

2022 Legislation

Visitation in Long-Term Care

1. SB 671- Essential Caregivers Act
 - a. Sponsored by Bill White (R - 32)
 - b. Makes neglect to a person receiving health care a Class D felony unless there is no physical, sexual, or emotional harm or injury at which point the crime becomes a Class A misdemeanor. Additionally, it will be made a Class D felony to abuse an elderly person, a person with a disability. This act also establishes the “Essential Caregiver Program Act” and visitation standards developed by the Department of Health and Senior Services and the Department of Mental Health.
2. HCS HBs 2116, 2097, 1690, 2221 - No Patient Left Alone Act
 - a. Sponsored by Rusty Black (R - 7)
 - b. Allows hospital patients and long-term care residents to designate up to three essential support persons in addition to a spouse or legal guardian to be present with them during their stay. This bill also allows compassionate care visits in long-term care facilities as needed by the resident.
3. HB 1861 - COVID-19 Vaccination Status
 - a. Sponsored by J. Eggleston (R - 2)
 - b. Cosponsored by Chuck Basye (R - 47) and Andrew McDaniel (R - 150)
 - c. Visitation in long-term care was added as an amendment to the original bill. This language is similar to language in the No Patient Left Alone Act.

Long-Term Care Facilities and Hospitals

1. HB 1561 - Long Term Care Facilities
 - a. Sponsored by Dave Griffith R-60
 - b. This bill removes “long-term care facilities” from the definition of “Health Care Provider” and would make it more difficult to account for such facilities for damages. Instead, statutory cause of action would be moved to the health care providers based on improper healthcare.
2. HB 2227 - Missouri Hospital Patient Protection Act
 - a. Sponsored by LaDonna Appelbaum (D - 71)
 - b. Cosponsor Bridget Walsh Moore (D - 93)
 - c. Bill sets minimum staffing levels, periodic audits carried out by the Department and a toll-free line for reporting violations, prevent retaliation against those who report, provide accessible information to all concerning the facility of the process for making such reports, and establishes penalties for violations of staffing standards.
3. HB 2274 - Joint Labor-Management Health and Safety Committees

- a. Sponsored by Ashley Bland Manlove (D - 26)
 - b. Requires each health care facility to establish and administer a Joint Labor-Management Health and Safety Committee which is to be composed of an equal number of employer and employee representatives, and enacts a \$5,000 penalty per day for a facility not in compliance. This committee will discuss a wide range of topics including worker safety and facility response to infectious disease outbreaks such as COVID-19.
4. SB 912
 - a. Sponsored by Bill Eigel (R - 23)
 - b. Similar to SB 288 (2021) and SB 1067 (2020), this act specifies that the amount of the increase in long-term care insurance policy shall not exceed the lesser of the percentage change in the Consumer Price Index for All Urban Consumers or 5%.
5. SB 1029
 - a. Sponsored by Bill White (R - 32)
 - b. This bill outlines and updates the evaluation protocol and standards for facility licensure with inspections now required to be performed in accordance with the schedule set forth under federal Medicare law. In cases of noncompliance or revocation of a license, protocol for notifying the owner or operator of a long-term care facility has also been updated.

MO Healthnet and Health Care

1. HB 1978 - MO Healthnet for Mental Health Services
 - a. Sponsored by Ann Kelley (R - 127)
 - b. Would require the Department of Social Services to apply for a waiver from the Centers for Medicare and Medicaid Services to grant MO HealthNet coverage for mental health treatment in residential programs in psychiatric facilities.
2. HB 2148 - Managed Care Organizations
 - a. Sponsored by Jim Murphy (R - 94)
 - b. Adds Medicaid managed care organizations' payment standards and reimbursement methodologies to MO HealthNet Division.
3. HB 2222 - Creates the MO Earned Family and Medical Leave Act
 - a. Sponsored by Tracy McCreery (D - 88)
 - b. This provides all employees who are not independent contractors up to six weeks each year of wage replacement benefits for reasons including but not limited to caring for a family member with a serious health condition.
4. HB 2313 - Insulin Costs
 - a. Sponsored by Doug Clemens (D - 72)
 - b. Cosponsor Andrew McDaniel (R - 150)

- c. This bill limits the amount an insurer may not charge an insured more than \$100 for a 30 day supply of insulin. The price cap is allowed to increase yearly but is not permitted to exceed the percentage change from the previous year in the medical care component of the Consumer Price Index of the Bureau of Labor Statistics of the US Department of Labor. The Department of Commerce and Insurance, Department of Health and Senior Services, and Department of Social Services will be tasked with making yearly reports on findings.
5. HB 2362 - Dental Board Pilot Projects
 - a. Sponsored by Jeff Coleman (R - 32)
 - b. This bill allows the Missouri Dental Board to collaborate with the Department of Health and Senior Services and the Office of Dental Health to approve pilot projects to examine new methods of extending care to underserved populations.
6. HB 2371 - Home Health Practitioners
 - a. Sponsored by Travis Smith (R - 155)
 - b. Cosponsored by Jeff Porer (R - 42)
 - c. This bill expands those practitioners eligible to create a plan of treatment for a home health agency providing home health services from physicians to now include podiatrists, nurse practitioners, clinical nurse specialists, and physician assistants, as defined in the bill.
7. HJR 117 - Medicaid Eligibility and Requirements
 - a. Sponsored by Cody Smith (R - 163)
 - b. Enacts changes to MO HealthNet eligibility and requirements. MAKes changes to the Medicaid program that would impose work requirements and subjects funding portions of Medicaid to legislative appropriations.
8. SB 779
 - a. Sponsored by Elaine Gannon (R - 3)
 - b. In cases of fraud, abuse, or unethical behavior committed by a provider, the Department of Social Services would be allowed to suspend, revoke, or cancel any contract or provider agreement or refuse to enter into a new contract or provider agreement with any provider or affiliates thereof. This encompasses MO HealthNet providers.
9. SB 1021
 - a. Sponsored by Justin Brown (R - 16)
 - b. This act authorizes the MO HealthNet division to define, in regulation, payment standards and reimbursement methodologies for Medicaid managed care organizations providing or arranging services for MO HealthNet enrollees.
10. SB 1129 **new**
 - a. Sponsored by Bill White (R - 32)

- b. This bill aims to prevent carriers and PBMs from penalizing or preventing clients to receive medication administered by clinicians regardless of whether the participating provider obtains the drugs from an in-network provider.
11. HB 2605 - Supplemental Health Care Agencies **new**
- a. Sponsored by Kurtis Gregory (R - 51)
 - b. Cosponsored by Herman Morse (R - 151) and Chad Perkins (R - 40)
 - c. This bill establishes procedures and requirements for the registration and qualifications of supplemental health care service agencies, defined as persons or entities engaged in the business of providing or procuring temporary employment in health care facilities for health care personnel.

Minimum Wage

- 1. HB 1765 - State Minimum Wage Rate
 - a. Sponsored by Chris Sander (R - 33)
 - b. Excluding interstate commerce jobs, this bill would allow employers to pay workers one dollar less than minimum wage during the employee's first 28 days of work.
- 2. HB 2335 - Minimum Wage
 - a. Sponsored by Rasheen Aldridge (D - 78)
 - b. This bill requires employers to set wages as no less than 2% of the fair market rate per hour as determined yearly by the US Department of Housing and Urban Development or rates as described in Subsection 3 of Section 290.502, RSMo, or wages at the same rate or rates set under the provisions of federal law. Such changes would be made effective January 1, 2023.
- 3. SB 893
 - a. Sponsored by Doug Beck (D - 1)
 - b. This act would increase the minimum wage rate by \$1.00 every year beginning in 2024 until it reaches \$15.00 per hour. After such a time minimum wage would increase or decrease every year based on the increase or decrease in the Consumer Price Index.

Abuse and Neglect

- 1. HB 2178 - Civil Actions for Abuse, Bullying, or Neglect
 - a. Sponsored by Raychel Proudie (D - 73)
 - b. Establishes a statute of limitations on an action for injury to individuals with disabilities as a result of abuse, bullying, or neglect. This bill would apply to any actions occurring on or after August 28, 2022
- 2. HB 2259 - Sexual Contact with a Child or Incapacitated Person

- a. Sponsored by Keri Ingle (D - 35)
 - b. Makes sexual contact by a foster parent or legal guardian of a child or incapacitated person a class E felony and does not allow for the defense of consent.
3. HB 2601
 - a. Sponsored by Ed Lewis (R - 6)
 - b. This bill adds and defines neglect as a punishable offense when willfully done against vulnerable persons. In addition, the offense of abuse of an elderly person, a person with a disability, or a vulnerable person is raised from a class A misdemeanor to a class D felony.
4. SB 1182 **new**
 - a. Sponsored by Elaine Gannon (R - 3)
 - b. Establishes veterinarians, animal control officers, and animal humane investigators be mandated reporters and receive training to notice the signs of neglect and abuse in children, the elderly, and vulnerable persons.

Guardianship

1. HB 2488
 - a. Sponsored by Marlene Terry (D - 66)
 - b. Cosponsored by Bill Owen (R - 131)
 - c. This bill modifies provisions relating to guardianships and conservatorships. Part of these new provisions includes the creation of three new classifications of guardianship: general guardianship, specialized guardianship, and forensic guardianship.
2. SB 748
 - a. Sponsored by Lauren Arthur (D - 17)
 - b. Modifies the provisions outlined for court-appointed guardians who receive care and custody of a minor or incapacitated person and court-appointed conservators who have the care and custody of the estate of a minor or disabled person.

Certificate of Need

1. HB 1616 - Certificate of Need
 - a. Sponsored by Dean Van Schoiack (R - 9)
 - b. Cosponsored by Chris Sander (R - 33), Jason Chipman (R - 120)
 - c. This bill would repeal sections 197.300 - 197.367 RSMo which is the Missouri Certificate of Need Law.
2. SB 727- Certificate of Need
 - a. Sponsored by Bob Onder (R - 2)

- b. Identical to SB 192 (2021), this act repeals provisions of the certificate of need law relating to hospitals, excluding long-term care beds in hospitals and major medical equipment. Additionally, this makes technical changes to the certificate of need statutes.
- 3. SB 890- Certificate of Need
 - a. Sponsored by Mike Moon (R - 29)
 - b. Repeals the certificate of need law and certain statutory references to the law.

Diagnosis and Prescription

- 1. HB 2355 - Time-Critical Diagnosis
 - a. Sponsored by Allen Andrews (R - 1)
 - b. This bill establishes the “Time-Critical Diagnosis Advisory Committee” for public and professional education on time-critical diagnosis, research endeavors, policies, and recommendations for changes. Members will be appointed by the Department of Health and Senior Services.
- 2. HB 2394 - Guidelines for Opioid Prescriptions
 - a. Sponsored by Keri Ingle (D - 35)
 - b. Per this bill, the Department of Health and Senior Services must promulgate regulations consistent with the CDC and Prevention’s Guideline for Prescribing Opioids for Chronic Pain in regard to the withdrawal of patients from opioid treatment to all health care professionals with the authority to prescribe opioids.
- 3. SB 1150 **new**
 - a. Sponsored by Caleb Rowden (R - 19)
 - b. This bill makes it unlawful for any entity or person to either directly or indirectly require another person to receive medication, vaccination, or injection when the use of such has not been fully authorized by the U.S. Food and Drug Administration, is allowed under an emergency use authorization, or is undergoing safety trials, if the person objects on the basis of religious beliefs, moral convictions, or philosophical reasons. Provisions are also established should a person be forced by some means into receiving unwanted treatment.

Other/Misc

- 1. HB 1632 - Unenforceable Contracts
 - a. Sponsored by Herman Morse (R - 151)
 - b. Amends statute of frauds to include “individuals 65 years of age or older, any person a court has adjudicated fully or partially incapacitated or disabled, or any person diagnosed with Alzheimer’s disease, dementia, or any other mild to severe cognitive disability upon any contract” so that agreements must be in writing to be valid.

2. HB 2192 - Caregiver Appreciation Day
 - a. Sponsored by Herman Morse (R - 151)
 - b. This bill designates September 15th of each year as “Caregiver Appreciation Day”.
3. HB 2377 - Implementation of the Older Americans Act
 - a. Sponsored by Hannah Kelly (R - 141)
 - b. This bill amends existing legislation to accurately reflect that the responsibilities of the state under Public Law 73, the Older Americans Act of 1965, are no longer under the Department of Social Services but are instead under the Department of Health and Senior Services under Chapter 192.
4. SB 1045- Implementation of the Older Americans Act
 - a. Sponsored by Jill Schupp (D - 24)
 - b. This act transfers authority for the implementation of the federal Older Americans Act of 1965 from the Department of Social Services to the Department of Health and Senior Services.
5. SB 773 - Ticket to Work
 - a. Sponsored by Brian Williams (D - 14)
 - b. This act changes the Ticket to Work Health Assurance Program by excluding retirement accounts from asset limit calculations, changing certain calculations of income for people in the program, removing all earned income of the disabled worker from the list of disregards in income determinations, disregards the first \$50,000 of a spouse’s income, in certain cases MO HealthNet will provide secondary or supplemental policy for personal care assistance services and non-emergency medical transportation only, and the Department will report annually on the number of participants.
6. HB 2017 - Noneconomic Damages
 - a. Sponsored by Bruce DeGroot (R - 101)
 - b. This bill specifies that, in any civil action in which the jury is the trier of fact, neither party nor their attorney can seek or make reference to a specific dollar amount or state a range for awards for non-economic damages.
7. HB 2351 - Homestead Preservation Act
 - a. Sponsored by Marlon Anderson (D - 76)
 - b. This bill creates the “Missouri Homestead Preservation Act”. The bill is a tax credit program that provides a property tax credit for qualified senior citizens and disabled individuals, as defined in the bill.
8. HB 2509 - Contracts as a Result of Telemarketing
 - a. Sponsored by Herman Morse (R - 151)
 - b. This bill modifies the statute of frauds under Chapter 432, RSMo, to require contracts stemming from telemarketing that involve individuals over age 65,

incapacitated, or diagnosed with Alzheimer's disease, dementia, or any other mild to severe cognitive disability to be in writing.

9. SB 723 - Medicaid Stabilization Fund

- a. Sponsored by Dan Hegeman (R - 12)
- b. Establishes the "Medicaid Stabilization Fund" in the state treasury from money given by the federal American Rescue Plan Act of 2021. Funds accessible to the Department of Social Services to be used specifically for the MO HealthNet program.

10. SB 1192 **new**

- a. Sponsored by Sandy Crawford (R - 28)
- b. Under current law, certain persons may be eligible for up to \$156 a month in supplemental welfare assistance for home care in licensed residential care facilities. This act removes that monthly cap and makes such assistance subject to appropriations.

11. SB 1214 **new**

- a. Sponsored by Bill White (R - 32)
- b. Under this act, the Department of Health and Senior Services shall not promulgate a rule to delegate the Department's rulemaking authority to any official, agency, or department and shall not promulgate a rule to authorize a state or administrative official with state or local rulemaking authority.

12. SJR 41 **new**

- a. Sponsored by Steven Roberts (D - 5)
- b. Cosponsored by Angela Mosley (D - 13)
- c. This constitutional amendment allows a taxing jurisdiction to exempt taxpayers sixty-five or older meeting certain criteria, as described in the amendment, from increases in the assessed valuation of such taxpayer's residential real property. Such exemption shall either be approved by the governing body of the taxing jurisdiction or approved by the voters upon the submission of a petition of at least five percent of registered voters in the taxing jurisdiction.

13. HR 3328 **new**

- a. Sponsored by Rudy Veit (R - 59)
- b. This bill grants use of the House Chamber to the Silver Haired Legislature on October 19th and 20th in 2022. This aims to help preserve the voice and autonomy of senior citizens.