

SECOND REGULAR SESSION

HOUSE BILL NO. 1481

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRAY AND HANAWAY (Co-sponsors).

Read 1st time January 16, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3878L.02I

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to foster parent rights and responsibilities.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be
2 known as section 210.566, to read as follows:

**210.566. 1. The state and its contractors shall treat foster parents with courtesy,
2 respect, and consideration. Foster parents shall treat the children in their care, the child's
3 birth family, and members of the child welfare team with courtesy, respect, and
4 consideration.**

**5 2. (1) The state and its contractors shall provide foster parents with training,
6 preservice and in-service, and support. The state and its contractors shall share all
7 pertinent information about the child and the child's family, including but not limited to,
8 the case plan with the foster parents to assist in determining if a child would be a proper
9 placement. The state and its contractors shall inform the foster parents of issues relative
10 to the child that may jeopardize the health or safety of the foster family. The state and its
11 contractors shall arrange preplacement visits, except in emergencies. The foster parents
12 may ask questions about the child's case plan, encourage a placement or refuse a placement
13 without reprisal from the caseworker or agency. After a placement, the state shall update
14 the foster parents as new information about the child is gathered. Foster parents shall be
15 informed of upcoming meetings and staffings, and shall be allowed to participate,
16 consistent with section 210.761. The state shall establish reasonably accessible respite care
17 for children in foster care for short periods of time, jointly determined by foster parents
18 and the child's caseworker pursuant to section 210.545.**

19 (2) Foster parents shall treat all information received from the state about the child
20 and the child's family as confidential. Foster parents shall share information they may
21 learn about the child and the child's family with the caseworker and other members of the
22 child welfare team. Recognizing that placement changes are difficult for children, foster
23 parents shall seek all necessary information, and participate in preplacement visits, before
24 deciding whether to accept a child for placement. Foster parents shall follow all
25 procedures defined by the state for requesting and using respite care.

26 3. (1) Foster parents shall make decisions about the daily living concerns of the
27 child, and shall be permitted to continue the practice of their own family values and
28 routines. All discipline shall be consistent with state laws and regulations. The state shall
29 allow foster parents to help plan visitation between the child and the child's biological
30 family.

31 (2) Foster parents shall provide care that is respectful of the child's cultural
32 identity, values, and needs. Foster parents shall recognize that the purpose of discipline
33 is to teach, and ensure that it is administered in a humane and sensitive manner.
34 Recognizing that visitation with family members is an important right, foster parents shall
35 be flexible and cooperative in regard to family visits.

36 4. (1) Consistent with state laws and regulations, the state shall provide, upon
37 request by the foster parents, information about a child's progress after the child leaves
38 foster care. Except in emergencies, foster parents shall be given advance notice consistent
39 with division policy, and a written statement of the reasons before a child is removed from
40 their care. If a child reenters the foster care system, the child's foster parents shall be
41 considered as a placement option. If a child becomes free for adoption while in foster care,
42 the child's foster family shall be given first consideration as adoptive parents consistent
43 with section 453.070, RSMo.

44 (2) Confidentiality rights of the child and the child's parents shall be respected and
45 maintained. Foster parents shall inform the child's caseworker of their interest if a child
46 reenters the system. If a foster child becomes free for adoption and the foster parents
47 desire to adopt the child, they shall inform the caseworker in a timely manner. If they do
48 not choose to pursue adoption, foster parents shall make every effort to support and
49 encourage the child's placement in a permanent home. When requesting removal of a child
50 from their home, foster parents shall give reasonable advance notice, consistent with
51 division policy, to the child's caseworker, except in emergency situations.

52 5. (1) Foster parents shall be informed in a timely manner of all court hearings
53 pertaining to a child in their care, and informed of their right to attend and participate,
54 consistent with section 211.464, RSMo.

55 **(2) Foster parents shall share any concerns regarding the case plan for a child in**
56 **their care with the child's caseworker, as well as other members of the child welfare team,**
57 **in a timely manner.**

58 **6. Foster parents shall have timely access to the child placement agency's appeals**
59 **process, and shall be free from acts of retaliation when exercising the right to appeal.**
60 **Foster parents shall know and follow the policies of the state, including the appeals**
61 **procedure.**