

June 16, 2017



State Representative
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District 33
Serving parts of Cass, Jackson and Lafayette Counties

Capitol Report

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Chair, Consent and House Procedure
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Friends,

The legislature answered the governor's call this week to address issues related to women's health and the lives of the innocent unborn. The governor called for the extra session so lawmakers can focus on "protecting pregnancy resource centers and proposals for common-sense health and safety standards in abortion clinics."

The House Children and Families Committee met for a hearing Wednesday to discuss four different legislative proposals all called for by Governor Greitens. The measures address various issues meant to promote a culture of life in Missouri.

Some of the key components of the bills heard in the House this week would:

- Allow the Department of Health and Senior Services to adopt rules governing complication plans to ensure patients undergoing abortions induced by drugs or chemicals have access to safe and reliable care;
- Require an abortion facility to provide affirmative evidence that each person authorized to perform abortions is a physician currently licensed to practice in Missouri;
- Allow the health department to adopt separate rules to apply to ambulatory surgical centers and to apply to abortion facilities. Any rule that applies to an abortion facility shall, at minimum, be equal to any physical requirement of an ambulatory surgical center;
- Permit the health department to make an unannounced on-site inspection of any abortion facility at least annually;
- Create the offense of interference with medical assistance if an employee of an abortion facility knowingly orders or requests medical personnel to deviate from any applicable standard of care or ordinary practice;
- Provide the Missouri Attorney General with concurrent original jurisdiction throughout the state for actions for a violation of any state abortion law; state law regarding the use of public funds for an abortion; or state law which regulates an abortion facility or a person who performs an abortion;

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- Require that all organs and tissue removed at the time of an abortion be submitted to a pathologist for examination. The pathologist would file a copy of a report on the sample with the Department of Health and Senior Services and each sample would then receive a unique identification number for tracking;
- Acknowledge and protect the right of an "alternatives to abortion" agency to operate freely and engage in speech without governmental interference and the right of a person not to be compelled by the government to participate in abortion contrary to his or her religious beliefs or moral convictions.

Governor Greitens called the extraordinary session to address safety requirements for abortion facilities that were struck down by a federal judge, and to correct a city ordinance he says has made St. Louis an "abortion sanctuary city." The court's decision threw out a provision that requires abortion providers to abide by the same regulations imposed on ambulatory surgical centers. The court also did away with a law that required a doctor providing an abortion to have privileges at a nearby hospital. Both provisions were originally put into place by lawmakers to ensure the health and safety of women who utilize services provided by organizations like Planned Parenthood.

The St. Louis ordinance was put in place by the city to prevent employers and landlords from discriminating against women who have had abortions, or plan to have one. The governor has said the ordinance is making it so organizations like pregnancy care centers can't work the way they're supposed to. As the governor said, local politicians have tried to make it illegal for pro-life organizations to say that they just want to hire pro-life Missourians.

While the Children and Families Committee met to discuss and approve the various bills and provisions this week, the current plan for the extraordinary session is for the House to wait for the Senate to send over its versions of the bill. The House then plans to act on the Senate bills with the goal of sending them to the governor to be signed into law.

A Senate committee met Tuesday to consider and approve similar proposals. During the course of committee activity, some of the provisions called for by the governor were stripped out by the committee. The bills that advanced did not include the provision that would create an offense of interference with medical assistance or the requirement that clinics submit plans for dealing with health complications that arise. The Senate gave approval by a vote of 20-8 to Senate Bill 5, sending it to House committee, it is anticipated that this language will be heard in the House on Monday. If the bill is voted out, I will be returning to Jefferson City for Session on Tuesday.

REAL ID Legislation Signed into Law (HB 151)

Missourians will now have the option to obtain an ID that is compliant with the federal REAL ID Act thanks to legislation signed into law this week by the governor. A bill approved by the General Assembly during the 2017 regular session will make it possible for Missourians to get compliant identification so that they can board an airplane, or enter a military base or federal facility.

While the new law officially takes effect August 28, it will take up to two years for the new IDs to be available. However, because the state has acted to comply, supporters say Missouri will now qualify for a waiver from the federal government that will allow Missourians to continue using their current IDs until the new ones are available. The bill's sponsor said he is confident the state will be successful in receiving an extension from the Department of Homeland Security to avoid the Jan. 22 deadline for Missourians to have compliant IDs.

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Under the new law, Missourians will have the option to obtain a federally compliant driver's license. The bill will also allow individuals with a non-compliant driver's license to obtain a compliant version at no additional cost. For Missourians who do not want to comply with the REAL ID requirements because of privacy concerns, the legislation will allow them to request the existing style of Missouri identification that is not compliant with the federal act.

For those who want or need the federally compliant driver's license, the bill will establish safeguards so that any additional data gathered is used only for purposes of issuing the identification. One provision would ensure the source documents to obtain an ID are stored on a server that is not connected to the Internet in order to prevent hacking of the database. The bill also includes criminal penalties for misuse or unlawful access of personal data.

Warmest regards,

Donna