

HCS SCS SB 878 -- CHILD PROTECTION

SPONSOR: Champion (Stevenson)

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 9 to 1 with 1 present.

This substitute changes the laws regarding child abuse and neglect reports, adoption and termination of parental rights, and juvenile welfare.

CHILD PROTECTION

The Children's Division within the Department of Social Services will be allowed to conduct an investigation of the death of a child during a pending child abuse and neglect investigation until the investigation is complete. Currently, the division must complete all investigations within 30 days of an oral report of abuse or neglect.

TERMINATION OF PARENTAL RIGHTS

The substitute changes the laws regarding voluntary termination of parental rights. The substitute:

(1) Specifies that whenever a child is placed in a foster home, a preference for placement with relatives will not apply if the parent has consented in writing to the termination of his or her parental rights;

(2) Specifies that whenever a child is taken into custody by a juvenile officer or law enforcement official and initially placed with the division, the requirement for a family support team meeting will not apply if the parent has consented in writing to the termination of his or her parental rights;

(3) Specifies that some juvenile court proceedings and cases initiated by a juvenile officer or the division for the termination of parental rights will be a closed hearing if the parent has consented in writing to the termination of his or her parental rights; and

(4) Adds child placing agencies to the list of interested parties who may petition the juvenile court to terminate parental rights.

ADOPTION

Cases dealing with the placement of a child in adoption and foster care are added to the types of cases given priority for

expedited proceedings.

CRIMINAL BACKGROUND CHECKS

The substitute changes the laws regarding criminal background checks when there has been an emergency placement of a child in a private home. Currently, background checks must be completed within 15 business days after the placement, except for family members within the second degree of consanguinity to the child. The substitute requires a background check within 15 calendar days and removes the family member exception.

INTERSTATE COMPACT FOR JUVENILES

The substitute revises the Interstate Compact for Juveniles. The compact is an existing agreement between the states regarding the supervision and transfer of juvenile delinquents who have escaped from supervision to another state. Adoption of the compact makes Missouri a member of the Interstate Commission for Juveniles and requires the state to select a compact administrator to manage the state's transfer of those juveniles subject to the compact. The compact establishes the powers and duties of the interstate commission and specifies the bylaws, corporate structure, rule-making authority, financing mechanism, process for dispute resolution, and enforcement provisions.

The compact becomes effective August 28, 2006, or upon legislative enactment of the compact into law by no less than 35 states, whichever occurs later.

IMMUNIZATIONS FOR CHILDREN

The substitute allows the Department of Health and Senior Services to develop rules and regulations changing the manner and frequency of certain immunizations for children. However, the department cannot require immunizations for diseases other than those allowed by statute.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$0 or \$16,600 in FY 2007, FY 2008, FY 2009. No impact on Other State Funds in FY 2007, FY 2008, and FY 2009.

PROPONENTS: Supporters say that current state law on criminal background checks do not match federal regulations which require a check to be completed within 15 calendar days.

Testifying for the bill was Senator Champion.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that currently the

division's investigation into the death of a child during a pending abuse investigation is limited to 30 days from the date of the oral report of abuse or neglect.

Others testifying on the bill were Representative Stevenson; and Sandy Lueckenhoff, Legislative Research.

Dominic Lackey, Legislative Analyst