



Governmental Services Group

This week the Missouri General Assembly in both the House and Senate maintained an active pace, advancing a variety of bills despite typical mid-session challenges of juggling budget and policy hearings. Notably absent so far this session is the lack of any major bouts of infighting, which has allowed for more productivity. Floor activity has increased particularly this week before the legislative break. In both chambers lawmakers continue to debate and perfect legislation on a wide range of issues.

Among the most prominent topics addressed this week are public safety, taxation, and utility regulations, reflecting ongoing legislative priorities for the supermajority. Additional highlights were the House passing HB 618 the Prior Authorization bill reducing red tape created by insurance companies in the healthcare space, as well as SB 4, Sen. Cierpiot's major utility rate adjustment bill. The House also passed out a major policy goal of Governor Kehoe. HB 798 would roll out a gradual reduction in the state income tax from 4.7% to 3.7% over the next 10 years. The yearly percentage point rate reduction would only go into effect if state revenues grew by at least \$175 million per year. When fully phased in, the bill's fiscal note estimates a \$1.3 billion reduction in state revenue. In the Senate, members concentrated on floor debates and the perfection of several less controversial bills, covering areas such as utility regulations, amendments to fireworks laws, anti-hazing measures, updates to financial institution regulations, and a series of taxation proposals.

Possibly the biggest news this week was the major hiccup in the budget process. The rollout of the budget has been significantly delayed due to failures with the new \$100 million state accounting system, known as MOVERS. Originally expected to streamline financial processes and support legislative appropriation decisions, the system has been unable to produce key appropriation bills needed for House Budget Committee action. As a result, House Budget Chairman Dirk Deaton canceled a crucial meeting to present his budget revisions, postponing getting the budget to the Senate. Some are saying we may not have a House-passed budget until April. Lawmakers from both chambers have voiced frustration over the system's shortcomings, which have upended efforts to move the \$53.7 billion spending plan forward and complicated already tight fiscal discussions.

Spring break begins upon adjournment this week. The legislature will be out on spring break through next week and will resume on Monday, March 24th. We expect the second half of this session to be fast paced as usual, especially with the delay in the budget process. We will keep you informed of any changes and keep you up to date on the latest from Jefferson City.

TANF

HB 315, sponsored by Representative Cook, was voted out of the House Government Efficiency Committee DO PASS this week as a substitute. The bill prohibits temporary assistance for needy

families (TANF) benefit cards from being used at ATMs or to access cash and limits the items that may be purchased with TANF benefits.

Women's Health

HB 398, sponsored by Representative Peters, modifies several provisions relating to health care. Included in the bill are provisions relating to blood testing for pregnant women and mammography screenings, and self-administered hormonal contraceptive coverage. This bill was voted out of the House Rules Committee DO PASS.

Confiscation of Animals

HB 489, sponsored by Representative Schoiack, was voted DO PASS by the House Committee on Agriculture. A summary of the substitute includes:

(1) Specifies that a law enforcement official must seek a warrant to enter private property to inspect, care for, or confiscate neglected or abused animals. Currently, either a law enforcement official or a duly authorized public health official can seek the warrant; (2) Prohibits an animal from being sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering; (3) Allows a third party approved by the court to care for confiscated animals; (4) Specifies that the owner of any animal that has been confiscated cannot be responsible for the animal's care and keeping prior to a disposition hearing if at the hearing, there is no finding of abuse or neglect by the court and the court orders the animals returned to the owner; (5) Requires a reasonable bond or security to be posted within 72 hours of the disposition hearing in an amount sufficient to provide for the care of the animal and consistent with the fair market cost of boarding the animal in an appropriate retail boarding facility if the owner, custodian, or any person claiming an interest in an animal that has been confiscated because of neglect or abuse would like to prevent disposition of the animal after the disposition hearing and while the criminal case proceeds. Currently, the owner, custodian, or any person claiming an interest in an animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care for at least 30 days, inclusive of the date on which the animal was taken into custody; (6) Specifies that all animals confiscated must receive proper care as determined by state law and regulations. Any facility or organization must be liable to the owner for damages for any negligent act or abuse of the animal which occurs while the animal is in its care, custody, and control; (7) Specifies that in the event that an animal owner is not liable for the costs incurred while the charges were pending, the costs of care and the liability for the life or death of the animal and medical procedures performed are the responsibility of the confiscating agency; (8) Allows an owner to demand the return of the animal held in custody if he or she posted a sufficient bond and is acquitted or there is a final discharge without a conviction unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence. Any entity with care, custody, and control of the animal must immediately return it to the owner upon demand and proof of the acquittal or final discharge without conviction. The animal owner must not be liable for any costs incurred relating to the placement or care of the animal while the charges were pending unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence; (9) Specifies that any person or entity that intentionally euthanizes, other than as permissible under the provisions of the bill, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the

animal's care will be guilty of a class B misdemeanor and is liable to the owner for damages including the actual value of the animal. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor, and any entity licensed under state law must be subject to licensure sanction by its governing body; and (10) Requires, in the event that the animal owner is not liable for the costs incurred, the confiscating agency to be responsible for the usual and customary veterinary costs and fair market boarding fees and be liable for the life or death of the animal and for medical procedures performed while the charges were pending

Blood Tests for Pregnant Women

HB 803, sponsored by Representative Stinett, was voted out of the House Health and Mental Health committee DO PASS this week. The bill requires an additional blood sample to be taken, with the woman's consent, at 28 weeks of pregnancy, and expands the list of diseases to be tested.

Telemedicine

HB 710, sponsored by Representative Knight, was heard this week in House Health and Mental Health.

Currently, the establishment of a physician-patient relationship for purposes of telehealth includes an interview and a physical examination. Under this bill, an evaluation is still required, but a physical examination is required only if needed to meet the standard of care. Current law prohibits the use of an internet or telephone questionnaire completed by a patient from constituting an acceptable medical interview for the provision of treatment by telehealth. This bill permits such questionnaires if the information provided is sufficient as though the medical evaluation was performed in person. Additionally, current law requires a physician-patient relationship for purposes of telehealth to include a sufficient dialogue with the patient regarding treatment. This bill changes "dialogue" to "exchange" with the patient regarding treatment. Finally, current law prohibits a health care provider from prescribing any drug, controlled substance, or other treatment to a patient based solely on an internet request or questionnaire. Under this bill, a health care provider shall not prescribe any drug, controlled substance, or other treatment to a patient in the absence of a proper provider-patient relationship.

Those testifying in favor of the bill were Mercy Health Systems, Health Forward Foundation, and two individuals.

There was no opposition to the bill.

Tobacco Product Regulations

SB 231, sponsored by Senator Brown, modifies provisions relating to tobacco product regulations. Under this act, the state's laws shall preempt any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision of the state regulating the sale of tobacco products, alternative nicotine products, or vapor products. Additionally, no political subdivision shall deny a qualified applicant for a tobacco products license, an alternative nicotine products license, or a vapor products license if the new license is

for the same business or location that had a license within the previous 24 months, as described in the act.

Nothing in this act shall be construed to prohibit counties, municipalities, and other political subdivisions from enforcing ordinances and regulations that prevent the sale of tobacco products, alternative nicotine products, and vapor products to persons under the age of 21.

This bill was voted out of the Senate General Laws Committee DO PASS.