

SECOND REGULAR SESSION

HOUSE BILL NO. 1962

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHUPP (Sponsor), KIRKTON, MCNEIL, MCCANN BEATTY,
MEREDITH, WALTON GRAY, NORR AND KELLY (45) (Co-sponsors).

4310L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 210.900, RSMo, and to enact in lieu thereof two new sections relating to child-care workers, with an effective date.

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

Section A. Section 210.900, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 210.900 and 210.1080, to read as follows:

210.900. 1. Sections 210.900 to 210.936 shall be known and may be cited as the
2 "Family Care Safety Act".

3 2. As used in sections 210.900 to 210.936, the following terms shall mean:

4 (1) "Child-care provider", any licensed or license-exempt child-care home, any licensed
5 or license-exempt child-care center, child-placing agency, residential care facility for children,
6 group home, foster family group home, foster family home, employment agency that refers a
7 child-care worker to parents or guardians as defined in section 289.005. The term "child-care
8 provider" does not include summer camps or voluntary associations designed primarily for
9 recreational or educational purposes;

10 (2) "Child-care worker", any person who **owns an entity providing child care, operates**
11 **as a child-care provider, or** is employed by a child-care provider, or receives state or federal
12 funds, either by direct payment, reimbursement or voucher payment, as remuneration for
13 child-care services;

14 (3) "Department", the department of health and senior services;

15 (4) "Elder-care provider", any operator licensed pursuant to chapter 198 or any person,
16 corporation, or association who provides in-home services under contract with the division of

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 aging, or any employer of nurses or nursing assistants of home health agencies licensed pursuant
18 to sections 197.400 to 197.477, or any nursing assistants employed by a hospice pursuant to
19 sections 197.250 to 197.280, or that portion of a hospital for which subdivision (3) of subsection
20 1 of section 198.012 applies;

21 (5) "Elder-care worker", any person who is employed by an elder-care provider, or who
22 receives state or federal funds, either by direct payment, reimbursement or voucher payment, as
23 remuneration for elder-care services;

24 (6) "Employer", any child-care provider, elder-care provider, or personal-care provider
25 as defined in this section;

26 (7) "Mental health provider", any developmental disability facility or group home as
27 defined in section 633.005;

28 (8) "Mental health worker", any person employed by a mental health provider to provide
29 personal care services and supports;

30 (9) "Patrol", the Missouri state highway patrol;

31 (10) "Personal-care attendant" or "personal-care worker", a person who performs routine
32 services or supports necessary for a person with a physical or mental disability to enter and
33 maintain employment or to live independently;

34 (11) "Personal-care provider", any person, corporation, or association who provides
35 personal-care services or supports under contract with the department of mental health, the
36 division of aging, the department of health and senior services or the department of elementary
37 and secondary education;

38 (12) "Related child care", child care provided only to a child or children by such child's
39 or children's grandparents, great-grandparents, aunts or uncles, or siblings living in a residence
40 separate from the child or children;

41 (13) "Related elder care", care provided only to an elder by an adult child, a spouse, a
42 grandchild, a great-grandchild or a sibling of such elder.

**210.1080. All child-care workers, as defined in section 210.900, shall be required
2 to submit to fingerprinting for comparison to the records maintained by the Federal
3 Bureau of Investigation.**

Section B. This act shall become effective January 1, 2015.

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