



Bill Number: S.B. 1542

Barto Floor Amendment

Reference to: HEALTH AND HUMAN

SERVICES Committee Amendment

Amendment drafted by: Leg Council

## FLOOR AMENDMENT EXPLANATION

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1. Removes the requirement of group home service providers to install and monitor electronic monitoring devices and reinserts the existing permissive authority for installation and monitoring.
2. Prohibits service providers from preventing clients' responsible persons from installing electronic monitoring devices if all of the responsible persons agree to installing and paying for the cost of the devices.
3. Requires clients' responsible persons who install and pay for electronic monitoring devices to be responsible for the maintenance and repair of the devices.
4. Specifies that the Department of Economic Security's group home electronic monitoring rules do not apply to electronic monitoring devices installed and paid for by clients' responsible persons.
5. Prohibits service providers from accessing the electronic record of electronic monitoring devices installed by clients' responsible persons.
6. Replaces use of the term *member's family or guardian* with *client's responsible person*.
7. Makes technical and conforming changes.

BARTO FLOOR AMENDMENT

SENATE AMENDMENTS TO S.B. 1542

(Reference to HEALTH AND HUMAN SERVICES Committee amendment)

1 Page 1, strike lines 1 and 2, insert:

2 "Page 1, line 9, strike ~~"may~~ SHALL" insert "may"

3 Line 12, strike "MEMBER" insert "CLIENT"; strike "MEMBER'S FAMILY  
4 OR GUARDIAN" insert "CLIENT'S RESPONSIBLE PERSON"

5 Line 5, strike "CLIENT FAMILIES OR GUARDIANS" insert "RESPONSIBLE PERSONS"

6 Between lines 5 and 6, insert:

7 "Between lines 15 and 16, insert:

8 "B. IF EACH CLIENT'S RESPONSIBLE PERSON AGREES TO THE  
9 INSTALLATION OF ELECTRONIC MONITORING DEVICES, A SERVICE  
10 PROVIDER MAY NOT PREVENT THE RESPONSIBLE PERSONS FROM  
11 INSTALLING AND PAYING FOR THE COST OF ELECTRONIC MONITORING  
12 DEVICES. THE RESPONSIBLE PERSONS WHO INSTALL AND PAY FOR THE  
13 ELECTRONIC MONITORING DEVICES ARE RESPONSIBLE FOR THE  
14 MAINTENANCE AND REPAIRS OF THOSE ELECTRONIC MONITORING DEVICES.  
15 THE SERVICE PROVIDER MAY NOT ACCESS THE ELECTRONIC RECORD OF  
16 ELECTRONIC MONITORING DEVICES INSTALLED PURSUANT TO THIS  
17 SUBSECTION. THE RULES ADOPTED PURSUANT TO THIS SECTION  
18 REGARDING THE USE OF ELECTRONIC MONITORING DO NOT APPLY IF THE  
19 CLIENTS' RESPONSIBLE PERSONS INSTALL THE ELECTRONIC MONITORING  
20 DEVICES PURSUANT TO THIS SUBSECTION."

21 Reletter to conform"

22 Strike lines 7 through 10, insert:

23 "Line 36, strike "MEMBER'S FAMILY OR GUARDIAN" insert "CLIENT'S  
24 RESPONSIBLE PERSON"; strike "C" insert "D"

25 Line 37, strike "I" insert "1"

26 Line 38, strike "B" insert "C"

27 Line 41, strike "member" insert "CLIENT"; strike "member's family  
28 or guardian" insert "CLIENT'S RESPONSIBLE PERSON"

- 1 Page 2, line 6, strike "MEMBERS' FAMILIES" insert "CLIENTS'
- 2 RESPONSIBLE PERSONS"
- 3 Line 9, strike "B" insert "C"
- 4 Amend title to conform

NANCY BARTO

1542FloorBART03  
03/01/2022  
5:43 PM  
C: MH