

Journal of the Senate

SECOND REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 5, 2014

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...for it is God who is at work in you, enabling you both to will and to work for his good pleasure.” (Philippians 2:13)

Almighty God, may we walk the walk You would have us make. Increase our sense of being united with You so that Your Spirit shows us the things we ought to do and give us the grace and power to do what You require of us to do this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Justus offered Senate Resolution No. 1271, regarding Officer I John Dominguez, Vandalia, which was adopted.

Senator Lager offered Senate Resolution No. 1272, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Roy Hazzard, Gallatin, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 826—By Brown.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to compensation for corrections officers.

SB 827—By Keaveny.

An Act to repeal section 160.261, RSMo, and to enact in lieu thereof two new sections relating to the use of corporal punishment in schools, with an existing penalty provision.

SB 828—By Schaaf.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

SB 829—By Kraus.

An Act to repeal section 136.300, RSMo, and to enact in lieu thereof one new section relating to tax liability disputes.

SB 830—By Parson.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

SB 831—By Wallingford.

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to the disposition of criminal offenses involving drug overdoses.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 530**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 530**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 530

An Act to repeal sections 211.183 and 211.447, RSMo, and to enact in lieu thereof two new sections relating to termination of parental rights.

Was taken up.

Senator Libla moved that **SCS** for **SB 530** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Libla, **SB 530**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Sater moved that **SB 518**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 518**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 518

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet managed care services.

Was taken up.

Senator Sater moved that **SCS** for **SB 518** be adopted.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 518, Page 1, In the Title, Line 3, by striking the words “managed care”; and

Further amend said bill, page 3, section 208.166, line 86, by inserting after all of said line the following:

“208.207. 1. Beginning January 1, 2015, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services and the department may develop such rates through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.

4. In the event that the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this section shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of PL 111-148, as that section existed on March 28, 2010, this section shall no longer be effective.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Lamping, Keaveny, Justus and Chappelle-Nadal.

At the request of Senator Sater, **SB 518**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 653**; **SS** for **SCS** for **SB 650**; and **SJR 30**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SJR 30** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 31** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 1273, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jay Garrett, Easton, which was adopted.

Senator Cunningham offered Senate Resolution No. 1274, regarding David A. Goodman, Bucyrus, which was adopted.

Senator Cunningham offered Senate Resolution No. 1275, regarding Logan-Rogersville Primary School, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 518**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Schmitt assumed the Chair.

Senator Schaaf offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 518, Page 2, Section 208.207, Lines 1-2 of said amendment, by striking the following: “provided to individuals qualifying under the provisions of this section”; and further amend lines 6 to 8 of said amendment by striking said lines and inserting in lieu thereof the following: “**rates through a contracted actuary.**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

SA 1 was again taken up.

Senator Schaaf offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 518, Page 2, Section 208.207, Lines 1-8 of said amendment, by striking all of said lines and inserting in lieu thereof the following: “**HealthNet services shall remain at the existing MO HealthNet reimbursement rates as of January 1, 2014.**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

SA 1 was again taken up.

Senator LeVota moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—1

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 518, Page 3, Section 208.166, Line 86, by inserting after all of said line the following:

“6. To aid the discovery of how and if MO HealthNet recipients covered under managed care organization health plans are improving in health outcomes and to provide data to the state to target health disparities, the state of Missouri shall establish and maintain an accountability system utilizing health information technology. Such system shall:

(1) Have the ability to interoperate to collect and aggregate data from disparate systems. Such disparate systems shall include, but not be limited to electronic medical records, claims and eligibility databases, state-managed registries such as public health and immunizations registries, and health information organizations;

(2) Provide a quarterly analysis of each of the state managed care organizations to ensure such organizations are meeting required metrics, goals, and quality measurements as defined in the managed care contract such as costs of managed care services as compared to fee-for-service providers, and to provide the state with needed data for future contract negotiations and incentive management;

(3) Meet all state health privacy laws and federal Health Insurance Portability and Accountability Act (HIPAA) requirements; and

(4) Meet federal data security requirements.”

Senator Schaaf moved that the above amendment be adopted.

Senator Sater offered **SA 1 to SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 518, Page 1, Section 208.166, Line 6, by inserting after the word “shall” the following: “:”;

and further amend lines 7 to 14 by striking all of said lines; and further renumber the remaining subdivisions accordingly; and further amend line 15 by striking the word “quarterly” and inserting in lieu thereof the following: **“biannual”**.

Senator Sater moved that the above amendment be adopted.

At the request of Senator Sater, **SB 518**, with **SCS, SA 2** and **SA 1 to SA 2** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, David Wunderlin, Joplin.

Senator Silvey introduced to the Senate, JoAnn Shaw, Robert Norton and Brian Salak, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Normandy School Board members.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY—THURSDAY, FEBRUARY 6, 2014

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 725-Nieves	SB 756-Schaefer
SB 726-Chappelle-Nadal	SB 757-Justus, et al
SB 727-Chappelle-Nadal	SB 758-Justus
SB 728-Sifton	SB 759-Sifton
SB 729-Romine	SB 760-Chappelle-Nadal
SB 730-Nasheed	SB 761-Wallingford
SB 731-Nasheed	SB 762-Schaefer
SB 732-Keaveny	SB 763-Schaefer
SB 733-Schaefer	SB 764-Lager
SB 734-Cunningham	SB 765-Chappelle-Nadal
SB 735-Brown	SB 766-Keaveny
SB 736-Sater	SB 767-Schmitt, et al
SB 737-Walsh	SB 768-Pearce
SB 738-Walsh	SB 769-Pearce
SB 739-Romine	SB 770-Wallingford
SB 740-Lamping, et al	SB 771-Sater
SB 741-Rupp	SB 772-Lamping
SB 742-Schmitt	SB 773-Rupp
SB 743-Schmitt	SB 774-Dempsey
SB 744-Nieves	SB 775-Walsh
SB 745-Munzlinger	SB 776-Nieves
SB 746-Munzlinger	SB 777-Nieves
SB 748-Walsh	SB 778-Nieves
SB 749-Walsh	SB 779-Munzlinger
SB 750-Walsh	SB 780-LeVota
SB 751-LeVota	SB 781-LeVota
SB 752-LeVota	SB 782-Romine
SB 753-Keaveny	SB 783-Romine
SB 754-Sater and Justus	SB 784-Romine
SB 755-Wallingford	SB 785-Kehoe

SB 786-Schmitt	SB 812-Parson
SB 787-Justus	SB 813-LeVota
SB 788-Brown	SB 814-Brown
SB 789-Dixon	SB 815-Pearce
SB 790-Dixon	SB 816-Sater
SB 791-Parson and Schaaf	SB 817-Sifton
SB 792-Parson	SB 818-Kehoe
SB 793-Dixon	SB 819-Wallingford
SB 794-Chappelle-Nadal	SB 820-Schaefer
SB 795-Lager	SB 821-Schaefer
SB 796-Parson	SB 822-Parson
SB 797-Nieves	SB 823-Dixon
SB 798-Emery	SB 824-Dixon
SB 799-Emery	SB 825-Chappelle-Nadal
SB 800-Romine	SB 826-Brown
SB 801-Holsman	SB 827-Keaveny
SB 802-Dixon	SB 828-Schaaf
SB 803-Justus	SB 829-Kraus
SB 804-Schaaf	SB 830-Parson
SB 805-Justus	SB 831-Wallingford
SB 806-LeVota	SJR 44-Schaefer
SB 807-LeVota and Curls	SJR 45-Silvey
SB 808-Wasson	SJR 46-Emery
SB 809-Wasson	SJR 47-Lager
SB 810-Holsman	SJR 48-Kehoe
SB 811-Schaaf	

THIRD READING OF SENATE BILLS

SS for SB 507-Dixon	SS for SCS for SB 653-Lager
SCS for SB 651-Lager	SS for SCS for SB 650-Lager
SB 649-Lager	SJR 30-Dixon (In Fiscal Oversight)
SB 652-Lager	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 492-Pearce, with SCS (pending)	SBs 509 & 496-Kraus, with SCS
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SB 518-Sater, with SCS, SA 2 & SA 1 to
SA 2 (pending)

SB 530-Libla, with SCS (pending)
SB 613-Nieves, et al, with SCS

CONSENT CALENDAR

Senate Bills

Reported 1/30

SB 506-Munzlinger
SB 591-Sater

SB 630-Wallingford, with SCS
SB 639-Brown, with SCS

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