

SECLUSION AND RESTRAINT POLICIES (Section 160.263 RSMo)

This bill defines "restraint" and "seclusion" and requires school districts, charter schools, or publicly contracted private providers to include in policy a prohibition on the use of restraint and seclusion, including "prone restraint" as defined by the bill, for any purpose other than situations or conditions in which there is imminent danger of physical harm to self or others. Any incident requiring restraint or seclusion shall be monitored by school personnel with written observation

The bill requires that before July 1, 2022 each school district, and charter school, or publicly contracted private providers policy shall include:

- (1) When to remove a child from restraint, seclusion, or isolation;
- (2) Requirement for annual mandatory training;
- (3) Reporting requirements for any occurrence of restraint, seclusion or isolation as outlined in the bill, including the reporting requirements for parental notification and providing a copy of each report to the Department of Elementary and Secondary Education (DESE);
- (4) Notification requirement for each occurrence of a restraint, seclusion, or isolation incident to parents or guardians within one hour after the end of school on the day the incident occurs; and
- (5) Protections for individuals that report or provide information about violations of policy under this section.

POLICY FOR NURSING MOTHERS (Section 160.3005)

This bill requires the Department of Elementary and Secondary Education to develop a model policy, by January 1, 2022 relating to accommodations for breastfeeding. Public school districts must adopt a written policy by July 1, 2022.

The policy must include provisions to provide accommodations to lactating employees, teachers, and students to express, or breast-feed for each public school building within the district for at least a year after the birth of a child. Accommodations must meet requirements as specified in the bill and districts must provide a

minimum of three opportunities during a school day to express or breast-feed.

#### AUDIO RECORDING FOR CERTAIN SCHOOL MEETINGS (Section 162.686)

This bill prevents any public school districts and charter schools from prohibiting a parent or guardian from audio recording any meeting held under the Federal Individuals with Disabilities Education Act (IDEA) or a Section 504 plan meeting (Federal Rehabilitation Act of 1973).

Districts or charter schools may not require parents to provide more than 24 hours notice in order to record said meeting, and no school district employee who reports a violation under this section shall be subject to discharge, retaliation, or any other adverse employment action for reporting.

#### SHELTERED WORKSHOP WAGES (Section 178.935)

This bill directs the Department of Elementary and Secondary Education (DESE) to permit sheltered workshops to pay disabled persons commensurate wages, defined as wages based on the disabled person's productivity in proportion to the productivity of an experienced non-disabled person in a similar job and that may be lower than the state minimum wage. The sheltered workshop shall provide written assurance to the Department that such wages shall be reviewed and adjusted periodically and no sheltered workshop shall be permitted to reduce the agreed-upon wage rate for a period of two years after approval without prior authorization from the Department.

#### ALZHEIMER STATE PLAN TASK FORCE (Section 191.116)

This bill establishes the "Alzheimer's State Plan Task Force" in the Department of Health and Senior Services, which shall consist of 21 members as specified in the bill. The Task Force shall assess and maintain a state plan to overcome the challenges of Alzheimer's disease, including assessing the existing services and resources available for persons with Alzheimer's disease and their families and identifying opportunities for Missouri to coordinate with federal entities. The membership of the Task Force shall consist of 21 members including one member of the Missouri House of Representatives appointed by the Speaker and one member of the Senate to be appointed by the Speaker Pro Tem. The Task Force shall deliver a report to the Governor and General Assembly by June 1, 2022, and shall supplement the report annually thereafter. The

Task Force shall expire on December 31, 2026.

MODIFIES "JUSTICE FOR SURVIVORS ACT" (Sections 192.2520 and 197.135)

This bill requires the statewide coordinator for the telehealth network for forensic examinations of victims of sexual offenses to regularly consult with Missouri-based stakeholders and clinicians regarding the training programs offered by the network, as well as the implementation and operation of the network. Current law permits the training to be offered online or in person and this bill requires that the training be made available online and permits it to be offered in person. Providers shall not be required to utilize this training, so long as the training utilized by providers is, at a minimum, equivalent to the network's training.

Current law requires licensed hospitals to perform forensic examinations of victims of sexual offenses beginning January 1, 2023. This bill specifies that, such requirement shall only occur beginning January 1, 2023, or no later than 6 months after the establishment of the telehealth network, whichever is later. Finally, no individual hospital shall be required to comply with these provisions unless and until the Department of Health and Senior Services provides such hospital with access to the network for mentoring and training services without charge.

BIRTH MATCH PROGRAM (Sections 193.075, 210.150, and 210.156)

The bill orders data sharing between the Children's Division of the Departments of Social Services and the State Registrar's office to compare birth reports with reports of parents who have been convicted of certain crimes or have a termination of parental rights in order to ensure the safety of the child and provide services, if needed. The State Registrar shall provide to the Division the birth record information of children born to such individuals. The Division shall verify the identity of the parent and if that identity is verified, the Division shall provide the appropriate local office with information regarding the birth of the child. Appropriate local Division personnel shall initiate contact with the family, or make a good faith effort to do so, to determine if the parent or family has a need for services and provide such voluntary and time-limited services as appropriate. The Division shall document the results of such contact and services provided, if any, in the Division's information system. Identifying information and records created and exchanged under this bill shall be closed records and shall only be used as

specified in the bill.

#### EXTENSION FOR SNAP UTILIZATION (Section 208.018)

This bill extends the expiration on the program that allows the Supplemental Nutrition Assistance Program (SNAP) recipients to utilize local farmers' markets to August 28, 2027.

#### TRANSITIONAL CHILD CARE (Section 208.053)

This bill modifies an expired law relating to the "Hand-Up" pilot program, which was designed to ensure that certain participating recipients continued to receive child care subsidy benefits while paying a premium when their income surpassed the eligibility level for full benefits to continue. This bill requires the Children's Division, subject to appropriations and by July 1, 2022, to implement a new pilot program in Jackson County, Clay County, and Greene County. The program shall be designed so that applicants may receive transitional child care benefits without first being eligible for full child care benefits, as long as the applicant's income falls within the income limits established through annual appropriations. The Division shall track the number of recipients in the program and the effectiveness of the program in encouraging recipients to secure employment with incomes greater than the maximum for full child care benefits. The report shall be issued to the General Assembly by September 1, 2023, and each September thereafter.

This bill repeals provisions relating to the establishment and utilization of a "Hand-Up Premium Fund" in the State Treasury for premiums collected under the previous pilot program. The provisions of this bill will expire August 28, 2024, unless reauthorized.

#### ANTIPSYCHOTIC DRUGS (Sections 208.226 and 208.227)

Currently, the MO HealthNet Division within the Department of Social Services cannot impose any restrictions on access to individual atypical antipsychotic monotherapy for the treatment of schizophrenia, bipolar disorder, or psychosis associated with severe depression. This bill prohibits any restrictions on access for any antipsychotic medication. The bill does not prohibit the Division from utilizing clinical edits to ensure clinical best practices. Currently, the Division must issue a provider update at least twice a year to enumerate treatment and utilization principles for MO HealthNet providers. If the Division implements any new policy or clinical edit for an antipsychotic drug, the

Division must continue to allow MO HealthNet participants access to any antipsychotic drug that they are using and are stable on or any drug that they have successfully used previously. The Division may recommend a resource list with no restrictions to access of antipsychotic drugs.

This bill removes several provisions from existing statute that:

- (1) Allow the Division to include considering cost in the context of best practices in its treatment and utilization principles for providers;
- (2) Outline the use of "nonpreferred" drugs; and
- (3) Limit available drugs for an individual patient.

#### FARMERS' MARKET ELIGIBLE FOR WIC (Section 208.285)

The bill allows the Department of Agriculture to apply for a grant under the US Department of Agriculture Women, Infants and Children (WIC) Farmers' Market Nutrition Program to allow pregnant and postpartum women to obtain food at eligible farmers' markets.

#### FARM TO FOOD BANK PROJECT (Section 208.1060)

This bill requires the Department of Social Services to submit a state plan to the U.S. Department of Agriculture for a "Farm to Food Bank Project" and to contract with any qualified food bank for the purpose of operating the project.

#### UNACCOMPANIED AND HOMELESS YOUTH (Sections 210.115 and 210.121)

This bill modifies mandated reporting for unaccompanied and homeless youth seeking supportive services so that the youth's status alone is not sufficient basis for reporting child abuse or neglect. The bill defines "supportive services" to include interventions, services, or resources necessary to assist unaccompanied youth, including food and shelter, counseling, case management, and legal services among other services outlined in the bill. The bill allows an unaccompanied youth to access supportive services as long as they are documented by a licensed mental health, counselor, or social worker as provided by the bill. The bill exempts persons who in good faith provided supportive services from civil and criminal action without permission from the youth's parent.

MONTESSORI SCHOOL (Section 210.201)

This bill changes the definition for a "Montessori school" in Section 210.201 as it applies for Sections 210.201 to 210.257 to either an accredited school or a school maintaining an active school membership with a professional society represented by the Montessori Accreditation Council for Teacher Education.

This section contains an emergency clause.

CHILD AND ADULT FOOD PROGRAM (Section 210.251)

This bill prohibits the state from requirements that are stricter than federal regulations for participants in the program for at-risk children through the Child and Adult Food Program, 42 U.S.C. 1766. Child care facilities shall not be required to be licensed child care providers to participate in such federal programs so long as minimum health and safety standards are met and documented.

CHILD CARE FACILITY INSPECTIONS (Section 210.252)

Transfers the responsibility for annual health inspections from the Department of Health and Senior Services to the Department of Elementary and Secondary education for all non exempt child-care facilities with more than six children.

NEWBORN SAFETY INCUBATOR (Section 210.950)

This bill adds a newborn safety incubator, as defined in the bill, as a place a parent of a child up to 45 days old may voluntarily deliver the child with the intent not to return, without being prosecuted. The bill authorizes the Department of Health and Senior Services to promulgate rules relating to the "Safe Place for Newborns Act of 2002".

CHILDREN IN THE CUSTODY OF THE STATE (Section 210.1225)

This bill specifies that, the Children's Division shall take physical custody of a child who is in the legal custody of the Division and who is hospitalized but no longer in need of medical care. If the Division fails to take physical custody of the child, then the Division shall reimburse the hospital at the same rate the hospital would receive per day for an inpatient admission.

Additionally, if the Division requests transportation of a child to

an emergency, the hospital to which the child is transported or any subsequent psychiatric hospital to which the child is transferred shall be allowed to administer emergency psychiatric treatment.

#### MINOR'S RIGHT TO COUNSEL (Section 211.211)

This bill specifies that if a child waives his or her right to counsel, such waiver shall be made in open court and be recorded and in writing. In determining whether a child has knowingly, intelligently, and voluntarily waived his or her right to counsel, the court shall look to the totality of the circumstances, as specified in the bill. If a child waives his or her right to counsel, the waiver shall only apply to that particular proceeding. The bill also specifies certain proceedings in which a child's right to counsel cannot be waived unless the child has had the opportunity to meaningfully consult with counsel and the court has conducted a hearing on the record.

#### FOOD SECURITY TASK FORCE (Section 261.450)

This bill establishes the "Missouri Food Security Task Force", to be comprised of 25 members as set forth in the bill, with two members from the House of Representatives with one to be appointed by the Speaker of the House and one by the minority floor leader, two members from the Senate with one appointed by the President Pro tempore of the Senate and one by the minority floor leader of the Senate. The Task Force shall report a summary of its activities and recommendations to the Governor and the General Assembly before August 28th of each year, and shall terminate on December 31, 2023, or may be extended until December 31, 2025, as determined necessary by the Department of Agriculture.

#### WORK LEAVE FOR DOMESTIC OR SEXUAL VIOLENCE (Sections 285.625 and 285.670)

This bill specifies that, any person employed by a public or private employer with at least 20 employees is entitled to unpaid leave if the person, or a family or household member, is a victim of domestic or sexual violence. Permissible reasons for taking leave include seeking medical attention, recovering from injury, obtaining victim services, obtaining counseling, participating in safety planning, and seeking legal assistance. Such leave shall be limited to 2 weeks of leave per year if the employer employs at least 50 employees and one week per year if the employer employs at least 20 but not more than 49 employees. Employees are required to give 48 hours notice of the intent to take leave and may be required to provide certification to the employer that the leave is necessary.

On return from leave, employees shall be restored to the same or equivalent employment position and shall not lose accrued benefits. Employers are required to maintain health coverage for the employee while on leave but the premium may be recovered if the employee does not return.

Employers are required to post and keep posted a notice summarizing the requirements of this bill, which shall be prepared by the Director of the Department of Labor and Industrial Relations.

#### HEALTH BENEFIT COVERAGE FOR HEARING AIDS FOR CHILDREN (Section 376.1228)

This bill requires health benefit plans delivered, issued, continued, or renewed on or after January 1, 2022, to cover at least those services for children under eighteen years of age for hearing aids which are covered for persons receiving benefits under MO HealthNet.

#### MENTAL HEALTH BENEFITS (Section 376.1551)

This bill requires that each health carrier that issues health benefit plans on or after January 1, 2022, and that provide coverage for a mental health condition shall meet the requirements of the Mental Health Parity and Addiction Equity Act of 2008.

These provisions do not apply to specified supplemental policies.

#### STEP THERAPY (Section 376.2034)

Modifies step therapy override exception determinations to allow for a patient's treating health care provider to attest to necessity of a prescription drug.

#### CHILD CUSTODY (Section 452.410)

This provision modifies current law relating to the modification of a prior child custody decree by changing and adding intersectional references to current statutory provisions relating to child custody, visitation, and grandparent visitation.

#### REGISTERED SEX OFFENDERS (Section 566.150)

This bill adds athletic complexes and fields used for children's recreation and the Department of Conservation nature or education centers to the list of properties that a registered offender may not be within 500 feet of, unless the registered sex offender is the parent of a child participating in an educational program of



the Department of Conservation and has permission to be on the property.

COMMISSION ON AUTISM SPECTRUM DISORDER (Section 633.200)

The bill defines "autism spectrum disorder" to be defined by the current Diagnostic and Statistical Manual of Mental Disorders. This language removes language establishing a now defunct commission and creates the "Missouri Commission on Autism Spectrum Disorders" to be housed in the Department of Mental Health. This Commission will meet four times a year and will produce an "Autism Roadmap for Missouri". The Autism Roadmap will include; outlined goals including a review of services, identification of needs, and recommendations for improvements. The Commission will be comprised of 25 members as outlined in the bill. The Commission will work in four phases as outlined in the bill and submit a report to the Director of the Department of Mental Health and the Governor upon completion of each phase. The first phase shall commence on January 1, 2022 and be completed by December 31st of the same year.