PRESENT: 060

Anderson	Andrews	Austin	Barnes 28	Burnett
Chipman	Christofanelli	Corlew	Cross	Dinkins
Dohrman	Eggleston	Fitzpatrick	Franks Jr	Helms
Higdon	Hill	Houx	Johnson	Kendrick
Knight	Kolkmeyer	Lant	Love	Lynch
Mathews	Matthiesen	McCann Beatty	McGee	Messenger
Miller	Moon	Morgan	Neely	Newman
Pfautsch	Pike	Plocher	Quade	Razer
Reisch	Roberts	Rone	Rowland 155	Runions
Ruth	Shaul 113	Shull 16	Shumake	Smith 163
Stacy	Stephens 128	Stevens 46	Tate	Vescovo
Walker 3	Wiemann	Wilson	Wood	Mr. Speaker

ABSENT WITH LEAVE: 073

Adams	Anders	Arthur	Bahr	Bangert
Baringer	Barnes 60	Basye	Beck	Berry
Brattin	Brown 27	Brown 57	Burns	Carpenter
Conway 10	Conway 104	Cookson	Cornejo	Curtis
Curtman	Davis	Dogan	Ellebracht	Ellington
Evans	Fitzwater	Franklin	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Harris	Houghton	Kelley 127	Kidd
Lauer	Lavender	Lichtenegger	Marshall	May
McCreery	McDaniel	McGaugh	Meredith 71	Merideth 80
Mitten	Mosley	Muntzel	Nichols	Peters
Pierson Jr	Pogue	Rehder	Revis	Rhoads
Roden	Ross	Rowland 29	Schroer	Smith 85
Sommer	Spencer	Swan	Trent	Unsicker
Walker 74	Washington	Wessels		

VACANCIES: 002

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

SS SCS HB 1350, as amended - Fiscal Review
SS SCS HB 1355, as amended - Fiscal Review
SCS HCS#2 HB 1503 - Fiscal Review
SS SCS HB 1558, as amended - Fiscal Review
SS HCS HB 1606, as amended - Fiscal Review
SS SCS HB 1769 - Fiscal Review
SS SCS HCS HB 1991, as amended - Fiscal Review
HCS HB 2171, as amended - Fiscal Review

COMMITTEE REPORTS

Committee on Fiscal Review, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1350, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morgan, Rowland (29), Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Haefner, Morris (140) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1355, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morgan, Rowland (29), Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Haefner, Morris (140) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS#2 HB 1503**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morgan, Rowland (29), Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Haefner, Morris (140) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1558, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morgan, Rowland (29), Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Haefner, Morris (140) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 1635**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Anderson, Conway (104), Fraker, Morgan, Smith (163), Swan, Wiemann and Wood

Noes (1): Unsicker

Absent (5): Alferman, Haefner, Morris (140), Rowland (29) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1769**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Conway (104), Fraker, Morgan, Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Haefner, Morris (140), Rowland (29) and Wessels

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR SS SCS HCS HB 1879**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Anderson, Conway (104), Fraker, Morgan, Smith (163), Swan, Unsicker, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Haefner, Morris (140), Rowland (29) and Wessels

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2005** and has taken up and passed **CCS SCS HCS HB 2005**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2006**, **as amended**, and has taken up and passed **CCS SCS HCS HB 2006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2007**, **as amended**, and has taken up and passed **CCS SCS HCS HB 2007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2008** and has taken up and passed **CCS SCS HCS HB 2008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2009** and has taken up and passed **CCS SCS HCS HB 2009**.

BILLS CARRYING REQUEST MESSAGES

HCS SB 806, as amended, relating to guardianship proceedings, was taken up by Representative Neely.

Representative Neely moved that the House refuse to recede from its position on **HCS SB 806, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 743, as amended, relating to elementary and secondary education, was taken up by Representative Redmon.

Representative Redmon moved that the House refuse to recede from its position on **HCS SB 743, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 687, as amended, relating to student transportation, was taken up by Representative Rowland (155).

Representative Rowland (155) moved that the House refuse to recede from its position on **HCS SB 687, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 806: Representatives Neely, Beard, Corlew, Mitten and Ellebracht

HCS SB 743: Representatives Redmon, Fraker, Roeber, Burnett and Morgan

HCS SB 687: Representatives Rowland (155), Wood, Swan, Kendrick and Morgan

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 55, HCR 87, HCS HCR 105 and **HCR 60** were placed on the Informal Calendar.

HCS HCR 86, relating to the Dred Scott decision of 1850, was taken up by Representative Moon.

Representative Chipman assumed the Chair.

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

House Amendment No. 1

AMEND House Committee Substitute for House Concurrent Resolution No. 86, Page 1, Line 21, by deleting the number "6" and inserting in lieu thereof the number "22"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for House Concurrent Resolution No. 86, Page 2, Line 26, by inserting immediately after said line the following:

"WHEREAS, the Dred Scott decision's assertion that people of African ancestry "had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery" was an expression of white supremacy which was influential in the founding of many hate groups; and"; and

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

Representative Curtis offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Concurrent Resolution No. 86, Page 1, Lines 8-9, by deleting said lines and inserting in lieu thereof the following:

"reduced to slavery for his benefit" was an expression of racism and a precursor to Jim Crow laws, which perpetrated over a century of injustice; and"; and"; and

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

On motion of Representative Curtis, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Dogan, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Moon, **HCS HCR 86, as amended**, was adopted.

On motion of Representative Moon, **HCS HCR 86, as amended**, was read the third time and passed by the following vote:

AYES: 134

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Baringer	Barnes 60	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Burnett	Butler
Carpenter	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Ellington	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Green	Gregory	Grier
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	May	McCann Beatty	McCreery	McGaugh
Meredith 71	Merideth 80	Messenger	Miller	Moon
Morgan	Morris 140	Morse 151	Neely	Newman
Nichols	Pfautsch	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder

Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roeber	Rone	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shumake
Smith 163	Sommer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walsh	Washington	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 002

McDaniel Walker 74

PRESENT: 000

ABSENT WITH LEAVE: 025

Bahr	Bangert	Brown 27	Brown 57	Burns
Conway 10	Cookson	Cross	Haahr	Haefner
Higdon	Houghton	McGee	Mitten	Mosley
Muntzel	Peters	Phillips	Pogue	Rhoads
Ross	Shull 16	Smith 85	Spencer	Wessels

VACANCIES: 002

Representative Chipman declared the bill passed.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SB 597, as amended, relating to insurance services, was taken up by Representative Wiemann.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

- "191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:
- (1) "Asynchronous store-and-forward transfer", the collection of a patient's relevant health information and the subsequent transmission of that information from an originating site to a health care provider at a distant site without the patient being present;
 - (2) "Clinical staff", any health care provider licensed in this state;
 - (3) "Distant site", a site at which a health care provider is located while providing health care services by means of telemedicine;
 - (4) "Health care provider", as that term is defined in section 376.1350;
 - (5) "Originating site", a site at which a patient is located at the time health care services are provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-forward transfer, originating site shall also mean the location at which the health care provider transfers information to the distant site;
 - (6) "Telehealth" or "telemedicine", the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient's health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology.

2. Any licensed health care provider shall be authorized to provide telehealth services if such services are within the scope of practice for which the health care provider is licensed and are provided with the same standard of care as services provided in person. **This section shall not be construed to prohibit a health carrier, as defined in section 376.1350, from reimbursing non-clinical staff for services otherwise allowed by law.**

3. In order to treat patients in this state through the use of telemedicine or telehealth, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards.

4. Nothing in subsection 3 of this section shall apply to:

(1) Informal consultation performed by a health care provider licensed in another state, outside of the context of a contractual relationship, and on an irregular or infrequent basis without the expectation or exchange of direct or indirect compensation;

(2) Furnishing of health care services by a health care provider licensed and located in another state in case of an emergency or disaster; provided that, no charge is made for the medical assistance; or

(3) Episodic consultation by a health care provider licensed and located in another state who provides such consultation services on request to a physician in this state.

5. Nothing in this section shall be construed to alter the scope of practice of any health care provider or to authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this state.

6. No originating site for services or activities provided under this section shall be required to maintain immediate availability of on-site clinical staff during the telehealth services, except as necessary to meet the standard of care for the treatment of the patient's medical condition if such condition is being treated by an eligible health care provider who is not at the originating site, has not previously seen the patient in person in a clinical setting, and is not providing coverage for a health care provider who has an established relationship with the patient.

7. Nothing in this section shall be construed to alter any collaborative practice requirement as provided in chapters 334 and 335."; and

Further amend said bill, Page 10, Section 208.152, Line 329, by inserting after all of said section and line the following:

"208.670. 1. As used in this section, these terms shall have the following meaning:

(1) **"Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;**

(2) **"Distant site", the same meaning as such term is defined in section 191.1145;**

(3) **"Originating site", the same meaning as such term is defined in section 191.1145;**

(4) **"Provider", ~~[any provider of medical services and mental health services, including all other medical disciplines]~~ the same meaning as the term "health care provider" is defined in section 191.1145, and such provider meets all other MO HealthNet eligibility requirements;**

~~[(2)]~~ (5) **"Telehealth", the same meaning as such term is defined in section 191.1145.**

~~2. [Reimbursement for the use of asynchronous store and forward technology in the practice of telehealth in the MO HealthNet program shall be allowed for orthopedies, dermatology, ophthalmology and optometry, in cases of diabetic retinopathy, burn and wound care, dental services which require a diagnosis, and maternal-fetal medicine ultrasounds.~~

~~3. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain participant consent before telehealth services are initiated and to ensure confidentiality of medical information.~~

~~4. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.~~

~~5. The provisions of section 208.671 shall apply to the use of asynchronous store and forward technology in the practice of telehealth in the MO HealthNet program]~~ **The department of social services shall reimburse providers for services provided through telehealth if such providers can ensure services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. The department shall not restrict the originating site through rule or payment so long as the provider can ensure services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. Payment for services rendered via telehealth shall not depend on any minimum distance**

requirement between the originating and distant site. Reimbursement for telehealth services shall be made in the same way as reimbursement for in-person contact; however, consideration shall also be made for reimbursement to the originating site. Reimbursement for asynchronous store-and-forward may be capped at the reimbursement rate had the service been provided in person.

~~208.677. [1. For purposes of the provision of telehealth services in the MO HealthNet program, the term “originating site” shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter. The standard of care in the practice of telehealth shall be the same as the standard of care for services provided in person. An originating site shall be one of the following locations:~~

- ~~———— (1) An office of a physician or health care provider;~~
- ~~———— (2) A hospital;~~
- ~~———— (3) A critical access hospital;~~
- ~~———— (4) A rural health clinic;~~
- ~~———— (5) A federally qualified health center;~~
- ~~———— (6) A long term care facility licensed under chapter 198;~~
- ~~———— (7) A dialysis center;~~
- ~~———— (8) A Missouri state habilitation center or regional office;~~
- ~~———— (9) A community mental health center;~~
- ~~———— (10) A Missouri state mental health facility;~~
- ~~———— (11) A Missouri state facility;~~
- ~~———— (12) A Missouri residential treatment facility licensed by and under contract with the children's division. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed psychologists, and advanced practice registered nurses who are MO HealthNet providers shall be consulting providers at these locations;~~
- ~~———— (13) A comprehensive substance treatment and rehabilitation (CSTAR) program;~~
- ~~———— (14) A school;~~
- ~~———— (15) The MO HealthNet recipient's home;~~
- ~~———— (16) A clinical designated area in a pharmacy; or~~
- ~~———— (17) A child assessment center as described in section 210.001.~~

~~2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.]~~ **Prior to the provision of telehealth services in a school, the parent or guardian of the child shall provide authorization for the provision of such service. Such authorization shall include the ability for the parent or guardian to authorize services via telehealth in the school for the remainder of the school year.”; and**

Further amend said bill, Page 11, Section 354.495, Line 15, by inserting after all of said section and line the following:

"354.603. 1. A health carrier shall maintain a network that is sufficient in number and types of providers to assure that all services to enrollees shall be accessible without unreasonable delay. In the case of emergency services, enrollees shall have access twenty-four hours per day, seven days per week. The health carrier's medical director shall be responsible for the sufficiency and supervision of the health carrier's network. Sufficiency shall be determined by the director in accordance with the requirements of this section and by reference to any reasonable criteria, including but not limited to provider-enrollee ratios by specialty, primary care provider-enrollee ratios, geographic accessibility, reasonable distance accessibility criteria for pharmacy and other services, waiting times for appointments with participating providers, hours of operation, and the volume of technological and specialty services available to serve the needs of enrollees requiring technologically advanced or specialty care.

(1) In any case where the health carrier has an insufficient number or type of participating providers to provide a covered benefit, the health carrier shall ensure that the enrollee obtains the covered benefit at no greater cost than if the benefit was obtained from a participating provider, or shall make other arrangements acceptable to the director.

(2) The health carrier shall establish and maintain adequate arrangements to ensure reasonable proximity of participating providers, including local pharmacists, to the business or personal residence of enrollees. In determining whether a health carrier has complied with this provision, the director shall give due consideration to the relative availability of health care providers in the service area under, especially rural areas, consideration.

(3) A health carrier shall monitor, on an ongoing basis, the ability, clinical capacity, and legal authority of its providers to furnish all contracted benefits to enrollees. The provisions of this subdivision shall not be construed to require any health care provider to submit copies of such health care provider's income tax returns to a health carrier. A health carrier may require a health care provider to obtain audited financial statements if such health care provider received ten percent or more of the total medical expenditures made by the health carrier.

(4) A health carrier shall make its entire network available to all enrollees unless a contract holder has agreed in writing to a different or reduced network.

2. A health carrier shall file with the director, in a manner and form defined by rule of the department of insurance, financial institutions and professional registration, an access plan meeting the requirements of sections 354.600 to 354.636 for each of the managed care plans that the health carrier offers in this state. The health carrier may request the director to deem sections of the access plan as proprietary or competitive information that shall not be made public. For the purposes of this section, information is proprietary or competitive if revealing the information will cause the health carrier's competitors to obtain valuable business information. The health carrier shall provide such plans, absent any information deemed by the director to be proprietary, to any interested party upon request. The health carrier shall prepare an access plan prior to offering a new managed care plan, and shall update an existing access plan whenever it makes any change as defined by the director to an existing managed care plan. The director shall approve or disapprove the access plan, or any subsequent alterations to the access plan, within sixty days of filing. The access plan shall describe or contain at a minimum the following:

- (1) The health carrier's network;
- (2) The health carrier's procedures for making referrals within and outside its network;
- (3) The health carrier's process for monitoring and assuring on an ongoing basis the sufficiency of the network to meet the health care needs of enrollees of the managed care plan;
- (4) The health carrier's methods for assessing the health care needs of enrollees and their satisfaction with services;
- (5) The health carrier's method of informing enrollees of the plan's services and features, including but not limited to the plan's grievance procedures, its process for choosing and changing providers, and its procedures for providing and approving emergency and specialty care;
- (6) The health carrier's system for ensuring the coordination and continuity of care for enrollees referred to specialty physicians, for enrollees using ancillary services, including social services and other community resources, and for ensuring appropriate discharge planning;
- (7) The health carrier's process for enabling enrollees to change primary care professionals;
- (8) The health carrier's proposed plan for providing continuity of care in the event of contract termination between the health carrier and any of its participating providers, in the event of a reduction in service area or in the event of the health carrier's insolvency or other inability to continue operations. The description shall explain how enrollees shall be notified of the contract termination, reduction in service area or the health carrier's insolvency or other modification or cessation of operations, and transferred to other health care professionals in a timely manner; and

(9) Any other information required by the director to determine compliance with the provisions of sections 354.600 to 354.636.

3. In reviewing an access plan filed pursuant to subsection 2 of this section, the director shall deem a managed care plan's network to be adequate if it meets one or more of the following criteria:

(1) The managed care plan is a Medicare + Choice coordinated care plan offered by the health carrier pursuant to a contract with the federal Centers for Medicare and Medicaid Services;

(2) The managed care plan is being offered by a health carrier that has been accredited by the National Committee for Quality Assurance at a level of "accredited" or better, and such accreditation is in effect at the time the access plan is filed;

(3) The managed care plan's network has been accredited by the Joint Commission on the Accreditation of Health Organizations for Network Adequacy, and such accreditation is in effect at the time the access plan is filed. If the accreditation applies to only a portion of the managed care plan's network, only the accredited portion will be deemed adequate; ~~or~~

(4) The managed care plan is being offered by a health carrier that has been accredited by the Utilization Review Accreditation Commission at a level of "accredited" or better, and such accreditation is in effect at the time the access plan is filed; **or**

(5) The managed care plan is being offered by a health carrier that has been accredited by the Accreditation Association for Ambulatory Health Care, and such accreditation is in effect at the time the access plan is filed."; and

Further amend said bill, Page 15, Section 375.1218, Line 67, by inserting after all of said section and line the following:

"376.427. 1. As used in this section, the following terms mean:

(1) **"Health benefit plan", as such term is defined in section 376.1350;**

(2) "Health care services", medical, surgical, dental, podiatric, pharmaceutical, chiropractic, licensed ambulance service, and optometric services;

(3) **"Health carrier" or "carrier", as such term is defined in section 376.1350;**

~~[(2)]~~ (4) "Insured", any person entitled to benefits under a contract of accident and sickness insurance, or medical-payment insurance issued as a supplement to liability insurance but not including any other coverages contained in a liability or a workers' compensation policy, issued by an insurer;

~~[(3)]~~ (5) "Insurer", any person, reciprocal exchange, interinsurer, fraternal benefit society, health services corporation, self-insured group arrangement to the extent not prohibited by federal law, or any other legal entity engaged in the business of insurance;

~~[(4)]~~ (6) "Provider", a physician, hospital, dentist, podiatrist, chiropractor, pharmacy, licensed ambulance service, or optometrist, licensed by this state.

2. Upon receipt of an assignment of benefits made by the insured to a provider, the insurer shall issue the instrument of payment for a claim for payment for health care services in the name of the provider. All claims shall be paid within thirty days of the receipt by the insurer of all documents reasonably needed to determine the claim.

3. Nothing in this section shall preclude an insurer from voluntarily issuing an instrument of payment in the single name of the provider.

4. **Except as provided in subsection 5 of this section**, this section shall not require any insurer, health services corporation, health maintenance corporation or preferred provider organization which directly contracts with certain members of a class of providers for the delivery of health care services to issue payment as provided pursuant to this section to those members of the class which do not have a contract with the insurer.

5. **When a patient's health benefit plan does not include or require payment to out-of-network providers for all or most covered services, which would otherwise be covered if the patient received such services from a provider in the carrier's network, including but not limited to health maintenance organization plans, as such term is defined in section 354.400, or a health benefit plan offered by a carrier consistent with subdivision (19) of section 376.426, payment for all services shall be made directly to the providers when the health carrier has authorized such services to be received from a provider outside the carrier's network.**

376.690. 1. As used in this section, the following terms shall mean:

(1) "Emergency medical condition", the same meaning given to such term in section 376.1350;

(2) "Facility", the same meaning given to such term in section 376.1350;

(3) "Health care professional", the same meaning given to such term in section 376.1350;

(4) "Health carrier", the same meaning given to such term in section 376.1350;

(5) "Unanticipated out-of-network care", health care services received by a patient in an in-network facility from an out-of-network health care professional from the time the patient presents with an emergency medical condition until the time the patient is discharged;

2. Health care professionals shall send any claim for charges incurred for unanticipated out-of-network care to the patient's health carrier on a U.S. Centers of Medicare and Medicaid Services Form 1500, or its successor form, or electronically using the 837 HIPAA format, or its successor.

(1) Within forty-five processing days, as defined in 376.383, of receiving the health care professional's claim, the health carrier shall offer to pay the health care professional a reasonable reimbursement for unanticipated out-of-network care based on the health care professional's services. If the health care professional participates in one or more of the carrier's commercial networks, the offer of reimbursement for unanticipated out-of-network care shall be the amount from the network which has the highest reimbursement.

(2) If the health care professional declines the health carrier's initial offer of reimbursement, the health carrier and health care professional shall have sixty days to negotiate in good faith to attempt to determine the reimbursement for the unanticipated out-of-network care.

(3) If the health carrier and health care professional do not agree to a reimbursement amount by the end of the sixty day negotiation period, the dispute shall be resolved through an arbitration process as specified in subsection 4 of this section.

(4) To initiate arbitration proceedings, either the health carrier or health care professional must provide written notification to the director and the other party within 120 days of the end of the negotiation period, indicating their intent to arbitrate the matter and notifying the director of the billed amount and the date and amount of the final offer by each party. A bill for unanticipated out-of-network care may be resolved between the parties at any point prior to the commencement of the arbitration proceedings. Bills may be combined for purposes of arbitration, but only to the extent the bills represent similar circumstances and services provided by the same health care professional, and the parties attempted to resolve the dispute in accordance with subdivisions (2) through (4) of this subsection.

(5) No health care professional shall send a bill to the patient for any difference between the reimbursement rate as determined under this subsection and the health care professional's billed charge.

3. When unanticipated out-of-network care is provided, the health care professional may bill a patient for no more than the cost-sharing requirements described under this section.

(1) Cost-sharing requirements shall be based on the reimbursement amount as determined under subsection 2 of this section.

(2) The patient's health carrier shall inform the health care professional of its enrollee's cost-sharing requirements within forty-five processing days of receiving a claim from the health care professional for services provided.

(3) The in-network deductible and out-of-pocket maximum cost-sharing requirements shall apply to the claim for the unanticipated out-of-network care.

4. The director shall ensure access to an external arbitration process when a health care professional and health carrier cannot agree to a reimbursement under subdivision (2) of subsection 2 of this section. In order to ensure access, when notified of a parties' intent to arbitrate, the director shall randomly select an arbitrator for each case from the department's approved list of arbitrators or entities that provide binding arbitration. The director shall specify the criteria for an approved arbitrator or entity by rule. The costs of arbitration shall be shared equally between and will be directly billed to the health care professional and health carrier. These costs will include, but are not limited to, reasonable time necessary for the arbitrator to review materials in preparation for the arbitration, travel expenses and reasonable time following the arbitration for drafting of the final decision.

5. At the conclusion of such arbitration process, the arbitrator shall issue a final decision, which shall be binding on all parties. The arbitrator shall provide a copy of the final decision to the director. The initial request for arbitration, all correspondence and documents received by the Department and the final arbitration decision shall be considered a closed record under section 374.071. However, the director may release aggregated summary data regarding the arbitration process. The decision of the arbitrator shall not be considered an agency decision nor shall it be considered a contested case within the meaning of 536.010.

6. The arbitrator shall determine a dollar amount due under subsection 2 of this section between one hundred twenty percent of the Medicare allowed amount and the seventieth percentile of the usual and customary rate for the unanticipated out-of-network care, as determined by benchmarks from independent nonprofit organizations that are not affiliated with insurance carriers or provider organizations.

7. When determining a reasonable reimbursement rate, the arbitrator shall consider the following factors if the health care professional believes the payment offered for the unanticipated out-of-network care does not properly recognize:

(1) The health care professional's training, education, or experience;

(2) The nature of the service provided;

(3) The health care professional's usual charge for comparable services provided;

(4) The circumstances and complexity of the particular case, including the time and place the services were provided; and

(5) The average contracted rate for comparable services provided in the same geographic area.

8. The enrollee shall not be required to participate in the arbitration process. The health care professional and health carrier shall execute a nondisclosure agreement prior to engaging in an arbitration under this section.

9. This section shall take effect on January 1, 2019.

10. The department of insurance, financial institutions and professional registration may promulgate rules and fees as necessary to implement the provisions of this section, including but not limited to, procedural requirements for arbitration. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section

and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void."; and

Further amend said bill, Page 36, Section 376.758, Line 10, by inserting after all said section and line the following:

"376.1065. 1. As used in this section, the following terms shall mean:

(1) "Contracting entity", any health carrier, as such term is defined in section 376.1350, subject to the jurisdiction of the department engaged in the act of contracting with providers for the delivery of dental services, or the selling or assigning of dental network plans to other entities under the jurisdiction of the department;

(2) "Department", the department of insurance, financial institutions and professional registration;

(3) "Official notification," written communication by a provider or participating provider to a contracting entity describing such provider's or participating provider's change in contact information or participation status with the contracting entity;

(4) "Participating provider", a provider who has an agreement with a contracting entity to provide dental services with an expectation of receiving payment, other than coinsurance, co-payments, or deductibles, directly or indirectly from such contracting entity;

(5) "Provider", any person licensed under chapter 332.

2. A contracting entity shall, upon official notification, make changes contained in the official notification to their electronic provider material and their next edition of paper material made available to plan members or other potential plan members.

3. The department, when determining the result of a market conduct examination under sections 374.202 to 374.207, shall consider violations of this section by a contracting entity.

376.1350. For purposes of sections 376.1350 to 376.1390, the following terms mean:

(1) "Adverse determination", a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care or effectiveness, and the payment for the requested service is therefore denied, reduced or terminated;

(2) "Ambulatory review", utilization review of health care services performed or provided in an outpatient setting;

(3) "Case management", a coordinated set of activities conducted for individual patient management of serious, complicated, protracted or other health conditions;

(4) "Certification", a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based on the information provided, satisfies the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care and effectiveness;

(5) "Clinical peer", a physician or other health care professional who holds a nonrestricted license in a state of the United States and in the same or similar specialty as typically manages the medical condition, procedure or treatment under review;

(6) "Clinical review criteria", the written screening procedures, decision abstracts, clinical protocols and practice guidelines used by the health carrier to determine the necessity and appropriateness of health care services;

(7) "Concurrent review", utilization review conducted during a patient's hospital stay or course of treatment;

(8) "Covered benefit" or "benefit", a health care service that an enrollee is entitled under the terms of a health benefit plan;

(9) "Director", the director of the department of insurance, financial institutions and professional registration;

(10) "Discharge planning", the formal process for determining, prior to discharge from a facility, the coordination and management of the care that a patient receives following discharge from a facility;

(11) "Drug", any substance prescribed by a licensed health care provider acting within the scope of the provider's license and that is intended for use in the diagnosis, mitigation, treatment or prevention of disease. The term includes only those substances that are approved by the FDA for at least one indication;

(12) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity, **regardless of the final diagnosis that is given**, that would lead a prudent lay person, possessing an average knowledge of medicine and health, to believe that immediate medical care is required, which may include, but shall not be limited to:

- (a) Placing the person's health in significant jeopardy;
- (b) Serious impairment to a bodily function;
- (c) Serious dysfunction of any bodily organ or part;
- (d) Inadequately controlled pain; or
- (e) With respect to a pregnant woman who is having contractions:
 - a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or
 - b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;

(13) "Emergency service", a health care item or service furnished or required to evaluate and treat an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;

(14) "Enrollee", a policyholder, subscriber, covered person or other individual participating in a health benefit plan;

(15) "FDA", the federal Food and Drug Administration;

(16) "Facility", an institution providing health care services or a health care setting, including but not limited to hospitals and other licensed inpatient centers, ambulatory surgical or treatment centers, skilled nursing centers, residential treatment centers, diagnostic, laboratory and imaging centers, and rehabilitation and other therapeutic health settings;

(17) "Grievance", a written complaint submitted by or on behalf of an enrollee regarding the:

- (a) Availability, delivery or quality of health care services, including a complaint regarding an adverse determination made pursuant to utilization review;
- (b) Claims payment, handling or reimbursement for health care services; or
- (c) Matters pertaining to the contractual relationship between an enrollee and a health carrier;

(18) "Health benefit plan", a policy, contract, certificate or agreement entered into, offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services; except that, health benefit plan shall not include any coverage pursuant to liability insurance policy, workers' compensation insurance policy, or medical payments insurance issued as a supplement to a liability policy;

(19) "Health care professional", a physician or other health care practitioner licensed, accredited or certified by the state of Missouri to perform specified health services consistent with state law;

(20) "Health care provider" or "provider", a health care professional or a facility;

(21) "Health care service", a service for the diagnosis, prevention, treatment, cure or relief of a health condition, illness, injury or disease;

(22) "Health carrier", an entity subject to the insurance laws and regulations of this state that contracts or offers to contract to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits or health services; except that such plan shall not include any coverage pursuant to a liability insurance policy, workers' compensation insurance policy, or medical payments insurance issued as a supplement to a liability policy;

(23) "Health indemnity plan", a health benefit plan that is not a managed care plan;

(24) "Managed care plan", a health benefit plan that either requires an enrollee to use, or creates incentives, including financial incentives, for an enrollee to use, health care providers managed, owned, under contract with or employed by the health carrier;

(25) "Participating provider", a provider who, under a contract with the health carrier or with its contractor or subcontractor, has agreed to provide health care services to enrollees with an expectation of receiving payment, other than coinsurance, co-payments or deductibles, directly or indirectly from the health carrier;

(26) "Peer-reviewed medical literature", a published scientific study in a journal or other publication in which original manuscripts have been published only after having been critically reviewed for scientific accuracy, validity and reliability by unbiased independent experts, and that has been determined by the International Committee of Medical Journal Editors to have met the uniform requirements for manuscripts submitted to biomedical journals or is published in a journal specified by the United States Department of Health and Human

Services pursuant to Section 1861(t)(2)(B) of the Social Security Act, as amended, as acceptable peer-reviewed medical literature. Peer-reviewed medical literature shall not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or health carrier;

(27) "Person", an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity or any combination of the foregoing;

(28) "Prospective review", utilization review conducted prior to an admission or a course of treatment;

(29) "Retrospective review", utilization review of medical necessity that is conducted after services have been provided to a patient, but does not include the review of a claim that is limited to an evaluation of reimbursement levels, veracity of documentation, accuracy of coding or adjudication for payment;

(30) "Second opinion", an opportunity or requirement to obtain a clinical evaluation by a provider other than the one originally making a recommendation for a proposed health service to assess the clinical necessity and appropriateness of the initial proposed health service;

(31) "Stabilize", with respect to an emergency medical condition, that no material deterioration of the condition is likely to result or occur before an individual may be transferred;

(32) "Standard reference compendia":

(a) The American Hospital Formulary Service-Drug Information; or

(b) The United States Pharmacopoeia-Drug Information;

(33) "Utilization review", a set of formal techniques designed to monitor the use of, or evaluate the clinical necessity, appropriateness, efficacy, or efficiency of, health care services, procedures, or settings. Techniques may include ambulatory review, prospective review, second opinion, certification, concurrent review, case management, discharge planning or retrospective review. Utilization review shall not include elective requests for clarification of coverage;

(34) "Utilization review organization", a utilization review agent as defined in section 374.500.

376.1367. When conducting utilization review or making a benefit determination for emergency services:

(1) A health carrier shall cover emergency services necessary to screen and stabilize an enrollee, **as determined by the treating emergency department health care provider**, and shall not require prior authorization of such services;

(2) Coverage of emergency services shall be subject to applicable co-payments, coinsurance and deductibles;

(3) **Before a health carrier denies payment for an emergency medical service based on the absence of an emergency medical condition, it shall review the enrollee's medical record regarding the emergency medical condition at issue. If a health carrier requests records for a potential denial where emergency services were rendered, the health care provider shall submit the record of the emergency services to the carrier within forty-five processing days, or the claim shall be subject to section 376.383. The health carrier's review of emergency services shall be completed by a board-certified physician licensed under chapter 334 to practice medicine in this state;**

(4) When an enrollee receives an emergency service that requires immediate post evaluation or post stabilization services, a health carrier shall provide an authorization decision within sixty minutes of receiving a request; if the authorization decision is not made within ~~thirty~~ **sixty** minutes, such services shall be deemed approved;

(5) **When a patient's health benefit plan does not include or require payment to out-of-network health care providers for emergency services including but not limited to health maintenance organization plans, as defined in section 354.400, or a health benefit plan offered by a health carrier consistent with subdivision (19) of section 376.426, payment for all emergency services as defined in section 376.1350 necessary to screen and stabilize an enrollee shall be paid directly to the health care provider by the health carrier. Additionally, any services authorized by the health carrier for the enrollee once the enrollee is stabilized shall also be paid by the health carrier directly to the health care provider.**

379.1545. Notwithstanding any other provision of law:

(1) An insurer may terminate or otherwise change the terms and conditions of a policy of portable electronics insurance only upon providing the policyholder and enrolled customers with at least thirty days' notice;

(2) If the insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer shall provide the vendor and any policyholders with a revised policy or endorsement and each enrolled customer with a revised certificate, endorsement, updated brochure, or other evidence indicating a change in the terms and conditions has occurred and a summary of material changes;

(3) Notwithstanding subdivision (1) of this section, an insurer may terminate an enrolled customer's enrollment under a portable electronics insurance policy upon fifteen days' notice for discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim thereunder;

(4) Notwithstanding subdivision (1) of this section, an insurer may immediately terminate an enrolled customer's enrollment under a portable electronics insurance policy:

- (a) For nonpayment of premium;
- (b) If the enrolled customer ceases to have an active service with the vendor of portable electronics; or
- (c) If an enrolled customer exhausts the aggregate limit of liability, if any, under the terms of the portable electronics insurance policy and the insurer sends notice of termination to the customer within thirty calendar days after exhaustion of the limit. However, if the notice is not timely sent, enrollment and coverage shall continue notwithstanding the aggregate limit of liability until the insurer sends notice of termination to the enrolled customer;

(5) Where a portable electronics insurance policy is terminated by a policyholder, the policyholder shall mail or deliver written notice to each enrolled customer advising the customer of the termination of the policy and the effective date of termination. The written notice shall be mailed or delivered to the customer at least thirty days prior to the termination;

(6) Whenever notice is required under this section, it shall be in writing and may be mailed or delivered to the vendor at the vendor's mailing address and to its affected enrolled customers' last known mailing addresses on file with the insurer. If notice is mailed, the insurer or vendor, as the case may be, shall maintain proof of mailing in a form authorized or accepted by the U.S. Postal Service or other commercial mail delivery service. Alternatively, an insurer or vendor policyholder may comply with any notice required by this section by providing electronic notice to a vendor or its affected enrolled customers, as the case may be, by electronic means. **For purposes of this subdivision, agreement to receive notices and correspondence by electronic means shall be determined in accordance with section 432.220.** Additionally, if an insurer or vendor policyholder provides electronic notice to an affected enrolled customer and such delivery by electronic means is not available or is undeliverable, the insurer or vendor policyholder shall provide written notice to the enrolled customer by mail in accordance with this section. If notice is accomplished through electronic means, the insurer or vendor of portable electronics, as the case may be, shall maintain proof that the notice was sent.

~~[208.671. 1. As used in this section and section 208.673, the following terms shall mean:~~

- ~~(1) "Asynchronous store and forward", the transfer of a participant's clinically important digital samples, such as still images, videos, audio, text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the participant and the participant's treating provider;~~
- ~~(2) "Asynchronous store and forward technology", cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;~~
- ~~(3) "Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;~~
- ~~(4) "Consulting provider", a provider who, upon referral by the treating provider, evaluates a participant and appropriate medical data or images delivered through asynchronous store and forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;~~
- ~~(5) "Distant site", the site where a consulting provider is located at the time the consultation service is provided;~~
- ~~(6) "Originating site", the site where a MO HealthNet participant receiving services and such participant's treating provider are both physically located;~~
- ~~(7) "Provider", any provider of medical, mental health, optometric, or dental health services, including all other medical disciplines, licensed and providing MO HealthNet services who has the authority to refer participants for medical, mental health, optometric, dental, or other health care services within the scope of practice and licensure of the provider;~~
- ~~(8) "Telehealth", as that term is defined in section 191.1145;~~
- ~~(9) "Treating provider", a provider who:~~
 - ~~(a) Evaluates a participant;~~

- (b) ~~Determines the need for a consultation;~~
 - (c) ~~Arranges the services of a consulting provider for the purpose of diagnosis and treatment; and~~
 - (d) ~~Provides or supplements the participant's history and provides pertinent physical examination findings and medical information to the consulting provider.~~
2. ~~The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store and forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall include, but not be limited to:~~
- (1) ~~Appropriate standards for the use of asynchronous store and forward technology in the practice of telehealth;~~
 - (2) ~~Certification of agencies offering asynchronous store and forward technology in the practice of telehealth;~~
 - (3) ~~Timelines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, timelines for communicating a request for additional information or that the consulting provider declines to render an opinion;~~
 - (4) ~~Length of time digital files of such asynchronous store and forward services are to be maintained;~~
 - (5) ~~Security and privacy of such digital files;~~
 - (6) ~~Participant consent for asynchronous store and forward services; and~~
 - (7) ~~Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.~~

~~Telehealth providers using asynchronous store and forward technology shall be required to obtain participant consent before asynchronous store and forward services are initiated and to ensure confidentiality of medical information.~~

3. ~~Asynchronous store and forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face to face consultation of the same level.~~

4. ~~The standard of care for the use of asynchronous store and forward technology in the practice of telehealth shall be the same as the standard of care for services provided in person.]~~

[208.673. 1. There is hereby established the "Telehealth Services Advisory Committee" to advise the department of social services and propose rules regarding the coverage of telehealth services in the MO HealthNet program utilizing asynchronous store and forward technology.

2. The committee shall be comprised of the following members:

- (1) The director of the MO HealthNet division, or the director's designee;
- (2) The medical director of the MO HealthNet division;
- (3) A representative from a Missouri institution of higher education with expertise in telehealth;
- (4) A representative from the Missouri office of primary care and rural health;
- (5) Two board certified specialists licensed to practice medicine in this state;
- (6) A representative from a hospital located in this state that utilizes telehealth;
- (7) A primary care physician from a federally qualified health center (FQHC) or rural health clinic;
- (8) A primary care physician from a rural setting other than from an FQHC or rural health clinic;
- (9) A dentist licensed to practice in this state; and

~~(10) A psychologist, or a physician who specializes in psychiatry, licensed to practice in this state.~~

~~3. Members of the committee listed in subdivisions (3) to (10) of subsection 2 of this section shall be appointed by the governor with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three year terms, three members to serve two year terms, and three members to serve a one year term as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.~~

~~4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.~~

~~5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.~~

~~6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.]~~

~~[208.675. For purposes of the provision of telehealth services in the MO HealthNet program, the following individuals, licensed in Missouri, shall be considered eligible health care providers:~~

~~(1) Physicians, assistant physicians, and physician assistants;~~

~~(2) Advanced practice registered nurses;~~

~~(3) Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;~~

~~(4) Psychologists and provisional licensees;~~

~~(5) Pharmacists;~~

~~(6) Speech, occupational, or physical therapists;~~

~~(7) Clinical social workers;~~

~~(8) Podiatrists;~~

~~(9) Optometrists;~~

~~(10) Licensed professional counselors; and~~

~~(11) Eligible health care providers under subdivisions (1) to (10) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.]; and~~

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

Representative Lavender offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 3, Line 35, by deleting all of said line and inserting in lieu thereof the following:

"year.

334.506. 1. As used in this section, "approved health care provider" means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, a dentist under chapter 332, a podiatrist under chapter 330, a physician assistant under this chapter, an advanced practice registered nurse under chapter 335, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.

2. A physical therapist ~~[shall not]~~ **may evaluate and** initiate treatment ~~[for a new injury or illness]~~ **on a patient** without a prescription **or referral** from an approved health care provider.

3. A physical therapist may provide educational resources and training, develop fitness or wellness programs ~~[for asymptomatic persons]~~, or provide screening or consultative services within the scope of physical therapy practice without ~~[the]~~ a prescription ~~[and direction of]~~ **or referral from** an approved health care provider.

4. ~~[A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:~~

~~———— (1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;~~

~~———— (2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;~~

~~———— (3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;~~

~~———— (4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;~~

~~———— (5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days]~~ **A physical therapist shall refer to an approved health care provider any patient whose medical condition at the time of evaluation or treatment is determined to be beyond the scope of practice of physical therapy.**

5. The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. ~~[Physical therapy treatment provided pursuant to the provisions of subsection 4 of this section may be delegated by physical therapists to physical therapist assistants only if the patient's current approved health care provider has been so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection 4 of this section.]~~ Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of an approved health care provider. Nothing in this subsection shall prohibit an approved health care provider from acting within the scope of their practice as defined by the applicable chapters of RSMo.

6. No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

7. A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who satisfies supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry-level person shall be under on-site supervision of a physical therapist.

334.613. 1. The board may refuse to issue or renew a license to practice as a physical therapist or physical therapist assistant for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew a license to practice as a physical therapist or physical therapist assistant, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written

request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of a license to practice as a physical therapist or physical therapist assistant who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of a physical therapist or physical therapist assistant;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of a physical therapist or physical therapist assistant, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit, or license issued under this chapter or in obtaining permission to take any examination given or required under this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of a physical therapist or physical therapist assistant, including but not limited to the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for sessions of physical therapy which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment or services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine, or device;

(f) Performing services which have been declared by board rule to be of no physical therapy value;

(g) Final disciplinary action by any professional association, professional society, licensed hospital or medical staff of the hospital, or physical therapy facility in this or any other state or territory, whether agreed to voluntarily or not, and including but not limited to any removal, suspension, limitation, or restriction of the person's professional employment, malpractice, or any other violation of any provision of this chapter;

(h) Administering treatment without sufficient examination, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional physical therapy practice;

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a physical therapist or physical therapist assistant/patient relationship exists; making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with patients or clients;

(j) Terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's physical therapy records to treating physicians, other physical therapists, or hospitals upon proper request; or failing to comply with any other law relating to physical therapy records;

(l) Failure of any applicant or licensee, other than the licensee subject to the investigation, to cooperate with the board during any investigation;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license renewal fees specified in this chapter;

(o) Violating a probation agreement with this board or any other licensing agency;

(p) Failing to inform the board of the physical therapist's or physical therapist assistant's current telephone number, residence, and business address;

(q) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physical therapist or physical therapist assistant. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation, or association which issues or conducts such advertising;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of a physical therapist or physical therapist assistant. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule adopted under this chapter;

(7) Impersonation of any person licensed as a physical therapist or physical therapist assistant or allowing any person to use his or her license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation, or other final disciplinary action against a physical therapist or physical therapist assistant for a license or other right to practice as a physical therapist or physical therapist assistant by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including but not limited to the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of physical therapy while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice who is not licensed and currently eligible to practice under this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice physical therapy who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a license to practice as a physical therapist or physical therapist assistant based upon a material mistake of fact;

(12) Failure to display a valid license pursuant to practice as a physical therapist or physical therapist assistant;

(13) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any document executed in connection with the practice of physical therapy;

(14) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of physical therapy services for all patients, or the qualifications of an individual person or persons to render, or perform physical therapy services;

(15) Using, or permitting the use of, the person's name under the designation of "physical therapist", "physiotherapist", "registered physical therapist", "P.T.", "Ph.T.", "P.T.T.", "D.P.T.", "M.P.T." or "R.P.T.", "physical therapist assistant", "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(16) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment under chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the federal Medicare program;

(17) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary facility or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in any physical therapy facility to the board, in writing, within thirty days after the discovery thereof;

(18) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant paying or offering to pay a referral fee or ~~notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon under this chapter, as a physician assistant under this chapter, as a chiropractor under chapter 331, as a dentist under chapter 332, as a podiatrist under chapter 330, as an advanced-practice registered nurse under chapter 335, or any licensed and registered physician, chiropractor, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing] **evaluating or treating a patient in a manner inconsistent with section 334.506;**~~

(19) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.685;

(20) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a physician who is authorized by law to do so;

(21) Failing to maintain adequate patient records under 334.602;

(22) Attempting to engage in conduct that subverts or undermines the integrity of the licensing examination or the licensing examination process, including but not limited to utilizing in any manner recalled or memorized licensing examination questions from or with any person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with any other examinees during the test, or copying or sharing licensing examination questions or portions of questions;

(23) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant who requests, receives, participates or engages directly or indirectly in the division, transferring, assigning, rebating or refunding of fees received for professional services or profits by means of a credit or other valuable consideration such as wages, an unearned commission, discount or gratuity with any person who referred a patient, or with any relative or business associate of the referring person;

(24) Being unable to practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients by reasons of incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physical therapist or physical therapist assistant to submit to a reexamination for the purpose of establishing his or her competency to practice as a physical therapist or physical therapist assistant conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physical therapist's or physical therapist assistant's professional conduct, or to submit to a mental or physical examination or combination thereof by a facility or professional approved by the board;

(b) For the purpose of this subdivision, every physical therapist and physical therapist assistant licensed under this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physical therapist, physical therapist assistant or applicant without the physical therapist's, physical therapist assistant's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physical therapist or physical therapist assistant, by registered mail, addressed to the physical therapist or physical therapist assistant at the physical therapist's or physical therapist assistant's last known address. Failure of a physical therapist or physical therapist assistant to submit to the examination when directed shall constitute an admission of the allegations against the physical therapist or physical therapist assistant, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physical therapist's or physical therapist assistant's control. A physical therapist or physical therapist assistant whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physical therapist or physical therapist assistant can resume the competent practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients;

(e) In any proceeding under this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physical therapist or physical therapist assistant in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 3 of this section.

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure or place the physical therapist or physical therapist assistant named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend the physical therapist's or physical therapist assistant's license for a period not to exceed three years;

(3) Restrict or limit the physical therapist's or physical therapist assistant's license for an indefinite period of time;

- (4) Revoke the physical therapist's or physical therapist assistant's license;
 - (5) Administer a public or private reprimand;
 - (6) Deny the physical therapist's or physical therapist assistant's application for a license;
 - (7) Permanently withhold issuance of a license;
 - (8) Require the physical therapist or physical therapist assistant to submit to the care, counseling or treatment of physicians designated by the board at the expense of the physical therapist or physical therapist assistant to be examined;
 - (9) Require the physical therapist or physical therapist assistant to attend such continuing educational courses and pass such examinations as the board may direct.
4. In any order of revocation, the board may provide that the physical therapist or physical therapist assistant shall not apply for reinstatement of the physical therapist's or physical therapist assistant's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.
5. Before restoring to good standing a license issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.
6. In any investigation, hearing or other proceeding to determine a physical therapist's, physical therapist assistant's or applicant's fitness to practice, any record relating to any patient of the physical therapist, physical therapist assistant, or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such physical therapist, physical therapist assistant, applicant, record custodian, or patient might otherwise invoke. In addition, no such physical therapist, physical therapist assistant, applicant, or record custodian may withhold records or testimony bearing upon a physical therapist's, physical therapist assistant's, or applicant's fitness to practice on the grounds of privilege between such physical therapist, physical therapist assistant, applicant, or record custodian and a patient."; and"; and

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Berry	Black	Brattin
Brown 57	Chipman	Conway 104	Corlew	Cornejo
Curtman	Davis	DeGroot	Dinkins	Dogan
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gregory	Grier	Hannegan	Hansen	Helms
Henderson	Hill	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeier
Korman	Lant	Lichtenegger	Love	Lynch
Marshall	Mathews	Matthiesen	McGaugh	Messenger
Morris 140	Morse 151	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Reisch	Remole	Roden	Roeber
Rone	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

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NOES: 037

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	Curtis
Ellebracht	Ellington	Franks Jr	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Razer
Revis	Roberts	Rowland 29	Runions	Unsicker
Washington	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 033

Arthur	Barnes 60	Beard	Bondon	Brown 27
Burns	Christofanelli	Conway 10	Cookson	Cross
Dohrman	Gray	Haahr	Haefner	Higdon
Houghton	Houx	Lauer	McDaniel	Miller
Mitten	Moon	Muntzel	Peters	Pogue
Rhoads	Ross	Rowland 155	Ruth	Schroer
Smith 85	Stevens 46	Walker 74		

VACANCIES: 002

Representative Lavender moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 3, Section 208.152, Line 44, by inserting after the number "(7)" the following words, "**Subject to appropriation**"; and

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

On motion of Representative Alferman, **House Amendment No. 3** was adopted.

Representative Wood offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 36, Section 376.758, Line 10, by inserting after all of said section and line the following:

"473.397. All claims and statutory allowances against the estate of a decedent shall be divided into the following classes:

- (1) Costs;
- (2) Expenses of administration;

- (3) Exempt property, family and homestead allowances;
 - (4) Funeral expenses;
 - (5) Debts and taxes due the United States of America;
 - (6) **Debts for medical assistance due to the state of Missouri under section 473.398;**
 - (7) Expenses of the last sickness, wages of servants, claims for medicine and medical attendance during the last sickness, and the reasonable cost of a tombstone;
- ~~[(7)]~~ (8) Debts and taxes due the state of Missouri, any county, or any political subdivision of the state of Missouri;
- ~~[(8)]~~ (9) Judgments rendered against the decedent in his lifetime and judgments rendered upon attachments levied upon property of decedent during his lifetime;
- ~~[(9)]~~ (10) All other claims not barred by section 473.360.
- 473.398. 1. Upon the death of a person, who has been a participant of aid, assistance, care, services, or who has had moneys expended on his behalf by the department of health and senior services, department of social services, or the department of mental health, or by a county commission, the total amount paid to the decedent or expended upon his behalf after January 1, 1978, shall be a debt due the state or county, as the case may be, from the estate of the decedent. The debt shall be collected as provided by the probate code of Missouri, chapters 472, 473, 474 and 475.
2. Procedures for the allowance of such claims shall be in accordance with this chapter, and such claims shall be allowed as a claim of ~~[the seventh]~~ **either the sixth or eighth** class under ~~[subdivision (7)]~~ **subdivisions (6) and (8)** of section 473.397.
3. Such claim shall not be filed or allowed if it is determined that:
- (1) The cost of collection will exceed the amount of the claim;
 - (2) The collection of the claim will adversely affect the need of the surviving spouse or dependents of the decedent to reasonable care and support from the estate.
4. Claims consisting of moneys paid on the behalf of a participant as defined in 42 U.S.C. 1396 shall be allowed, except as provided in subsection 3 of this section, upon the showing by the claimant of proof of moneys expended. Such proof may include but is not limited to ~~[the following items which are deemed to be competent and substantial evidence of payment:~~
- ~~———(1)]~~ computerized records maintained by any governmental entity as described in subsection 1 of this section of a request for payment for services rendered to the participant~~]; and~~
- ~~———(2) The certified statement of the treasurer or his designee that the payment was made], which shall be deemed to be competent and substantial evidence of payment.~~
5. The provisions of this section shall not apply to any claims, adjustments or recoveries specifically prohibited by federal statutes or regulations duly promulgated thereunder. Further, the federal government shall receive from the amount recovered any portion to which it is entitled.
6. Before any probate estate may be closed under this chapter, with respect to a decedent who, at the time of death, was enrolled in MO HealthNet, the personal representative of the estate shall file with the clerk of the court exercising probate jurisdiction a release from the MO HealthNet division evidencing payment of all MO HealthNet benefits, premiums, or other such costs due from the estate under law, unless waived by the MO HealthNet division."; and

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

On motion of Representative Wood, **House Amendment No. 4** was adopted.

Representative Roden offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 10, Section 208.152, Line 329, by inserting immediately after said section and line the following:

"320.400. 1. For purposes of this section, the following terms mean:

(1) "Employer", any person or entity employing any person for hire within the state of Missouri, including every department, agency, or instrumentality of the state or political subdivision of the state;

(2) "Firefighter", any paid firefighter who has been assigned to at least five years of hazardous duty as a firefighter and who was exposed to any agent classified by the International Agency for Research on Cancer or its successor organization as a group 1 or 2A carcinogen;

(3) "Hazardous duty", the same meaning given to the term under 5 CFR 550.902, as amended.

2. An employer shall allow any firefighter employed by him or her who contracts cancer to request and take unpaid leave, not to exceed fifty-two weeks.

3. Any firefighter who is entitled to unpaid leave under the provisions of this section shall take the unpaid leave under this section concurrent with leave taken under the Family and Medical Leave Act under 29 U.S.C. Section 2601, et seq.

4. The employer of a firefighter who takes unpaid leave under this section shall continue to provide health insurance coverage for the firefighter and shall pay any premium payments during said unpaid leave."; and

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

House Amendment No. 5 was withdrawn.

On motion of Representative Wiemann, **HCS SS SB 597, as amended**, was adopted.

On motion of Representative Wiemann, **HCS SS SB 597, as amended**, was read the third time and passed by the following vote:

AYES: 128

Adams	Alferman	Anderson	Andrews	Austin
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Burnett	Butler
Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gray
Green	Gregory	Grier	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Morgan	Morris 140	Morse 151
Mosley	Neely	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Roberts	Roden	Roeber
Rone	Rowland 155	Rowland 29	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 006

Hurst	Johnson	Marshall	Matthiesen	McDaniel
Moon				

PRESENT: 002

Franks Jr Runions

ABSENT WITH LEAVE: 025

Anders	Arthur	Barnes 60	Brown 27	Burns
Carpenter	Cookson	Ellington	Gannon	Haahr
Haefner	Higdon	Houghton	Houx	Miller
Mitten	Muntzel	Peters	Pietzman	Pogue
Rhoads	Ross	Smith 85	Walker 74	Washington

VACANCIES: 002

Representative Chipman declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 1291, as amended**, and has taken up and passed **CCS SS SCS HB 1291**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 1858** and has taken up and passed **CCS SS HB 1858**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2010** and has taken up and passed **CCS SS SCS HCS HB 2010**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2011** and has taken up and passed **CCS SCS HCS HB 2011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2012** and has taken up and passed **CCS SCS HCS HB 2012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2017**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2018**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 687, as amended**.

Senators: Sater, Romine, Hegeman, Holsman, Sifton

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 743, as amended.**

Senators: Sater, Romine, Wasson, Holsman, Sifton

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 806, as amended.**

Senators: Crawford, Riddle, Wieland, Schupp, Walsh

THIRD READING OF SENATE BILLS - INFORMAL

HCS SCS SB 769, relating to financial institutions, was taken up by Representative Fraker.

On motion of Representative Fraker, the title of **HCS SCS SB 769** was agreed to.

On motion of Representative Fraker, **HCS SCS SB 769** was adopted.

On motion of Representative Fraker, **HCS SCS SB 769** was read the third time and passed by the following vote:

AYES: 129

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 28
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Burnett	Butler	Carpenter
Chipman	Christofanelli	Conway 104	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Ellington	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gray	Green	Gregory	Grier	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Meredith 71	Merideth 80	Miller	Morgan
Morse 151	Neely	Newman	Nichols	Pfausch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Roberts	Roden
Roeber	Rone	Rowland 155	Rowland 29	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Washington	Wessels	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 004

Hurst Marshall McDaniel Moon

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Barnes 60	Basye	Beard	Brown 27
Burns	Conway 10	Cookson	Gannon	Haahr
Haefner	Higdon	Houghton	Houx	McGee
Messenger	Mitten	Morris 140	Mosley	Muntzel
Peters	Pogue	Rhoads	Ross	Runions
Smith 85	Stevens 46	Walker 74		

VACANCIES: 002

Representative Chipman declared the bill passed.

Speaker Richardson resumed the Chair.

SS#2 SCS SB 590, relating to historic buildings, was taken up by Representative Rehder.

On motion of Representative Rehder, the title of **SS#2 SCS SB 590** was agreed to.

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

House Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 2, Section 253.545, Lines 18, 21, and 22, by deleting from each said line the word "**thirty**" and inserting in lieu thereof in each said line the word "**twenty**"; and

Further amend said bill, Page 3, Section 253.550, Line 37, by deleting the word "**may**" and inserting in lieu thereof the word "**shall**"; and

Further amend said bill, Page 5, Section 253.559, Lines 30 through 34, by deleting all of said lines and inserting in lieu thereof the following:

"(5) **A copy of all land use and building approvals reasonably**"; and

Further amend said bill and section, Page 6, Line 59, by inserting immediately after the phrase "**from the**" the following: "**local elected officials and**"; and

Further amend said bill and section, Page 7, Line 94, by inserting immediately after said line the following:

"7. All taxpayers with applications receiving approval on or after July 1, 2019, shall submit within sixty days following the award of credits evidence of the capacity of the applicant to finance the costs and expenses for the rehabilitation of the eligible property in the form of a line of credit or letter of commitment subject to the lender's termination for a material adverse change impacting the extension of credit. If the department of economic development determines that a taxpayer has failed to comply with the requirements under this subsection, then the department shall notify the applicant of such failure and the applicant shall have a thirty day period from the date of such notice to submit additional evidence to remedy the failure."; and

Further amend said bill and section by renumbering the section accordingly; and

Further amend said bill, Page 9, Section B, Lines 1 through 6, by deleting all of said section and lines from the bill; and

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

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

Representative Barnes (60) assumed the Chair.

On motion of Representative Rehder, **SS#2 SCS SB 590, as amended**, was read the third time and passed by the following vote:

AYES: 107

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Baringer	Barnes 60	Basye
Beard	Bernskoetter	Black	Bondon	Brattin
Brown 57	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Franks Jr	Frederick	Gannon	Green
Gregory	Grier	Hansen	Harris	Helms
Henderson	Hill	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Knight	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	Mathews	Miller	Moon
Morse 151	Neely	Nichols	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Ruth	Shaul 113	Shull 16	Shumake	Smith 163
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walker 74
Walsh	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 030

Bangert	Barnes 28	Beck	Berry	Burnett
Butler	Carpenter	Ellebracht	Ellington	Gray
Hannegan	Kidd	May	McCann Beatty	McCreery
McDaniel	McGaugh	Merideth 80	Morgan	Mosley
Newman	Pierson Jr	Quade	Razer	Revis
Roberts	Sommer	Stevens 46	Unsicker	Washington

PRESENT: 000

ABSENT WITH LEAVE: 024

Arthur	Brown 27	Burns	Conway 10	Cookson
Cross	Haahr	Haefner	Higdon	Houghton
Houx	Kolkmeyer	Matthiesen	McGee	Meredith 71

Messenger	Mitten	Morris 140	Muntzel	Peters
Pogue	Runions	Schroer	Smith 85	

VACANCIES: 002

Representative Barnes (60) declared the bill passed.

Speaker Richardson resumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTIONS

HCS HJR 100, relating to the general assembly, was taken up by Representative Plocher.

On motion of Representative Plocher, the title of **HCS HJR 100** was agreed to.

Representative Fitzpatrick assumed the Chair.

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 025

Alferman	Basye	Beard	Bernskoetter	Black
Bondon	Curtman	Engler	Fraker	Gannon
Hansen	Henderson	Hurst	Justus	Kelley 127
Kelly 141	Korman	Morse 151	Phillips	Redmon
Reisch	Roeber	Rowland 29	Taylor	Walsh

NOES: 003

Curtis	Ellington	McDaniel
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PRESENT: 082

Adams	Anderson	Andrews	Austin	Baringer
Barnes 28	Berry	Brattin	Brown 57	Burnett
Chipman	Christofanelli	Conway 10	Corlew	Cornejo
Davis	Dinkins	Dogan	Dohrman	Eggleston
Evans	Fitzpatrick	Fitzwater	Francis	Franklin
Frederick	Green	Gregory	Grier	Hannegan
Harris	Helms	Hill	Kendrick	Kidd
Knight	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	McCann Beatty	McGaugh	McGee
Mitten	Morgan	Neely	Newman	Nichols
Pfautsch	Pietzman	Pike	Plocher	Razer
Rehder	Remole	Revis	Rhoads	Roberts
Roden	Rone	Ross	Rowland 155	Ruth
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Trent	Unsicker	Vescovo	Walker 3	White
Wiemann	Mr. Speaker			

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ABSENT WITH LEAVE: 051

Anders	Arthur	Bahr	Bangert	Barnes 60
Beck	Brown 27	Burns	Butler	Carpenter
Conway 104	Cookson	Cross	DeGroot	Ellebracht
Franks Jr	Gray	Haahr	Haefner	Higdon
Houghton	Houx	Johnson	Kolkmeier	Lant
Lauer	Matthiesen	May	McCreery	Meredith 71
Merideth 80	Messenger	Miller	Moon	Morris 140
Mosley	Muntzel	Peters	Pierson Jr	Pogue
Quade	Reiboldt	Runions	Schroer	Smith 85
Stevens 46	Walker 74	Washington	Wessels	Wilson
Wood				

VACANCIES: 002

Speaker Richardson resumed the Chair.

Representative Conway (10) moved the previous question.

Which motion was defeated by the following vote:

AYES: 038

Baringer	Barnes 28	Beard	Berry	Black
Brown 57	Conway 10	Ellebracht	Ellington	Engler
Fraker	Franklin	Gannon	Hurst	Love
Lynch	Mathews	May	McCann Beatty	McGaugh
Nichols	Razer	Redmon	Rehder	Rhoads
Roden	Roerber	Ross	Rowland 155	Schroer
Shull 16	Shumake	Stacy	Swan	Taylor
Walker 74	Washington	White		

NOES: 081

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Basye	Beck	Bernskoetter	Bondon
Brattin	Burnett	Carpenter	Chipman	Christofanelli
Corlew	Cornejo	Curtis	Curtman	Davis
Dinkins	Dogan	Dohrman	Eggleston	Evans
Fitzwater	Francis	Frederick	Green	Gregory
Grier	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Korman	Lavender
McCreery	McDaniel	Merideth 80	Mitten	Morgan
Morse 151	Mosley	Neely	Newman	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Reisch	Remole	Revis	Roberts
Rone	Ruth	Shaul 113	Smith 163	Sommer
Spencer	Stephens 128	Stevens 46	Tate	Trent
Unsicker	Vescovo	Walker 3	Walsh	Wiemann
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 042

Anders	Bahr	Bangert	Barnes 60	Brown 27
Burns	Butler	Conway 104	Cookson	Cross
DeGroot	Fitzpatrick	Franks Jr	Gray	Haahr
Haefner	Higdon	Houghton	Houx	Johnson
Kolkmeier	Lant	Lauer	Lichtenegger	Marshall
Matthiesen	McGee	Meredith 71	Messenger	Miller
Moon	Morris 140	Muntzel	Peters	Pogue
Reiboldt	Rowland 29	Runions	Smith 85	Wessels
Wilson	Wood			

VACANCIES: 002

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 10
Corlew	Cornejo	Curtman	Davis	Dinkins
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Hannegan
Hansen	Helms	Henderson	Hill	Hurst
Justus	Kelley 127	Kelly 141	Kidd	Knight
Korman	Love	Lynch	Marshall	Mathews
Matthiesen	McDaniel	McGaugh	Morse 151	Neely
Pfausch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reisch	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	White	Wiemann	Mr. Speaker

NOES: 034

Adams	Arthur	Baringer	Beck	Burnett
Butler	Carpenter	Curtis	Ellebracht	Ellington
Franks Jr	Green	Harris	Kendrick	Lavender
May	McCann Beatty	McCreery	McGee	Merideth 80
Mitten	Morgan	Mosley	Newman	Nichols
Pierson Jr	Quade	Razer	Revis	Roberts
Stevens 46	Unsicker	Walker 74	Washington	

PRESENT: 001

Barnes 28

ABSENT WITH LEAVE: 036

Anders	Bahr	Bangert	Barnes 60	Brown 27
Burns	Conway 104	Cookson	Cross	DeGroot

Gray	Haahr	Haefner	Higdon	Houghton
Houx	Johnson	Kolkmeier	Lant	Lauer
Lichtenegger	Meredith 71	Messenger	Miller	Moon
Morris 140	Muntzel	Peters	Pogue	Reiboldt
Rowland 29	Runions	Smith 85	Wessels	Wilson
Wood				

VACANCIES: 002

On motion of Representative Plocher, **HCS HJR 100** was adopted.

Representative Adams raised a point of order that there had been a violation of Article III, Section 26 of the Constitution.

The Chair ruled the point of order not well taken.

On motion of Representative Plocher, **HCS HJR 100** was ordered perfected and printed by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 089

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Cornejo
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gregory	Grier	Hannegan	Hansen	Helms
Henderson	Hill	Hurst	Justus	Kelley 127
Kelly 141	Kidd	Knight	Korman	Love
Lynch	Marshall	Mathews	Matthiesen	McDaniel
McGaugh	Morse 151	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reisch	Remole	Revis	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	Wiemann	Mr. Speaker	

NOES: 037

Adams	Arthur	Baringer	Barnes 28	Beck
Burnett	Butler	Carpenter	Conway 10	Corlew
Curtis	Ellebracht	Ellington	Franks Jr	Green
Harris	Kendrick	Lavender	May	McCann Beatty
McCreery	McGee	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Pierson Jr	Quade
Razer	Roberts	Stevens 46	Unsicker	Walker 74
Washington	White			

PRESENT: 000

ABSENT WITH LEAVE: 035

Anders	Bahr	Bangert	Barnes 60	Brown 27
Burns	Conway 104	Cookson	Cross	DeGroot
Gray	Haahr	Haefner	Higdon	Houghton
Houx	Johnson	Kolkmeier	Lant	Lauer
Lichtenegger	Meredith 71	Messenger	Miller	Moon
Morris 140	Muntzel	Peters	Pogue	Reiboldt
Runions	Smith 85	Wessels	Wilson	Wood

VACANCIES: 002

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman Bernskoetter reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 5589**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (6): Bernskoetter, Conway (10), Hurst, Kolkmeier, Shaul (113) and Walker (74)

Noes (0)

Absent (4): Arthur, Butler, Haahr and Neely

Committee on Crime Prevention and Public Safety, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 973**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (7): Baringer, Franks Jr., Hannegan, Lauer, McDaniel, Phillips and Wessels

Noes (0)

Absent (4): Barnes (60), Dogan, Hill and Rhoads

Committee on Economic Development, Chairman Rehder reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HJR 79**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Berry, Fitzwater, Grier, Knight, Lant, Miller, Pietzman, Plocher and Rehder

Noes (4): Beck, Ellebracht, Green and Washington

Absent (0)

Committee on Consent and House Procedure, Chairman Pfautsch reporting:

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 4835**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 4899**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 5034**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 5461**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **HR 7584**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Black, Kelly (141), Love, McCreery, Muntzel, Pfautsch, Pike, Schroer, Stevens (46), Trent and Washington

Noes (0)

Absent (2): Beard and Razer

Committee on Rules - Administrative Oversight, Chairman Barnes (60) reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 796**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Austin, Berry, Carpenter, Evans, Mathews, Runions, Sommer and Wiemann

Noes (0)

Absent (6): Barnes (60), Engler, Franks Jr., Johnson, Roeber and Unsicker

Committee on Rules - Legislative Oversight, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HJR 79**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Bondon, Eggleston, Fitzwater, Gregory, Houx, Rhoads and Shumake

Noes (4): Butler, Lavender, Shull (16) and Wessels

Absent (3): Curtis, Haahr and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 1993**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bondon, Butler, Curtis, Eggleston, Gregory, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (2): Fitzwater and Haahr

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bondon, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (1): Curtis

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SCS SBs 627 & 925**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bondon, Eggleston, Fitzwater, Haahr, Houx, Rhoads, Rone, Shull (16) and Shumake

Noes (1): Lavender

Absent (4): Butler, Curtis, Gregory and Wessels

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Bondon, Butler, Eggleston, Fitzwater, Gregory, Houx, Lavender, Rhoads, Rone, Shull (16) and Shumake

Noes (1): Curtis

Absent (2): Haahr and Wessels

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 808**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Bondon, Curtis, Gregory, Houx, Rhoads, Rone, Shull (16) and Shumake

Noes (3): Butler, Eggleston and Lavender

Absent (3): Fitzwater, Haahr and Wessels

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Eggleston, Fitzwater, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16) and Shumake

Noes (0)

Absent (4): Butler, Curtis, Gregory and Wessels

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 884**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bondon, Butler, Eggleston, Fitzwater, Gregory, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (1): Curtis

Absent (1): Haahr

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SCS SB 907**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Bondon, Butler, Curtis, Eggleston, Fitzwater, Gregory, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (1): Haahr

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SCS SBs 946 & 947**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Butler, Eggleston, Fitzwater, Houx, Lavender, Rhoads, Shull (16), Shumake and Wessels

Noes (0)

Absent (4): Curtis, Gregory, Haahr and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SB 981**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Bondon, Butler, Curtis, Eggleston, Fitzwater, Gregory, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (1): Haahr

MESSAGES FROM THE GOVERNOR

May 9, 2018

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES
99th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 2015** entitled:

AN ACT

To appropriate money for supplemental purposes for the expenses, grants and distributions of the Department of Economic Development to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2018.

On May 9, 2018, I approved House Bill No. 2015.

Respectfully Submitted,

/s/ Eric R. Greitens
Governor

Having been returned from the Governor with his approval, **HB 2015** was delivered to the Secretary of State by the Chief Clerk of the House.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 892

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 892, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 892, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 892;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 892, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gina Walsh
/s/ Scott Sifton
/s/ Brian Munzlinger
/s/ Mike Cunningham
/s/ Sandy Crawford

FOR THE HOUSE:

/s/ Nate Walker (3)
/s/ Jack Bondon
/s/ Jered Taylor
/s/ Ira Anders
/s/ Judy Morgan

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Report was referred to the Committee indicated:

CCR SCS SB 892 - Fiscal Review

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Thursday, May 10, 2018.

COMMITTEE HEARINGS

BUDGET

Thursday, May 10, 2018, 1:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 3.

Executive session will be held: HB 2708, SB 563

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, May 15, 2018, 8:30 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Annual review of state tax credits.

FISCAL REVIEW

Thursday, May 10, 2018, 9:00 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, May 11, 2018, 9:00 AM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

GOVERNMENT EFFICIENCY

Tuesday, May 15, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 6.

Public hearing will be held: HCR 108

Executive session will be held: HCR 108

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, May 16, 2018, 8:30 AM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

We will be voting on the designation of the Killian Glen Clay Memorial Bridge. This designation is the bridge on State Highway 169 crossing over Interstate 29 in Buchanan County.

RULES - ADMINISTRATIVE OVERSIGHT

Monday, May 14, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Tuesday, May 15, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, May 16, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Thursday, May 17, 2018, 8:30 AM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Friday, May 18, 2018, 8:30 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

SUBCOMMITTEE ON CORRECTIONS WORKFORCE ENVIRONMENT AND CONDUCT

Thursday, May 10, 2018, 9:00 AM, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Testimony from Missouri Department of Corrections Director Anne Precythe.

TRANSPORTATION

Thursday, May 10, 2018, 8:00 AM, House Hearing Room 4.

Executive session will be held: SS#2 SCS SB 1050

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2018

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 61 - Shumake

HJR 79 - Brattin

HOUSE BILLS FOR PERFECTION - REVISION

HRB 2 - Shaul (113)

HOUSE BILLS FOR PERFECTION

HCS HB 2257 - Redmon

HCS HB 2324 - Korman

HCS HB 2393 - Cookson

HB 2403 - Muntzel

HB 2425 - Alferman

HCS HB 2410 - Bernskoetter

HB 2480 - Rhoads

HCS HB 2580 - Bondon

HB 2681 - Corlew

HCS HB 2247 - Roeber

HB 2384 - Barnes (60)

HB 1662 - Swan

HCS HB 1857 - Shaul (113)

HCS HB 1803 - Matthiesen

HB 1397 - Shaul (113)

HCS HB 2210 - Christofanelli

HB 2460 - Vescovo

HB 1590 - Smith (163)

HB 2381 - Sommer

HB 2352 - Fraker

HB 1728 - Lant

HB 1378 - Trent

HCS HB 1424 - Roeber

HB 1569 - Christofanelli

HCS HB 1549 - Alferman

HB 1626 - Morris (140)

HCS HB 1363 - Kidd

HB 1290 - Henderson
HCS HB 1248 - Pike
HCS HB 2364 - Bondon
HCS HB 2356 - Haefner
HB 1906 - Higdon
HCS HB 2038 - Fraker
HCS HB 1273 - Kendrick
HCS HB 1870 - Barnes (60)
HB 1901 - Cross
HB 1972 - Wiemann
HB 1431 - Barnes (28)
HB 1454 - May
HB 1795 - Bernskoetter
HCS HB 2157 - Bahr
HB 2632 - Dinkins
HB 2607 - Knight
HCS HB 2259 - Lichtenegger

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HB 2234 - Rehder
HCS HB 1444 - Eggleston
HCS HB 1722 - Moon
HB 2211 - Kidd
HB 2421 - Pfautsch
HB 2159 - Hurst
HB 1977 - Redmon
HB 2232 - Ross
HCS HB 2233 - Ross
HB 2409 - Fraker
HCS HB 2295 - Helms
HB 2334 - Shaul (113)
HCS HB 2335 - Black
HCS HB 2180 - Kolkmeier
HB 2184 - Bondon
HCS HB 1929 - Corlew
HB 1837 - Rhoads
HCS HB 2411 - Pike
HB 2453 - Austin
HB 2590 - Gregory
HB 1811 - Smith (85)
HCS HB 2397 - Dogan
HCS HB 1457 - Lauer
HB 1715 - Phillips
HB 1470 - Kelley (127)

HCS HB 1491 - Kelley (127)
HB 1767 - Arthur
HB 1966 - Cornejo
HB 2139 - Morris (140)
HB 1846 - Cornejo
HB 1485 - Brown (57)
HB 2549 - Morse (151)
HCS HBs 2061 & 2219 - Kidd
HCS HB 1260 - Schroer
HB 1742 - Davis

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

HCR 55 - Basye
HCR 87 - Black
HCS HCR 105 - Fitzwater
HCR 60 - Morris (140)

HOUSE COMMITTEE BILLS FOR THIRD READING

HCB 15, (Fiscal Review 4/25/18), E.C. - Frederick

HOUSE BILLS FOR THIRD READING

HCS HB 2125, (Fiscal Review 5/8/18) - Helms

HOUSE BILLS FOR THIRD READING - INFORMAL

HCS#2 HB 1802 - Miller
HCS HB 1577, (Fiscal Review 5/3/18) - Wiemann

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

SCR 35
SCR 52

SENATE BILLS FOR THIRD READING - REVISION

SCS SRBs 975 & 1024 - Shaul (113)

SENATE BILLS FOR THIRD READING

SCS SB 787 - Morris (140)
SS SB 666 - Schroer
SB 919 - Reiboldt
SS SCS SB 752 - Ross
HCS SB 871 - Trent

SS SCS SB 652 - Engler
HCS SB 575 - Trent
SB 891 - Shaul (113)
HCS SB 951 - Bondon
HCS SS SCS SB 966 - Gregory
SB 706 - Korman
HCS SCS SB 672 - Bahr
HCS SB 581 - Cross
SB 582 - Wood
HCS SB 780 - Hill
SS#2 SCS SB 802 - Evans
SS SCS SBs 627 & 925 - Houghton
HCS SB 850 - Franklin
HCS SB 796 - Ross

SENATE BILLS FOR THIRD READING - INFORMAL

SB 625 - Miller
HCS SS SCS SB 547 - Curtman
SB 757, as amended, with HA 2, pending - Tate
SCS SB 629 - Miller
HCS SB 727, with HA 1, pending - Bondon
HCS SB 681 - Ruth
SB 649 - Engler
SS SCS SB 549 - Rehder
SS#5 SB 564, E.C. - Berry
HCS SS SCS SBs 603, 576 & 898 - Spencer
HCS SB 695 - Swan
HCS SS SCS SB 843, E.C. - Ross
SB 819 - Neely
HCS SS SB 881 - Davis
SB 626 - Kidd
SB 708 - Fitzpatrick
HCS SCS SBs 807 & 577 - Lichtenegger
HCS SS SCS SB 918, as amended - Houghton
SCS SBs 999 & 1000 - Toalson Reisch
SS SCS SB 568 - Fraker
SS SB 882 - Bernskoetter
HCS SCS SB 598 - Korman

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 43 - Black
SCR 36 - Kidd
SCR 40 - Basye

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1797, as amended - Fitzwater
SS HB 1953 - Neely
SS SCS HCS HB 1364 - Kidd
SCS HCS HB 1635 - Bernskoetter
SS SCS HB 1350, as amended - Smith (163)
SS HCS HB 1606, as amended (Fiscal Review 5/9/18) - Gannon
SS SCS HB 1769 - Mathews
SS SCS HB 1355, as amended - Phillips
SS SCS HB 1558, as amended, E.C. - Neely
HCS HB 2171, with SA 1 (Fiscal Review 5/9/18) - Wood
SCS HCS#2 HB 1503 - Dohrman
SS SCS HCS HB 1991, as amended (Fiscal Review 5/9/18) - Rhoads

BILLS IN CONFERENCE

HCS SB 569, as amended - Fraker
HCS SS SB 608 - Rhoads
HCS SS SCS SB 826, as amended, E.C. - Ross
CCR SS SCS HCS HB 1879, as amended - Fraker
HCS SS SB 870, as amended - Alferman
CCR HCS SS SCS SB 707, as amended (Fiscal Review 5/8/18) - Engler
HCS SS SCS SB 775, as amended - Fitzpatrick
CCR SCS SB 892, with HA 1, HA 2, HA 3, HA 4 & HA 5 - Walker (3)
HCS SB 660, as amended - Fitzwater
HCS SB 806, as amended - Neely
HCS SB 743, as amended - Redmon
HCS SB 687, as amended - Rowland (155)

HOUSE RESOLUTIONS

HR 4878 - Shaul (113)
HR 5237 - Fraker
HR 5612 - Justus
HR 5589 - Bernskoetter

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 1 - Fitzpatrick
CCS SCS HCS HB 2 - Fitzpatrick
CCS SCS HCS HB 3 - Fitzpatrick
CCS SCS HCS HB 4 - Fitzpatrick
CCS SCS HCS HB 5 - Fitzpatrick
CCS SCS HCS HB 6 - Fitzpatrick
CCS SCS HCS HB 7 - Fitzpatrick
CCS SCS HCS HB 8 - Fitzpatrick

CCS SCS HCS HB 9 - Fitzpatrick
CCS SCS HCS HB 10 - Fitzpatrick
CCS SCS HCS HB 11 - Fitzpatrick
CCS SCS HCS HB 12 - Fitzpatrick
SCS HCS HB 13 - Fitzpatrick
CCS SCS HCS HB 17 - Fitzpatrick
SCS HCS HB 18 - Fitzpatrick

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