



## Governmental Services Group

This week the Missouri General Assembly moved one week closer to the halfway point of session. Next Thursday, the legislature will take a week-long break for legislative spring break, and there was a buzz of activity around the state capitol with legislators desperately trying to move their bills forward before the pause.

The Senate took up some innocuous bills this week, finally showing some signs of movement early on. Still, Senators continued to take petty disagreements to the floor, filibustering fellow Republicans' bills with whom they disagreed which carried into Thursday.

Any early signs of productivity slowed upon the return of Sen. Eigel after his health scare over the weekend, who along with Sen. Hoskins occupied a good deal of floor time. Sen. Hough was the main target, which is an early indication that passing the FRA, his SB 749, in regular session will be nothing short of a miracle.

On the House side, the Ethics Committee investigation into Speaker Plocher picked up significantly. The ethics probe, which was launched late last year after reports surfaced that Plocher had taken state reimbursements for spending by his campaign for Lieutenant Governor. Plocher has said the transfers were a clerical error and had since returned the money. There have been calls to step down as Speaker, but nothing significant since the early allegations has come to light thus far. Speaker Plocher's attorney drew attention by requesting to sit in the closed-door hearings, which was not granted.

Rep. Hannah Kelly, Chairwoman of House Ethics denounced this request as theatrics. She was quoted as saying "a meticulous and impartial examination of any ethical concerns that may arise but also calls for a fair process that protects all parties involved. We must exercise discretion in our proceedings, ensuring a balanced approach that upholds the principles of justice."

This is something we will be following very closely as we reach the halfway point of the session. We will continue to keep you informed of the latest in Jefferson City.

### **Prenatal Testing**

SB 1260, sponsored by Senator Gannon, modifies provisions relating to prenatal tests for certain diseases. Currently, a physician or other health care provider shall draw and test a pregnant woman's blood at or soon after her first prenatal examination, with her consent, for syphilis, hepatitis B, or other similar diseases. Under this act, the testing of the pregnant woman's blood shall also occur at the twenty-eighth week of her pregnancy. Additionally, the test shall include hepatitis C and HIV. If a mother tests positive for syphilis, hepatitis B, hepatitis C, or HIV, the physician or other health care provider shall treat the mother in accordance with the most recent accepted medical practice.

Current law requires the Department of Health and Senior Services to work in consultation with the Missouri Genetic Disease Advisory Committee to make rules pertaining to these blood tests. This act repeals the requirement to work with the Committee and requires that the tests be approved or accepted by the U.S. Food and Drug Administration.

This bill had a hearing in the Senate Health and Welfare Committee this week.

In support of the bill was MOCEPHE, American College of Ob-Gyns, American Academy of Pediatrics Missouri Chapter, St. Louis Children's Hospital, and Missouri State Medical Association.

There was no opposition to the bill.

### **Tobacco Regulations**

HB 2060, sponsored by Representative Keathley, modifies provisions relating to tobacco product regulations. This bill specifies that the state 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. This bill had a hearing the House Government Efficiency and Downsizing Committee this week.

Testifying in support of the bill was Where Brands, Missouri Smoke Free, Missouri Petroleum and Convenience Association, City of Eureka, and Kum & Go.

Opposed to the bill was American Cancer Society, Missouri State Medical Association, Springfield Greene County Health Department, MOALPHA, MOCEPHE, Missouri Nurses Association, and Missouri Association of Family Physicians.

### **Mammograms**

HB 2413, sponsored by Representative Peters, modifies provisions relating to health care. This bill repeals provisions relating to required notice provided to patients upon their completion of a mammogram. This bill was voted out of the House Healthcare Reform Committee DO PASS.

### **COVID-19 Vaccine / Gene Therapy.**

HB 1807, sponsored by Representative Gregory, prohibits educational institutions from mandating COVID-19 vaccines or gene therapy. This bill was voted out of the House Committee on Public Policy DO PASS.

### **Emergency Shutdown Orders**

HB 2796, sponsored by Representative Murphy, and HB 2874, sponsored by Representative Seitz, establishes the "Protecting Missouri's Small Businesses Act", which changes the law regarding businesses closed because of a shutdown order. The bill requires the State and its political subdivisions to give careful consideration and appropriate concern for the lasting effects of actions taken during a "shutdown order" as defined in the bill.

The bill specifies that beginning January 1, 2025, if any political subdivision with jurisdiction over a business implements a shutdown order and the business closes due only to the shutdown

order for at least 21 consecutive days or at least 45 cumulative days, the following requirements apply:

- (1) Waiving any fee for a business license during the period of the shutdown order or six months, whichever is longer; and
- (2) Reducing the real and personal property tax liability of the business based on the number of days the business was shut down in a given year, as specified in the bill.

If a taxpayer rents or leases all or a portion of the taxpayer's affected real property to one or more renters or lessors, the taxpayer must distribute a pro rata amount of the reduced liability to renters or lessors who are current on all lease or rental payments. This bill is not to be construed to affect professional licensure and does not require the State to provide restitution or to replace lost revenues to a political subdivision.

These bills had a hearing in the House Special Committee on Small Business.

Testifying in support of the bills was NFIB and Associated Industries of Missouri.

There was no opposition to the bill.

### **Health Care**

HB 2634, sponsored by Representative Smith, modifies provisions relating to public funding of abortion facilities and affiliates and provisions relating to MO HealthNet providers. This bill was read and passed in the House with a 104-49 vote.

### **Telehealth**

SB 931, sponsored by Senator Arthur, modifies provisions relating to telehealth services. Under this act, "telehealth" or "telemedicine" shall include the delivery of health care services through audiovisual and audio-only technologies and shall not be limited only to services delivered via select third-party corporate platforms. Health care providers providing telehealth services shall establish a relationship with a patient who receives telehealth services in the same manner as a physician-patient relationship for telehealth services is currently established.

This bill had a hearing in the Senate Health and Welfare Committee this week.

In support of the bill was Missouri Psychological Association, Missouri Mental Health Counselors Association, National Association of Social Workers-Missouri Chapter, American Academy of Pediatrics Missouri Chapter, MHA, Missouri Academy of Family Physicians, Missouri Association of Rural Health Clinics, Cox Health.

There was no opposition to the bill.

### **Staffing Requirements**

HB 2548, sponsored by Representative Christ, creates provisions relating to staffing requirements for emergency departments in hospitals. This bill requires hospitals with

emergency departments to ensure that at least one physician is on site, on duty, and responsible for the emergency department while such department is open.

This bill was brought up got executive session this week in the House Professional Registration Committee this week. The action for a vote was postponed.

### **Price Transparency Laws**

SB 1212, sponsored by Senator Moon, modifies provisions relating to hospital price transparency laws. Under this act, a hospital that is not in material compliance with federal hospital price transparency laws on the date that items or services are purchased from, or provided to a patient by, the hospital shall not initiate or pursue a collection action against the patient for a debt owed for the items or services. The patient may file suit against the hospital for a prohibited collection and the hospital, if found to be materially out of compliance with federal price transparency laws, shall refund any amount of debt the payor has paid, pay a penalty to the patient in an amount equal to the debt, dismiss or cause to be dismissed any court action with prejudice and pay the patient's attorney fees and costs, and remove or cause to be removed any report made to a consumer reporting agency relating to the debt. This bill had a hearing in the House Health and Welfare Committee this week.

In support of the bill was the Missouri Century Foundation.

In opposition to the bill was the Missouri Hospital Association, BJC, Mosaic Healthcare, SSM Health, Mercy, Saint Luke's Health System and University of Missouri Healthcare.