

HCS HB 1433 -- GUARDIANSHIPS

SPONSOR: Koenig

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Children and Families by a vote of 8 to 3. Voted "Do Pass with HCS" by a vote of 8 to 1.

This bill requires that during any child protective investigation that does not result in an out-of-home placement, a child protective investigator must provide information to the parent or guardian about community service programs that provide respite care, voluntary guardianship, or other support services for families in crisis.

The bill establishes the Supporting and Strengthening Families Act that changes the laws regarding the delegation of powers relating to the care and custody of a child. A parent or legal custodian of a child may delegate to an attorney-in-fact any powers regarding the care and custody of the child for a period not to exceed one year, except for a parent or legal custodian that is a member of the Armed Forces, as specified in the bill. The bill requires notification to the child's school of the existence of the power of attorney and his or her contact information. The bill requires the child's school to communicate with the delegate and the child's parents or guardians for the duration of the delegation and upon notice of the expiration or revocation of the delegation, requires the school to cease communication with the delegate regarding the child. The delegation shall not deprive the parent or legal custodian of any parental or legal rights, obligations, or authority, including custody, visitation, or support of the child and can be revoked at any time. The delegate does not have the power to consent to the marriage or adoption of the child, performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

The attorney-in-fact must exercise parental or legal authority on a continuous basis without compensation and must not be subject to any statutes dealing with the licensing or regulation of foster care homes.

This bill is the similar to HB 684 (2015).

PROPONENTS: Supporters say that there are about 400,000 kids in foster care in the United States. Seventy percent of those kids are in foster care due to neglect. The bill sets up the ability of parents to allow private companies to act as temporary caregivers of their kids during a temporary crisis. Foster parents are always seen as bad people and when kids are placed in a home, there is

little if anything the foster parents can do to help the foster kid's family. The bill seeks to prevent kids from going into the foster care system by providing temporary care for the kids outside of the foster care system. Fifty-eight percent of kids in foster care go back to their parents after one year of foster care. The average stay in foster care is 700 days meaning foster care is not usually a long-term stay. The language in the bill is similar to the language of bills passed in Oklahoma, Oregon, and Wisconsin. Under a similar system in Cook County, Illinois, there was a drop in the number of kids going into foster care, and the program saved the State of Illinois \$25 million per year.

Testifying for the bill were Representative Koenig; Missouri Family Network; Foundation For Government Accountability; and Campaign Life Missouri.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that had this legislation been enacted, her family could have greatly benefited from this type of support during a medical emergency that ultimately lasted a couple of months.

Testifying on the bill was Joanna Schrader.