The 2017 Missouri Legislative Session has come to an end. Since January, the latest crop of legislators has been working with the new governor, Eric Greitens, to push forward their vision for the State of Missouri. It became evident early in the session that AARP would be in the position of defending our lower income members from cuts to services or increased state taxes.

The State Budget:

Cuts to Long Term Services and Supports

Governor Eric Greitens offered his version of the State Budget late – but it was the earliest sign that serious consideration was being made to the idea of cutting services for older and disabled Missourians.

The Governor’s budget proposed increasing the number of acuity assessment points a Medicaid enrollee must have before being eligible for long term or in-home care. His proposal would have cut over 20,000 older and disabled Missourians off Long Term Services and Supports (LTSS), decrease the amount in-home services could cost and cut rates to providers of these services. A group of disability advocates, long term care providers and home and community based services providers rallied together to urge the General Assembly and the Governor to prevent the cuts.

Governor Greitens responded to the pressure by urging the General Assembly to consider using an influx of dollars from the tobacco settlement to fill the gap in next year’s budget.

House Budget members balked at the idea of using one-time funds to fund an ongoing need. Instead, they proposed cutting renters off the Circuit Breaker Tax Credit – a credit that goes to lower income older and disabled Missourians to help keep them in their homes.

Circuit Breaker for Renters

In 2013, Governor Jay Nixon first proposed cutting the Circuit Breaker Tax Credit from people who rent their homes. This idea came from his Tax Credit Reform Commission who had offered a whole series of changes to save the State money on tax credits. In the end, a compromise was reached that protected renters and the services they had proposed to fund with those dollars.

Since then, several legislators have continued to push for tax credit reform in Missouri, and the Circuit Breaker, as an appropriated tax credit, is one of the easiest targets. This year, Budget Chair Scott Fitzpatrick (R-Cassville) proposed cutting the Circuit Breaker for Renters to prevent the cuts proposed in the Governor’s Budget.

Just like in 2013, they proposed establishing a “Senior Services Protection Fund” that would fund services for older and disabled Missourians – supposedly some of the same people who had lost the tax credit.
MO Rx

Also, as part of the Budget balancing exercise, the Chairman of the House Appropriations Committee on Health and Mental Health proposed cutting 60,000 older Missourians off the MO Rx Program, a program that pays 50% of out-of-pocket costs for Missourians on Medicare Part D.

Currently, the program covers anyone enrolled in Medicare Part D with an income of less than 185% of the Federal Poverty Level or $22,311 for an individual. Chairman David Wood (R- Versailles), seeing that the program was set to sunset in 2017, proposed continuing the program, but only for those who are eligible for both Medicaid AND Medicare, requiring that their income be below 85% of the Federal Poverty Level, or $10,251 for an individual.

This proposed cost savings set up a dangerous situation where older Missourians who were not poor enough to enroll in Medicaid could actually spend their savings and income down to a level where they would be forced to enroll in Medicaid to maintain their health, costing the State of Missouri much more than the $15 million price tag for the MO Rx Program.

The House kept all the bills that contained the MO Rx sunset extension until late in the session, which prompted a floor speech by Rep. Cora Walker (D-Fergusson) where she introduced the 250,000 Missourians who would lose MO Rx if the General Assembly failed to act. Finally, they released SB 139, a bill that had originally proposed cost savings measures for mental health prescriptions, to the Senate with only enough time for conference committee and passage.

During conference, both the sponsor of the bill, Senator David Sater (R-Cassville), and Rep. Wood expressed their interest in restoring the program once State revenues increase.

Circuit Breaker in the Senate

When HCB 3, the bill to cut 100,000 people of the Circuit Breaker, reached the Senate, it was not well received. Senators Gina Walsh (R-St. Louis County) and S. Kiki Curls (D - Kansas City) immediately expressed their discontent with raising taxes on the most needy seniors and people with disabilities.

What started with their discontent soon spread to the entire Minority Caucus and even a few Majority members of the Senate. At one point, Sen. Rob Schaaf, (R-St. Joseph) said that there were even sufficient supporters of the cut to get five to sign the required letter to move the previous question – a motion to end debate rarely used in the Missouri Senate.

After an all-night filibuster session, it was clear that there was not the will in the Senate to cut the Circuit Breaker for renters and senators began looking for compromises to balance the State Budget.

In the end, it was an idea from Sen. Ryan Silvey (R-Kansas City), who interestingly had forced a compromise on Circuit Breaker in 2013, who came up with the fix. He proposed, in the event of a revenue shortfall, that the Commissioner of Administration would search state funds for those that held more dollars than allowed by state law and sweep only those necessary to cover the shortfall. All the members of the Senate Leadership praised Sen. Silvey for his compromise and quickly passed the bill with only two dissenters.

House Budget Chair Scott Fitzpatrick was not as pleased with the compromise, however. Originally, he pushed to go to conference committee on HCB 3, but Representative Peter Merideth (D-St. Louis) asked the chairman on the floor what could possibly come from a conference committee, and the response was a combination of cuts to the Circuit Breaker and possible fund sweeps.

The Senate refused conference and urged the House to pass their version of the bill. While the House sent several more bills to the Senate with different proposals, in the end, the House accepted the Senate position, after significant pressure from hundreds of their constituents, as the final act in the legislative session – saving services for 20,000 and the Circuit Breaker from 100,000.
Utilities

Early in the session, several pieces of legislation were being proposed that would raise rates for Missourians on electric, gas, and water services provided by private utility companies. Everything from a proposal to automatically raise electric rates to a proposal to raise water rates in particularly rainy years to a complicated and yet vague proposal by Spire – holding company for Laclede and Missouri Gas Energy – to raise rates in a variety of ways.

The senate sponsor of the legislation, Senator Ed Emery (R-Lamar), attempted to bring up each piece of legislation at different times during the session, but a small bipartisan group of senators blocked every bill. Senators Gary Romine (R-Farmington) and Doug Libla (R-Poplar Bluff) held the floor for several hours, the day after the all night filibuster on the Circuit Breaker, to prevent the electric automatic rate hike bill from even being considered by the Senate.

Senators Jill Schupp (D-St. Louis County) and Rob Schaaf (R-St. Joseph) held off the weather tax proposed by Missouri American Water.

It didn’t take long for the various groups of senators who wanted to prevent passage of utility legislation and those preventing passage of the Circuit Breaker to join forces leading to a near shut-down of proceedings in the Senate.

Family Caregivers

Representative Cloria Brown (R-St. Louis County) approached AARP with her desire to see the CARE Act implemented in Missouri. A constituent of hers, after receiving a mailer on caregiving resources from AARP, had urged her support. This led to the introduction of HB 796, the CARE Act language that had already been approved by the Missouri Hospital Association.

Before the legislation was even referred to committee, a problem surfaced. Representative Keith Frederick (R-Rolla), chairman of the House Committee on Health and Mental Health Policy didn’t believe that the legislation was necessary, and that hospitals could do what was proposed in the CARE Act on their own. At one point, the chairman even scheduled a hearing only to pull HB 796 from the schedule one day before the committee meeting.

In the end, the CARE Act couldn’t move past its first committee, though Rep. Brown is encouraging a series of public meetings to prepare a report to the General Assembly on the issues faced by the 800,000 family caregivers in Missouri who provide over $8 billion worth of care.

AARP Missouri will take part in that process and continue to push for passage of the CARE Act.