

SS#2 HB 648 -- INDIVIDUALS WITH DISABILITIES

This bill changes the laws regarding individuals with disabilities.

INTELLECTUALLY DISABLED

Certain references of "mentally retarded," "mental retardation," or "handicapped" in state law are changed to "intellectually disabled" or "developmentally disabled," "intellectual disability" or "developmental disability," or "disabled" respectively including renaming the Missouri Advisory Council on Mental Retardation and Developmental Disabilities as the Missouri Developmental Disabilities Council and the Division of Mental Retardation and Developmental Disabilities within the Department of Mental Health as the Division of Developmental Disabilities.

MO HEALTHNET OVERSIGHT COMMITTEE

The membership of the MO HealthNet Oversight Committee is increased from 18 to 19 by adding an additional non-physician health care professional. One non-physician health care professional must be a licensed nurse, and the other must be a licensed psychologist. The members of the committee representing physicians and dentists must be appointed by the Governor with the advice and consent of the Senate in the same manner that members are selected for the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration. The consumer representative, patient advocates, and the public member cannot have a financial interest in the health care industry or have been a state employee within the last five years.

RIGHTS OF INDIVIDUALS WITH DISABILITIES

The disability or disease of an individual cannot be the basis for a determination to refuse to issue, suspend, or revoke a foster care license; to remove a child from a parent's custody or that a child is in need of care; to terminate parental rights; or to rule that an individual is unfit or not suitable to be an adoptive parent or a foster parent without a specific showing that there is a causal relationship between the disability or disease and a substantial and significant risk of harm to the child.

MENTAL HEALTH EARNINGS FUND

The bill allows the Mental Health Earnings Fund to be used for the deposit of revenue received from the proceeds of any sales and services from Mental Health First Aid USA. Subject to

appropriation, the proceeds must be used to fund Mental Health First Aid USA activities and must be accounted for separately from all other revenues deposited into the fund. The Department of Mental Health is not required to pay the fund for proceeds received from these sales and services.

DEPARTMENT OF MENTAL HEALTH INVESTIGATION REPORTS

A statutory reference is revised to specify that an investigative report of the Department of Mental Health will be automatically admissible in any hearing before the Administrative Hearing Commission.