

FIRST REGULAR SESSION

HOUSE BILL NO. 870

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MERIDETH, HOLAND, GREEN (73), MOORE,
BLACK AND MYER (Co-sponsors).

Read 1st time February 22, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2007L.011

AN ACT

To repeal section 208.029, RSMo 2000, relating to the grandparents as foster parents program, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.029, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 208.029, to read as follows:

208.029. 1. The division of family services in the department of social services shall establish the "Grandparents as Foster Parents Program". The grandparents as foster parents program recognizes that:

(1) Raising a grandchild differs from when the grandparents raised their own children;

(2) Caring for a grandchild often places additional financial, social and psychological strain on grandparents with fixed incomes;

(3) Different parenting skills are necessary when raising a grandchild and many grandparents do not possess such skills, are not aware of how to obtain such skills and cannot afford access to the services necessary to obtain such skills;

(4) Grandparents, like nonrelative foster parents, need a support structure, including counseling for the grandchild and caretaker, respite care and transportation assistance and child care;

(5) The level of care provided by grandparents does not differ from nonrelative foster care, but reimbursement for such care is substantially less for grandparents; and

(6) Grandparents are often unaware of the cash assistance alternatives to the federal

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 TANF block grant funds which are available to support the grandchildren placed in their care.

17 2. A grandparent shall be eligible to participate in the grandparents as foster parents
18 program if such grandparent:

19 (1) Is fifty years of age or older;

20 (2) Is the legal guardian of a grandchild placed in such grandparent's custody; [and]

21 (3) **Has an annual household income of less than two hundred percent of the federal**
22 **poverty level; and**

23 (4) Participates in the training available through the division pursuant to subsection 4
24 of this section.

25

26 **The division shall annually review the eligibility of grandparents participating in the**
27 **program.**

28 3. If there are no grandparents of a child who are willing to participate in the
29 grandparents as foster parents program, the division may include in the program any other close
30 relative who becomes the legal guardian of the child or obtains legal custody of the child, as
31 granted by a court of competent jurisdiction if such relative also meets the requirements of
32 subdivisions (1) and [(3)] (4) of subsection 2 of this section.

33 4. **Subject to appropriations**, the grandparents as foster parents program [shall]:

34 (1) **Shall** provide reimbursement [based on] **up to seventy-five percent of** the current
35 foster care payment schedule to eligible grandparents, as defined in subsection 2 of this section,
36 for the care of a grandchild;

37 (2) **Shall** establish program requirements, including, but not limited to, participation in
38 foster parent training, parenting skills training, childhood immunizations and other similar health
39 screens;

40 (3) **Shall** provide continuing counseling for the child and grandparent;

41 (4) **May** provide support services, including, but not limited to, respite care, child care
42 and transportation assistance. **Eligibility for child care services pursuant to this program**
43 **shall be based on the same eligibility criteria used for other child care benefits provided**
44 **by the division of family services;**

45 (5) **Shall** provide Medicaid services to such child; [and]

46 (6) **May** provide ancillary services, such as child care, respite, transportation assistance
47 and clothing allowances, but not direct financial payments to the participants in the program after
48 such participants complete the training required in subdivision (2) of this subsection; **and**

49 (7) **Shall establish criteria for the reduction in cash benefits received by any**
50 **grandparent providing care for three or more grandchildren pursuant to the grandparents**
51 **as foster parents program.**

52 5. Funding for cash benefits and other assistance provided to eligible grandparents shall
53 be made from the state maintenance of effort funds. **The provisions of this section shall not**
54 **be construed to create an entitlement for participants in the program.**

55 6. Grandparents who are either under fifty years of age, or are fifty years of age or older
56 and refuse to participate in the training pursuant to subsection 2 of this section, may apply to the
57 division for foster care reimbursement and assistance. Such cash and noncash assistance shall
58 be funded through the TANF funds. Any work participation and time limit requirements
59 pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as
60 amended, shall apply to all such persons.

 Section B. Because immediate action is necessary to ensure adequate funding for foster
2 care in this state section A of this act is deemed necessary for the immediate preservation of the
3 public health, welfare, peace and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.