

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE BILL NO. 11

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NEELY.

6460H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 193.265, 210.003, 210.101, 210.102, 210.103, 210.110, 210.112, 210.145, 210.487, 210.498, 211.093, 431.056, 453.121, and 610.021, RSMo, and to enact in lieu thereof thirteen new sections relating to persons under protective custody.

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

Section A. Sections 193.265, 210.003, 210.101, 210.102, 210.103, 210.110, 210.112, 210.145, 210.487, 210.498, 211.093, 431.056, 453.121, and 610.021, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 193.265, 210.003, 210.102, 210.110, 210.112, 210.145, 210.487, 210.498, 210.1030, 211.093, 431.056, 453.121, and 610.021, to read as follows:

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. **No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division or division of youth services on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031.** All fees shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, and three dollars for

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.

12 the first copy of death records and five dollars for birth, marriage, divorce, and fetal death
13 records shall be credited to the Missouri public services health fund established in section
14 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation
15 to the division of professional registration to pay its expenses in administering sections 214.270
16 to 214.410. All interest earned on money deposited in the endowed care cemetery audit fund
17 shall be credited to the endowed care cemetery fund. Notwithstanding the provisions of section
18 33.080 to the contrary, money placed in the endowed care cemetery audit fund shall not be
19 transferred and placed to the credit of general revenue until the amount in the fund at the end of
20 the biennium exceeds three times the amount of the appropriation from the endowed care
21 cemetery audit fund for the preceding fiscal year. The money deposited in the public health
22 services fund under this section shall be deposited in a separate account in the fund, and moneys
23 in such account, upon appropriation, shall be used to automate and improve the state vital
24 records system, and develop and maintain an electronic birth and death registration system. For
25 any search of the files and records, when no record is found, the state shall be entitled to a fee
26 equal to the amount for a certification of a vital record for a five-year search to be paid by the
27 applicant. For the processing of each legitimation, adoption, court order or recording after the
28 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a
29 certification of a vital record. Except whenever a certified copy or copies of a vital record is
30 required to perfect any claim of any person on relief, or any dependent of any person who was
31 on relief for any claim upon the government of the state or United States, the state registrar shall,
32 upon request, furnish a certified copy or so many certified copies as are necessary, without any
33 fee or compensation therefor.

34 2. For the issuance of a certification of a death record by the local registrar, the applicant
35 shall pay a fee of thirteen dollars for the first certification or copy and a fee of ten dollars for each
36 additional copy ordered at that time. For the issuance of a certification or copy of a birth,
37 marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars; except
38 that, in any county with a charter form of government and with more than six hundred thousand
39 but fewer than seven hundred thousand inhabitants, a donation of one dollar may be collected
40 by the local registrar over and above any fees required by law when a certification or copy of any
41 marriage license or birth certificate is provided, with such donations collected to be forwarded
42 monthly by the local registrar to the county treasurer of such county and the donations so
43 forwarded to be deposited by the county treasurer into the housing resource commission fund to
44 assist homeless families and provide financial assistance to organizations addressing
45 homelessness in such county. The local registrar shall include a check-off box on the application
46 form for such copies. All fees, other than the donations collected in any county with a charter
47 form of government and with more than six hundred thousand but fewer than seven hundred

48 thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the official
49 city or county health agency. A certified copy of a death record by the local registrar can only
50 be issued within twenty-four hours of receipt of the record by the local registrar.
51 Computer-generated certifications of death records may be issued by the local registrar after
52 twenty-four hours of receipt of the records. The fees paid to the official county health agency
53 shall be retained by the local agency for local public health purposes.

210.003. 1. No child shall be permitted to enroll in or attend any public, private or
2 parochial day care center, preschool or nursery school caring for ten or more children unless such
3 child has been adequately immunized against vaccine-preventable childhood illnesses specified
4 by the department of health and senior services in accordance with recommendations of the
5 Centers for Disease Control and Prevention Advisory Committee on Immunization Practices
6 (ACIP). The parent or guardian of such child shall provide satisfactory evidence of the required
7 immunizations.

8 2. A child who has not completed all immunizations appropriate for his age may enroll,
9 if:

10 (1) Satisfactory evidence is produced that such child has begun the process of
11 immunization. The child may continue to attend as long as the immunization process is being
12 accomplished according to the ACIP/Missouri department of health and senior services
13 recommended schedule; ~~or~~

14 (2) The parent or guardian has signed and placed on file with the day care administrator
15 a statement of exemption which may be either of the following:

16 (a) A medical exemption, by which a child shall be exempted from the requirements of
17 this section upon certification by a licensed physician that such immunization would seriously
18 endanger the child's health or life; or

19 (b) A parent or guardian exemption, by which a child shall be exempted from the
20 requirements of this section if one parent or guardian files a written objection to immunization
21 with the day care administrator; or

22 **(3) The child is homeless or in the custody of the children's division and cannot**
23 **provide satisfactory evidence of the required immunizations. Satisfactory evidence shall**
24 **be presented within thirty days of enrollment and shall confirm either that the child has**
25 **completed all immunizations appropriate for his or her age or has begun the process of**
26 **immunization. If the child has begun the process of immunization, he or she may continue**
27 **to attend as long as the process is being accomplished according to the schedule**
28 **recommended by the department of health and senior services.**

29

30 Exemptions shall be accepted by the day care administrator when the necessary information as
 31 determined by the department of health and senior services is filed with the day care
 32 administrator by the parent or guardian. Exemption forms shall be provided by the department
 33 of health and senior services.

34 3. In the event of an outbreak or suspected outbreak of a vaccine-preventable disease
 35 within a particular facility, the administrator of the facility shall follow the control measures
 36 instituted by the local health authority or the department of health and senior services or both the
 37 local health authority and the department of health and senior services, as established in Rule 19
 38 CSR 20-20.040, "Measures for the Control of Communicable, **Environmental and**
 39 **Occupational Diseases**".

40 4. The administrator of each public, private or parochial day care center, preschool or
 41 nursery school shall cause to be prepared a record of immunization of every child enrolled in or
 42 attending a facility under his jurisdiction. An annual summary report shall be made by January
 43 fifteenth showing the immunization status of each child enrolled, using forms provided for this
 44 purpose by the department of health and senior services. The immunization records shall be
 45 available for review by department of health and senior services personnel upon request.

46 5. For purposes of this section, satisfactory evidence of immunization means a statement,
 47 certificate or record from a physician or other recognized health facility or personnel, stating that
 48 the required immunizations have been given to the child and verifying the type of vaccine and
 49 the month, day and year of administration.

50 6. Nothing in this section shall preclude any political subdivision from adopting more
 51 stringent rules regarding the immunization of preschool children.

52 7. All public, private, and parochial day care centers, preschools, and nursery schools
 53 shall notify the parent or guardian of each child at the time of initial enrollment in or attendance
 54 at the facility that the parent or guardian may request notice of whether there are children
 55 currently enrolled in or attending the facility for whom an immunization exemption has been
 56 filed. Beginning December 1, 2015, all public, private, and parochial day care centers,
 57 preschools, and nursery schools shall notify the parent or guardian of each child currently
 58 enrolled in or attending the facility that the parent or guardian may request notice of whether
 59 there are children currently enrolled in or attending the facility for whom an immunization
 60 exemption has been filed. Any public, private, or parochial day care center, preschool, or nursery
 61 school shall notify the parent or guardian of a child enrolled in or attending the facility, upon
 62 request, of whether there are children currently enrolled in or attending the facility for whom an
 63 immunization exemption has been filed.

210.102. 1. ~~It shall be the duty of the Missouri children's services commission to:~~

- 2 ~~—— (1) Make recommendations which will encourage greater interagency coordination,~~
 3 ~~cooperation, more effective utilization of existing resources and less duplication of effort in~~
 4 ~~activities of state agencies which affect the legal rights and well-being of children in Missouri;~~
 5 ~~—— (2) Develop an integrated state plan for the care provided to children in this state through~~
 6 ~~state programs;~~
 7 ~~—— (3) Develop a plan to improve the quality of children's programs statewide. Such plan~~
 8 ~~shall include, but not be limited to:~~
 9 ~~—— (a) Methods for promoting geographic availability and financial accessibility for all~~
 10 ~~children and families in need of such services;~~
 11 ~~—— (b) Program recommendations for children's services which include child development,~~
 12 ~~education, supervision, health and social services;~~
 13 ~~—— (4) Design and implement evaluation of the activities of the commission in fulfilling the~~
 14 ~~duties as set out in this section;~~
 15 ~~—— (5) Report annually to the governor with five copies each to the house of representatives~~
 16 ~~and senate about its activities including, but not limited to the following:~~
 17 ~~—— (a) A general description of the activities pertaining to children of each state agency~~
 18 ~~having a member on the commission;~~
 19 ~~—— (b) A general description of the plans and goals, as they affect children, of each state~~
 20 ~~agency having a member on the commission;~~
 21 ~~—— (c) Recommendations for statutory and appropriation initiatives to implement the~~
 22 ~~integrated state plan;~~
 23 ~~—— (d) A report from the commission regarding the state of children in Missouri.~~
 24 ~~—— 2.] There is hereby established within the [children's services commission] **department**~~
 25 ~~**of social services** the "Coordinating Board for Early Childhood", which shall constitute a body~~
 26 ~~corporate and politic, and shall include but not be limited to the following members:~~
 27 ~~(1) A representative from the governor's office;~~
 28 ~~(2) A representative from each of the following departments: health and senior services,~~
 29 ~~mental health, social services, and elementary and secondary education;~~
 30 ~~(3) A representative of the judiciary;~~
 31 ~~(4) A representative of the family and community trust board (FACT);~~
 32 ~~(5) A representative from the head start program;~~
 33 ~~(6) Nine members appointed by the governor with the advice and consent of the senate~~
 34 ~~who are representatives of the groups, such as business, philanthropy, civic groups, faith-based~~
 35 ~~organizations, parent groups, advocacy organizations, early childhood service providers, and~~
 36 ~~other stakeholders.~~
 37

38 The coordinating board may make all rules it deems necessary to enable it to conduct its
39 meetings, elect its officers, and set the terms and duties of its officers. The coordinating board
40 shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and
41 such other officers as it deems necessary. Members of the board shall serve without
42 compensation but may be reimbursed for actual expenses necessary to the performance of their
43 official duties for the board.

44 ~~[3-]~~ **2.** The coordinating board for early childhood shall have the power to:

45 (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early
46 childhood system;

47 (2) Confer with public and private entities for the purpose of promoting and improving
48 the development of children from birth through age five of this state;

49 (3) Identify legislative recommendations to improve services for children from birth
50 through age five;

51 (4) Promote coordination of existing services and programs across public and private
52 entities;

53 (5) Promote research-based approaches to services and ongoing program evaluation;

54 (6) Identify service gaps and advise public and private entities on methods to close such
55 gaps;

56 (7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the
57 coordinating board for early childhood fund from any source, public or private, and enter into
58 contracts or other transactions with any federal or state agency, any private organizations, or any
59 other source in furtherance of the purpose of ~~[subsections 2 and 3]~~ **subsection 1** of this section
60 **and this subsection**, and take any and all actions necessary to avail itself of such aid and
61 cooperation;

62 (8) Direct disbursements from the coordinating board for early childhood fund as
63 provided in this section;

64 (9) Administer the coordinating board for early childhood fund and invest any portion
65 of the moneys not required for immediate disbursement in obligations of the United States or any
66 agency or instrumentality of the United States, in obligations of the state of Missouri and its
67 political subdivisions, in certificates of deposit and time deposits, or other obligations of banks
68 and savings and loan associations, or in such other obligations as may be prescribed by the board;

69 (10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or
70 otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal
71 property or any interests therein, wherever situated;

72 (11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its
73 property or any interest therein, wherever situated;

74 (12) Employ and fix the compensation of an executive director and such other agents or
 75 employees as it considers necessary;

76 (13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the
 77 manner in which its business may be transacted;

78 (14) Adopt and use an official seal;

79 (15) Assess or charge fees as the board determines to be reasonable to carry out its
 80 purposes;

81 (16) Make all expenditures which are incident and necessary to carry out its purposes;

82 (17) Sue and be sued in its official name;

83 (18) Take such action, enter into such agreements, and exercise all functions necessary
 84 or appropriate to carry out the duties and purposes set forth in this section.

85 **[4.] 3.** There is hereby created the "Coordinating Board for Early Childhood Fund" which
 86 shall consist of the following:

87 (1) Any moneys appropriated by the general assembly for use by the board in carrying
 88 out the powers set out in subsections ~~[2 and 3]~~ **1 and 2** of this section;

89 (2) Any moneys received from grants or which are given, donated, or contributed to the
 90 fund from any source;

91 (3) Any moneys received as fees authorized under subsections ~~[2 and 3]~~ **1 and 2** of this
 92 section;

93 (4) Any moneys received as interest on deposits or as income on approved investments
 94 of the fund;

95 (5) Any moneys obtained from any other available source.

96

97 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the
 98 coordinating board for early childhood fund at the end of the biennium shall not revert to the
 99 credit of the general revenue fund

210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the
 2 following terms mean:

3 (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child
 4 other than by accidental means by those responsible for the child's care, custody, and control,
 5 except that discipline including spanking, administered in a reasonable manner, shall not be
 6 construed to be abuse. Victims of abuse shall also include any victims of sex trafficking or
 7 severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10);

8 (2) "Assessment and treatment services for children ~~[under ten years old]~~", an approach
 9 to be developed by the children's division which will recognize and treat the specific needs of
 10 at-risk and abused or neglected children ~~[under the age of ten]~~. The developmental and medical

11 assessment may be a broad physical, developmental, and mental health screening to be
12 completed within thirty days of a child's entry into custody and ~~[every six months]~~ in
13 **accordance with the periodicity schedule set forth by the American Academy of Pediatrics**
14 thereafter as long as the child remains in care. Screenings may be offered at a centralized
15 location and include, at a minimum, the following:

16 (a) Complete physical to be performed by a pediatrician familiar with the effects of abuse
17 and neglect on young children;

18 (b) Developmental, behavioral, and emotional screening in addition to early periodic
19 screening, diagnosis, and treatment services, including a core set of standardized and recognized
20 instruments as well as interviews with the child and appropriate caregivers. The screening
21 battery may be performed by a licensed mental health professional familiar with the effects of
22 abuse and neglect on young children, who will then serve as the liaison between all service
23 providers in ensuring that needed services are provided. Such treatment services may include
24 in-home services, out-of-home placement, intensive twenty-four-hour treatment services, family
25 counseling, parenting training and other best practices.

26

27 Children whose screenings indicate an area of concern may complete a comprehensive, in-depth
28 health, psychodiagnostic, or developmental assessment within sixty days of entry into custody;

29 (3) "Central registry", a registry of persons where the division has found probable cause
30 to believe prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004,
31 or a court has substantiated through court adjudication that the individual has committed child
32 abuse or neglect or the person has pled guilty or has been found guilty of a crime pursuant to
33 section 565.020, 565.021, 565.023, 565.024, 565.050, 566.030, 566.060, or 567.050 if the victim
34 is a child less than eighteen years of age, or any other crime pursuant to chapter 566 if the victim
35 is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older,
36 a crime under section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, 568.090, 573.023,
37 573.025, 573.035, 573.037, 573.040, 573.200, or 573.205, or an attempt to commit any such
38 crimes. Any persons placed on the registry prior to August 28, 2004, shall remain on the registry
39 for the duration of time required by section 210.152;

40 (4) "Child", any person, regardless of physical or mental condition, under eighteen years
41 of age;

42 (5) "Children's services providers and agencies", any public, quasi-public, or private
43 entity with the appropriate and relevant training and expertise in delivering services to children
44 and their families as determined by the children's division, and capable of providing direct
45 services and other family services for children in the custody of the children's division or any
46 such entities or agencies that are receiving state moneys for such services;

47 (6) “Director”, the director of the Missouri children’s division within the department of
48 social services;

49 (7) “Division”, the Missouri children’s division within the department of social services;

50 (8) “Family assessment and services”, an approach to be developed by the children’s
51 division which will provide for a prompt assessment of a child who has been reported to the
52 division as a victim of abuse or neglect by a person responsible for that child’s care, custody or
53 control and of that child’s family, including risk of abuse and neglect and, if necessary, the
54 provision of community-based services to reduce the risk and support the family;

55 (9) “Family support team meeting” or “team meeting”, a meeting convened by the
56 division or children’s services provider in behalf of the family and/or child for the purpose of
57 determining service and treatment needs, determining the need for placement and developing a
58 plan for reunification or other permanency options, determining the appropriate placement of the
59 child, evaluating case progress, and establishing and revising the case plan;

60 (10) “Investigation”, the collection of physical and verbal evidence to determine if a
61 child has been abused or neglected;

62 (11) “Jail or detention center personnel”, employees and volunteers working in any
63 premises or institution where incarceration, evaluation, care, treatment or rehabilitation is
64 provided to persons who are being held under custody of the law;

65 (12) “Neglect”, failure to provide, by those responsible for the care, custody, and control
66 of the child, the proper or necessary support, education as required by law, nutrition or medical,
67 surgical, or any other care necessary for the child’s well-being. Victims of neglect shall also
68 include any victims of sex trafficking or severe forms of trafficking as those terms are defined
69 in 22 U.S.C. 78 Section 7102(9)-(10);

70 (13) “Preponderance of the evidence”, that degree of evidence that is of greater weight
71 or more convincing than the evidence which is offered in opposition to it or evidence which as
72 a whole shows the fact to be proved to be more probable than not;

73 (14) “Probable cause”, available facts when viewed in the light of surrounding
74 circumstances which would cause a reasonable person to believe a child was abused or
75 neglected;

76 (15) “Report”, the communication of an allegation of child abuse or neglect to the
77 division pursuant to section 210.115;

78 (16) “Those responsible for the care, custody, and control of the child”, includes, but is
79 not limited to:

80 (a) The parents or legal guardians of a child;

81 (b) Other members of the child’s household;

82 (c) Those exercising supervision over a child for any part of a twenty-four-hour day;

83 (d) Any person who has access to the child based on relationship to the parents of the
84 child or members of the child's household or the family; or

85 (e) Any person who takes control of the child by deception, force, or coercion.

210.112. 1. It is the policy of this state and its agencies to implement a foster care and
2 child protection and welfare system focused on providing the highest quality of services and
3 outcomes for children and their families. The department of social services shall implement such
4 system subject to the following principles:

5 (1) The safety and welfare of children is paramount;

6 (2) Providers of direct services to children and their families will be evaluated in a
7 uniform and consistent basis;

8 (3) Services to children and their families shall be provided in a timely manner to
9 maximize the opportunity for successful outcomes; and

10 (4) Any provider of direct services to children and families shall have the appropriate
11 and relevant training, education, and expertise to provide the highest quality of services possible
12 which shall be consistent with the federal standards, but not less than the standards and policies
13 used by the children's division as of January 1, 2004.

14 2. On or before July 1, 2005, and subject to appropriations, the children's division and
15 any other state agency deemed necessary by the division shall, in consultation with the
16 community and providers of services, enter into and implement contracts with qualified
17 children's services providers and agencies to provide a comprehensive and deliberate system of
18 service delivery for children and their families. Contracts shall be awarded through a
19 competitive process and provided by children's services providers and agencies currently
20 contracting with the state to provide such services and by public and private not-for-profit or
21 limited liability corporations owned exclusively by not-for-profit corporations children's services
22 providers and agencies which have:

23 (1) A proven record of providing child welfare services within the state of Missouri
24 which shall be consistent with the federal standards, but not less than the standards and policies
25 used by the children's division as of January 1, 2004; and

26 (2) The ability to provide a range of child welfare services, which may include case
27 management services, family-centered services, foster and adoptive parent recruitment and
28 retention, residential care, in-home services, foster care services, adoption services, relative care
29 case management, planned permanent living services, and family reunification services.

30

31 No contracts shall be issued for services related to the child abuse and neglect hotline,
32 investigations of alleged abuse and neglect, and initial family assessments. Any contracts
33 entered into by the division shall be in accordance with all federal laws and regulations, and shall

34 not result in the loss of federal funding. Such children's services providers and agencies under
35 contract with the division shall be subject to all federal, state, and local laws and regulations
36 relating to the provision of such services, and shall be subject to oversight and inspection by
37 appropriate state agencies to assure compliance with standards which shall be consistent with
38 the federal standards, but not less than the standards and policies used by the children's division
39 as of January 1, 2004.

40 3. In entering into and implementing contracts under subsection 2 of this section, the
41 division shall consider and direct their efforts towards geographic areas of the state, including
42 Greene County, where eligible direct children's services providers and agencies are currently
43 available and capable of providing a broad range of services, including case management
44 services, family-centered services, foster and adoptive parent recruitment and retention,
45 residential care, family preservation services, foster care services, adoption services, relative care
46 case management, other planned living arrangements, and family reunification services
47 consistent with federal guidelines. Nothing in this subsection shall prohibit the division from
48 contracting on an as-needed basis for any individual child welfare service listed above.

49 4. The contracts entered into under this section shall assure that:

50 (1) Child welfare services shall be delivered to a child and the child's family by
51 professionals who have substantial and relevant training, education, or competencies otherwise
52 demonstrated in the area of children and family services;

53 (2) Children's services providers and agencies shall be evaluated by the division based
54 on objective, consistent, and performance-based criteria;

55 (3) Any case management services provided shall be subject to a case management plan
56 established under subsection 5 of this section which is consistent with all relevant federal
57 guidelines. The case management plan shall focus on attaining permanency in children's living
58 conditions to the greatest extent possible and shall include concurrent planning and independent
59 living where appropriate in accordance with the best interests of each child served and
60 considering relevant factors applicable to each individual case as provided by law, including:

61 (a) The interaction and interrelationship of a child with the child's foster parents,
62 biological or adoptive parents, siblings, and any other person who may significantly affect the
63 child's best interests;

64 (b) A child's adjustment to his or her foster home, school, and community;

65 (c) The mental and physical health of all individuals involved, including any history of
66 abuse of or by any individuals involved;

67 (d) The needs of the child for a continuing relationship with the child's biological or
68 adoptive parents and the ability and willingness of the child's biological or adoptive parents to
69 actively perform their functions as parents with regard to the needs of the child; and

70 (e) For any child [~~under ten years old~~], treatment services may be available as defined
 71 in section 210.110. Assessments, as defined in section 210.110, may occur to determine which
 72 treatment services best meet the child's psychological and social needs. When the assessment
 73 indicates that a child's needs can be best resolved by intensive twenty-four-hour treatment
 74 services, the division will locate, contract, and place the child with the appropriate organizations.
 75 This placement will be viewed as the least restrictive for the child based on the assessment;

76 (4) The delivery system shall have sufficient flexibility to take into account children and
 77 families on a case-by-case basis;

78 (5) The delivery system shall provide a mechanism for the assessment of strategies to
 79 work with children and families immediately upon entry into the system to maximize
 80 permanency and successful outcome in the shortest time possible and shall include concurrent
 81 planning. Outcome measures for private and public agencies shall be equal for each program;
 82 and

83 (6) Payment to the children's services providers and agencies shall be made based on the
 84 reasonable costs of services, including responsibilities necessary to execute the contract.
 85 Contracts shall provide incentives in addition to the costs of services provided in recognition of
 86 accomplishment of the case goals and the corresponding cost savings to the state. The division
 87 shall promulgate rules to implement the provisions of this subdivision.

88 5. Contracts entered into under this section shall require that a case management plan
 89 consistent with all relevant federal guidelines shall be developed for each child at the earliest
 90 time after the initial investigation, but in no event longer than [~~fourteen~~] **thirty** days after the
 91 initial investigation or referral to the contractor by the division. Such case management plan
 92 shall be presented to the court and be the foundation of service delivery to the child and family.
 93 The case management plan shall, at a minimum, include:

94 (1) An outcome target based on the child and family situation achieving permanency or
 95 independent living, where appropriate;

96 (2) Services authorized and necessary to facilitate the outcome target;

97 (3) Time frames in which services will be delivered; and

98 (4) Necessary evaluations and reporting.

99

100 In addition to any visits and assessments required under case management, services to be
 101 provided by a public or private children's services provider under the specific case management
 102 plan may include family-centered services, foster and adoptive parent recruitment and retention,
 103 residential care, in-home services, foster care services, adoption services, relative care case
 104 services, planned permanent living services, and family reunification services. In all cases, an

105 appropriate level of services shall be provided to the child and family after permanency is
106 achieved to assure a continued successful outcome.

107 6. **By December 1, 2018**, the division shall convene a task force to review the
108 recruitment, licensing and retention of foster and adoptive parents statewide. In addition to
109 representatives of the division and department, the task force shall include representatives of the
110 private sector and faith-based community which provide recruitment and licensure services. The
111 purpose of the task force shall and will be to study the extent to which changes in the system of
112 recruiting, licensing, and retaining foster and adoptive parents would enhance the effectiveness
113 of the system statewide. The task force shall develop a report of its findings with
114 recommendations by December 1, [~~2011~~] **2019**, and provide copies of the report to the general
115 assembly, **to the joint committee on child abuse and neglect under section 21.771**, and to the
116 governor.

117 7. On or before July 15, 2006, and each July fifteenth thereafter that the project is in
118 operation, the division shall submit a report to the general assembly which shall include:

119 (1) Details about the specifics of the contracts, including the number of children and
120 families served, the cost to the state for contracting such services, the current status of the
121 children and families served, an assessment of the quality of services provided and outcomes
122 achieved, and an overall evaluation of the project; and

123 (2) Any recommendations regarding the continuation or possible statewide
124 implementation of such project; and

125 (3) Any information or recommendations directly related to the provision of direct
126 services for children and their families that any of the contracting children's services providers
127 and agencies request to have included in the report.

128 8. The division shall accept as prima facie evidence of completion of the requirements
129 for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the
130 following nationally recognized bodies: the Council on Accreditation of Services, Children and
131 Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on
132 Accreditation of Rehabilitation Facilities. The division shall not require any further evidence
133 of qualification for licensure if such proof of voluntary accreditation is submitted.

134 9. By February 1, 2005, the children's division shall promulgate and have in effect rules
135 to implement the provisions of this section and, pursuant to this section, shall define
136 implementation plans and dates. Any rule or portion of a rule, as that term is defined in section
137 536.010, that is created under the authority delegated in this section shall become effective only
138 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
139 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
140 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove

141 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
142 and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

210.145. 1. The division shall develop protocols which give priority to:

2 (1) Ensuring the well-being and safety of the child in instances where child abuse or
3 neglect has been alleged;

4 (2) Promoting the preservation and reunification of children and families consistent with
5 state and federal law;

6 (3) Providing due process for those accused of child abuse or neglect; and

7 (4) Maintaining an information system operating at all times, capable of receiving and
8 maintaining reports. This information system shall have the ability to receive reports over a
9 single, statewide toll-free number. Such information system shall maintain the results of all
10 investigations, family assessments and services, and other relevant information.

11 2. The division shall utilize structured decision-making protocols for classification
12 purposes of all child abuse and neglect reports. The protocols developed by the division shall
13 give priority to ensuring the well-being and safety of the child. All child abuse and neglect
14 reports shall be initiated within twenty-four hours and shall be classified based upon the reported
15 risk and injury to the child. The division shall promulgate rules regarding the structured
16 decision-making protocols to be utilized for all child abuse and neglect reports.

17 3. Upon receipt of a report, the division shall determine if the report merits investigation,
18 including reports which if true would constitute a suspected violation of any of the following:
19 section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen
20 years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age,
21 or other crimes under chapter 566 if the victim is a child less than eighteen years of age and the
22 perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than
23 eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 573.200, or
24 573.205, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such
25 crimes. The division shall immediately communicate all reports that merit investigation to its
26 appropriate local office and any relevant information as may be contained in the information
27 system. The local division staff shall determine, through the use of protocols developed by the
28 division, whether an investigation or the family assessment and services approach should be used
29 to respond to the allegation. The protocols developed by the division shall give priority to
30 ensuring the well-being and safety of the child.

31 4. **The division may accept a report for investigation or family assessment if either**
32 **the child or alleged perpetrator resides in Missouri, may be found in Missouri, or if the**
33 **incident occurred in Missouri.**

34 **5. If the division receives a report in which neither the child nor the alleged**
35 **perpetrator resides in Missouri or may be found in Missouri and the incident did not occur**
36 **in Missouri, the division shall document the report and communicate it to the appropriate**
37 **agency or agencies in the state where the child is believed to be located, along with any**
38 **relevant information or records as may be contained in the division's information system.**

39 **6.** When the child abuse and neglect hotline receives three or more calls, within a
40 seventy-two hour period, from one or more individuals concerning the same child, the division
41 shall conduct a review to determine whether the calls meet the criteria and statutory definition
42 for a child abuse and neglect report to be accepted. In conducting the review, the division shall
43 contact the hotline caller or callers in order to collect information to determine whether the calls
44 meet the criteria for harassment.

45 ~~[5-]~~ **7.** The local office shall contact the appropriate law enforcement agency immediately
46 upon receipt of a report which division personnel determine merits an investigation and provide
47 such agency with a detailed description of the report received. In such cases the local division
48 office shall request the assistance of the local law enforcement agency in all aspects of the
49 investigation of the complaint. The appropriate law enforcement agency shall either assist the
50 division in the investigation or provide the division, within twenty-four hours, an explanation
51 in writing detailing the reasons why it is unable to assist.

52 ~~[6-]~~ **8.** The local office of the division shall cause an investigation or family assessment
53 and services approach to be initiated in accordance with the protocols established in subsection
54 2 of this section, except in cases where the sole basis for the report is educational neglect. If the
55 report indicates that educational neglect is the only complaint and there is no suspicion of other
56 neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the
57 report. If the report indicates the child is in danger of serious physical harm or threat to life, an
58 investigation shall include direct observation of the subject child within twenty-four hours of the
59 receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct
60 observation. Callers to the child abuse and neglect hotline shall be instructed by the division's
61 hotline to call 911 in instances where the child may be in immediate danger. If the parents of the
62 child are not the alleged perpetrators, a parent of the child must be notified prior to the child
63 being interviewed by the division. No person responding to or investigating a child abuse and
64 neglect report shall call prior to a home visit or leave any documentation of any attempted visit,
65 such as business cards, pamphlets, or other similar identifying information if he or she has a
66 reasonable basis to believe the following factors are present:

67 (1) (a) No person is present in the home at the time of the home visit; and

68 (b) The alleged perpetrator resides in the home or the physical safety of the child may
69 be compromised if the alleged perpetrator becomes aware of the attempted visit;

- 70 (2) The alleged perpetrator will be alerted regarding the attempted visit; or
- 71 (3) The family has a history of domestic violence or fleeing the community.

72

73 If the alleged perpetrator is present during a visit by the person responding to or investigating the
 74 report, such person shall provide written material to the alleged perpetrator informing him or her
 75 of his or her rights regarding such visit, including but not limited to the right to contact an
 76 attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written
 77 material or have such material read to him or her by the case worker before the visit commences,
 78 but in no event shall such time exceed five minutes; except that, such requirement to provide
 79 written material and reasonable time to read such material shall not apply in cases where the
 80 child faces an immediate threat or danger, or the person responding to ~~or~~ investigating the report
 81 is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in
 82 a school or child care facility the division shall not meet with the child in any school building
 83 or child-care facility building where abuse of such child is alleged to have occurred. When the
 84 child is reported absent from the residence, the location and the well-being of the child shall be
 85 verified. For purposes of this subsection, "child care facility" shall have the same meaning as
 86 such term is defined in section 210.201.

87 ~~[7-]~~ **9.** The director of the division shall name at least one chief investigator for each
 88 local division office, who shall direct the division response on any case involving a second or
 89 subsequent incident regarding the same subject child or perpetrator. The duties of a chief
 90 investigator shall include verification of direct observation of the subject child by the division
 91 and shall ensure information regarding the status of an investigation is provided to the public
 92 school district liaison. The public school district liaison shall develop protocol in conjunction
 93 with the chief investigator to ensure information regarding an investigation is shared with
 94 appropriate school personnel. The superintendent of each school district shall designate a
 95 specific person or persons to act as the public school district liaison. Should the subject child
 96 attend a nonpublic school the chief investigator shall notify the school principal of the
 97 investigation. Upon notification of an investigation, all information received by the public
 98 school district liaison or the school shall be subject to the provisions of the federal Family
 99 Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34
 100 C.F.R., Part 99.

101 ~~[8-]~~ **10.** The investigation shall include but not be limited to the nature, extent, and cause
 102 of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect;
 103 the names and conditions of other children in the home, if any; the home environment and the
 104 relationship of the subject child to the parents or other persons responsible for the child's care;

105 any indication of incidents of physical violence against any other household or family member;
106 and other pertinent data.

107 ~~[9-]~~ **11.** When a report has been made by a person required to report under section
108 210.115, the division shall contact the person who made such report within forty-eight hours of
109 the receipt of the report in order to ensure that full information has been received and to obtain
110 any additional information or medical records, or both, that may be pertinent.

111 ~~[10-]~~ **12.** Upon completion of the investigation, if the division suspects that the report
112 was made maliciously or for the purpose of harassment, the division shall refer the report and
113 any evidence of malice or harassment to the local prosecuting or circuit attorney.

114 ~~[11-]~~ **13.** Multidisciplinary teams shall be used whenever conducting the investigation
115 as determined by the division in conjunction with local law enforcement. Multidisciplinary
116 teams shall be used in providing protective or preventive social services, including the services
117 of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court,
118 and other agencies, both public and private.

119 ~~[12-]~~ **14.** For all family support team meetings involving an alleged victim of child abuse
120 or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or
121 custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the
122 child shall be provided notice and be permitted to attend all such meetings. Family members,
123 other than alleged perpetrators, or other community informal or formal service providers that
124 provide significant support to the child and other individuals may also be invited at the discretion
125 of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal
126 guardian or custodian and the foster parents may request that other individuals, other than alleged
127 perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or
128 attends such team meetings, the division or the convenor of the meeting shall provide such
129 persons with notice of all such subsequent meetings involving the child. Families may determine
130 whether individuals invited at their discretion shall continue to be invited.

131 ~~[13-]~~ **15.** If the appropriate local division personnel determine after an investigation has
132 begun that completing an investigation is not appropriate, the division shall conduct a family
133 assessment and services approach. The division shall provide written notification to local law
134 enforcement prior to terminating any investigative process. The reason for the termination of
135 the investigative process shall be documented in the record of the division and the written
136 notification submitted to local law enforcement. Such notification shall not preclude nor prevent
137 any investigation by law enforcement.

138 ~~[14-]~~ **16.** If the appropriate local division personnel determines to use a family
139 assessment and services approach, the division shall:

140 (1) Assess any service needs of the family. The assessment of risk and service needs
141 shall be based on information gathered from the family and other sources;

142 (2) Provide services which are voluntary and time-limited unless it is determined by the
143 division based on the assessment of risk that there will be a high risk of abuse or neglect if the
144 family refuses to accept the services. The division shall identify services for families where it
145 is determined that the child is at high risk of future abuse or neglect. The division shall
146 thoroughly document in the record its attempt to provide voluntary services and the reasons these
147 services are important to reduce the risk of future abuse or neglect to the child. If the family
148 continues to refuse voluntary services or the child needs to be protected, the division may
149 commence an investigation;

150 (3) Commence an immediate investigation if at any time during the family assessment
151 and services approach the division determines that an investigation, as delineated in sections
152 210.109 to 210.183, is required. The division staff who have conducted the assessment may
153 remain involved in the provision of services to the child and family;

154 (4) Document at the time the case is closed, the outcome of the family assessment and
155 services approach, any service provided and the removal of risk to the child, if it existed.

156 ~~[15-]~~ 17. (1) Within forty-five days of an oral report of abuse or neglect, the local office
157 shall update the information in the information system. The information system shall contain,
158 at a minimum, the determination made by the division as a result of the investigation, identifying
159 information on the subjects of the report, those responsible for the care of the subject child and
160 other relevant dispositional information. The division shall complete all investigations within
161 forty-five days, unless good cause for the failure to complete the investigation is specifically
162 documented in the information system. Good cause for failure to complete an investigation shall
163 include, but not be limited to:

164 (a) The necessity to obtain relevant reports of medical providers, medical examiners,
165 psychological testing, law enforcement agencies, forensic testing, and analysis of relevant
166 evidence by third parties which has not been completed and provided to the division;

167 (b) The attorney general or the prosecuting or circuit attorney of the city or county in
168 which a criminal investigation is pending certifies in writing to the division that there is a
169 pending criminal investigation of the incident under investigation by the division and the issuing
170 of a decision by the division will adversely impact the progress of the investigation; or

171 (c) The child victim, the subject of the investigation or another witness with information
172 relevant to the investigation is unable or temporarily unwilling to provide complete information
173 within the specified time frames due to illness, injury, unavailability, mental capacity, age,
174 developmental disability, or other cause.

175

176 The division shall document any such reasons for failure to complete the investigation.

177 (2) If a child fatality or near-fatality is involved in a report of abuse or neglect, the
178 investigation shall remain open until the division's investigation surrounding such death or near-
179 fatal injury is completed.

180 (3) If the investigation is not completed within forty-five days, the information system
181 shall be updated at regular intervals and upon the completion of the investigation, which shall
182 be completed no later than ninety days after receipt of a report of abuse or neglect, or one
183 hundred twenty days after receipt of a report of abuse or neglect involving sexual abuse, or until
184 the division's investigation is complete in cases involving a child fatality or near-fatality. The
185 information in the information system shall be updated to reflect any subsequent findings,
186 including any changes to the findings based on an administrative or judicial hearing on the
187 matter.

188 ~~[16-]~~ **18.** A person required to report under section 210.115 to the division and any
189 person making a report of child abuse or neglect made to the division which is not made
190 anonymously shall be informed by the division of his or her right to obtain information
191 concerning the disposition of his or her report. Such person shall receive, from the local office,
192 if requested, information on the general disposition of his or her report. Such person may
193 receive, if requested, findings and information concerning the case. Such release of information
194 shall be at the discretion of the director based upon a review of the reporter's ability to assist in
195 protecting the child or the potential harm to the child or other children within the family. The
196 local office shall respond to the request within forty-five days. The findings shall be made
197 available to the reporter within five days of the outcome of the investigation. If the report is
198 determined to be unsubstantiated, the reporter may request that the report be referred by the
199 division to the office of child advocate for children's protection and services established in
200 sections 37.700 to 37.730. Upon request by a reporter under this subsection, the division shall
201 refer an unsubstantiated report of child abuse or neglect to the office of child advocate for
202 children's protection and services.

203 ~~[17-]~~ **19.** The division shall provide to any individual who is not satisfied with the results
204 of an investigation information about the office of child advocate and the services it may provide
205 under sections 37.700 to 37.730.

206 ~~[18-]~~ **20.** In any judicial proceeding involving the custody of a child the fact that a report
207 may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

208 (1) Nothing in this subsection shall prohibit the introduction of evidence from
209 independent sources to support the allegations that may have caused a report to have been made;
210 and

211 (2) The court may on its own motion, or shall if requested by a party to the proceeding,
 212 make an inquiry not on the record with the children's division to determine if such a report has
 213 been made.

214

215 If a report has been made, the court may stay the custody proceeding until the children's division
 216 completes its investigation.

217 ~~[19.]~~ **21. Nothing in this chapter shall be construed to prohibit the children's**
 218 **division from coinvestigating a report of child abuse or neglect or sharing records and**
 219 **information with child welfare, law enforcement, or judicial officers of another state,**
 220 **territory, or nation if the children's division determines it is appropriate to do so under the**
 221 **standard set forth in subsection 4 of section 210.150 and if such receiving agency is**
 222 **exercising its authority under the law.**

223 **22.** In any judicial proceeding involving the custody of a child where the court
 224 determines that the child is in need of services under paragraph (d) of subdivision (1) of
 225 subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or
 226 custodian shall not be entered into the registry.

227 ~~[20.]~~ **23.** The children's division is hereby granted the authority to promulgate rules and
 228 regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the
 229 provisions of sections 210.109 to 210.183.

230 ~~[21.]~~ **24.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
 231 created under the authority delegated in this section shall become effective only if it complies
 232 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
 233 This section and chapter 536 are nonseverable and if any of the powers vested with the general
 234 assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and
 235 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
 236 any rule proposed or adopted after August 28, 2000, shall be invalid and void.

210.487. 1. When conducting investigations of persons for the purpose of foster parent
 2 licensing, the division shall:

3 (1) Conduct a search for all persons over the age of seventeen in the applicant's
 4 household and for any child less than seventeen years of age residing in the applicant's home who
 5 the division has determined has been certified as an adult for the commission of a crime for
 6 evidence of full orders of protection. The office of state courts administrator shall allow access
 7 to the automated court information system by the division. The clerk of each court contacted by
 8 the division shall provide the division information within ten days of a request; ~~and~~

9 (2) Obtain ~~three sets of~~ fingerprints for any person over the age of seventeen in the
 10 applicant's household and for any child less than seventeen years of age residing in the applicant's

11 home who the division has determined has been certified as an adult for the commission of a
12 crime in the same manner set forth in subsection 2 of section 210.482. [~~One set of fingerprints~~
13 ~~shall be used by the highway patrol to search the criminal history repository, one set shall be~~
14 ~~forwarded to the Federal Bureau of Investigation for searching the federal criminal history files,~~
15 ~~and one set shall be forwarded to and retained by the division.] The highway patrol shall assist
16 the division and provide the criminal fingerprint background information, upon request, **in**
17 **accordance with the provisions of section 43.540;** and~~

18 (3) Determine whether any person over the age of seventeen residing in the home and
19 any child less than seventeen years of age residing in the applicant's home who the division has
20 determined has been certified as an adult for the commission of a crime is listed on the child
21 abuse and neglect registry. For any children less than seventeen years of age residing in the
22 applicant's home, the children's division shall inquire of the applicant whether any children less
23 than seventeen years of age residing in the home have ever been certified as an adult and been
24 convicted of or pled guilty or nolo contendere to any crime.

25 2. After the initial investigation is completed under subsection 1 of this section:

26 (1) No person who submits fingerprints under subsection 1 of this section or section
27 210.482 shall be required to submit additional fingerprints under this section or section 210.482
28 unless the original fingerprints retained by the division are lost or destroyed; [~~and]~~

29 (2) **The highway patrol shall provide ongoing electronic updates to criminal history**
30 **background checks of those persons previously submitted as part of the licensing or**
31 **approval process under subsection 1 of this section. Ongoing electronic updates for such**
32 **persons and for those in their households shall terminate when such persons cease to be**
33 **applicants or licensed foster parents; and**

34 (3) The children's division and the department of health and senior services may waive
35 the requirement for a fingerprint background check for any subsequent recertification.

36 3. Subject to appropriation, the total cost of fingerprinting required by this section may
37 be paid by the state, including reimbursement of persons incurring fingerprinting costs under this
38 section.

39 4. The division may make arrangements with other executive branch agencies to obtain
40 any investigative background information.

41 5. The division may promulgate rules that are necessary to implement the provisions of
42 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is
43 created under the authority delegated in this section shall become effective only if it complies
44 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
45 This section and chapter 536 are nonseverable and if any of the powers vested with the general
46 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and

47 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
48 any rule proposed or adopted after August 28, 2004, shall be invalid and void.

210.498. **1.** Any parent or legal guardian of a child in foster care may have access to
2 investigation records kept by the division regarding ~~[a decision for]~~ the denial ~~[of or the]~~ ,
3 suspension, or revocation of **[a] the license** ~~[to a specific person to operate or maintain]~~ of a
4 foster home ~~[if such specific person does or may provide services or care to a child of the person~~
5 ~~requesting the information]~~ **in which the child was placed.** The request for the release of such
6 information shall be made to the division director or the director's designee, in writing, by the
7 parent or legal guardian of the child and shall be accompanied ~~[with]~~ **by** a signed and notarized
8 release form from the person who does or may provide care or services to the child. The
9 notarized release form shall include the full name, date of birth and Social Security number of
10 the person who does or may provide care or services to a child. The response shall include only
11 information pertaining to the nature and disposition of any denial, suspension, or revocation of
12 a license to operate a foster home. This response shall not include any identifying information
13 regarding any person other than the person to whom a foster home license was denied,
14 suspended, or revoked. **The response shall not include financial, medical, or other personal**
15 **information relating to the foster home provider or the foster home provider's family**
16 **unless the division determines that the information is directly relevant to the disposition**
17 **of the investigation and report.** The response shall be given within ten working days of the
18 time it was received by the division.

2. The division may disclose or utilize information and records relating to foster
20 **homes in its discretion and as needed for the administration of the foster care program**
21 **including, but not limited to, the licensure of foster homes and for the protection, care, and**
22 **safety of children who are or who may be placed in foster care.**

3. Upon written request, the director of the department of social services shall
24 **authorize the disclosure of information and findings pertaining to foster homes in cases of**
25 **child fatalities or near-fatalities to courts, juvenile officers, law enforcement agencies, and**
26 **prosecuting and circuit attorneys that have a need for the information to conduct their**
27 **duties under law. Nothing in this subsection shall otherwise preclude the disclosure of such**
28 **information as provided for under subsection 5 of section 210.150.**

4. The division may disclose information and records pertaining to foster homes to
30 **juvenile officers, courts, the office of child advocate, guardians ad litem, law enforcement**
31 **agencies, child welfare agencies, child placement agencies, prosecuting attorneys, and other**
32 **local, state, and federal government agencies that have a need for the information to**
33 **conduct their duties under law.**

34 **5. Information and records pertaining to the licensure of foster homes and the care**
 35 **and treatment of children in foster homes shall be considered closed records under chapter**
 36 **610 and may only be disclosed and utilized under this section.**

210.1030. 1. There is hereby created the “Trauma-Informed Care for Children and
 2 **Families Task Force”. The mission of the task force shall be to promote the healthy**
 3 **development of children and their families living in Missouri communities by promoting**
 4 **comprehensive trauma-informed children and family support systems and interagency**
 5 **cooperation.**

6 **2. The task force shall consist of the following members:**

7 **(1) The directors, or their designees, of the departments of elementary and**
 8 **secondary education, health and senior services, mental health, social services, public**
 9 **safety, and corrections;**

10 **(2) The director, or his or her designee, of the office of child advocate;**

11 **(3) Six members from the private sector with knowledge of trauma-informed care**
 12 **methods, two of whom shall be appointed by the speaker of the house of representatives,**
 13 **one of whom shall be appointed by the minority leader of the house of representatives, two**
 14 **of whom shall be appointed by the president pro tempore of the senate, and one of whom**
 15 **shall be appointed by the minority leader of the senate;**

16 **(4) Two members of the house of representatives appointed by the speaker of the**
 17 **house of representatives and one member of the house of representatives appointed by the**
 18 **minority leader of the house of representatives; and**

19 **(5) Two members of the senate appointed by the president pro tempore of the**
 20 **senate and one member of the senate appointed by the minority leader of the senate.**

21 **3. The task force shall incorporate evidence-based and evidence-informed best**
 22 **practices including, but not limited to, the Missouri Model: A Developmental Framework**
 23 **for Trauma-Informed, with respect to:**

24 **(1) Early identification of children and youth and their families, as appropriate,**
 25 **who have experienced or are at risk of experiencing trauma;**

26 **(2) The expeditious referral of such children and youth and their families, as**
 27 **appropriate, who require specialized services to the appropriate trauma-informed support**
 28 **services, including treatment, in accordance with applicable privacy laws; and**

29 **(3) The implementation of trauma-informed approaches and interventions in child**
 30 **and youth-serving schools, organizations, homes, and other settings to foster safe, stable,**
 31 **and nurturing environments and relationships that prevent and mitigate the effects of**
 32 **trauma.**

33 **4. The staff of senate research, house research, and the joint committee on**
34 **legislative research shall provide such legal, research, clerical, technical, and bill drafting**
35 **services as the task force may require in the performance of its duties.**

36 **5. The task force, its members, and any staff assigned to the task force shall receive**
37 **reimbursement for their actual and necessary expenses incurred in attending meetings of**
38 **the task force or any subcommittee thereof.**

39 **6. The task force shall meet within two months of the effective date of this section.**

40 **7. The task force shall report a summary of its activities and any recommendations**
41 **for legislation to the general assembly and to the joint committee on child abuse and**
42 **neglect under section 21.771 by January 1, 2019.**

43 **8. The task force shall terminate on January 1, 2019.**

211.093. **1. Any order or judgment entered by the court under authority of this chapter**
2 **or chapter 210 shall, so long as [~~such order or judgment remains in effect~~] the juvenile court**
3 **exercises continuing jurisdiction, take precedence over any order or judgment concerning the**
4 **status or custody of a child under [age] twenty-one years of age entered by a court under**
5 **authority of chapter 452, 453, 454 or 455, or orders of guardianship under chapter 475, but**
6 **only to the extent inconsistent therewith.**

7 **2. In addition to all other powers conveyed upon the court by this chapter and**
8 **chapter 210, any court exercising jurisdiction over a child under subdivision (1) of**
9 **subsection 1 of section 211.031 shall have authority to enter an order regarding custody of**
10 **the child under chapter 452, enter a child support order computed under the guidelines set**
11 **forth in section 452.340, and establish rights of visitation for the parents of the child. In**
12 **every case in which the juvenile or family court exercises authority over a child under**
13 **subdivision (1) or (2) of subsection 1 of section 211.031, the court shall have concurrent**
14 **authority and jurisdiction with the circuit court to enter a final order and judgment**
15 **establishing the paternity of the child's biological father under the uniform parentage act**
16 **under sections 210.817 to 210.852, unless the child has a legal father already established**
17 **under sections 210.817 to 210.852 by affidavit or court order.**

18 **3. Any custody, support, or visitation order entered by the court under subsection**
19 **2 of this section shall remain in full force and effect after the termination of juvenile court**
20 **proceedings unless the court's order specifically states otherwise. Any custody, child**
21 **support, or visitation order shall take precedence over and shall automatically stay any**
22 **prior orders concerning custody, child support, guardianship, or visitation for the child**
23 **under the juvenile court's jurisdiction. Orders entered under subsection 2 of this section**
24 **shall remain in full force and effect until a subsequent order with respect to custody, child**
25 **support, guardianship, or visitation of the child is entered by a court under the authority**

26 of this chapter or chapter 210, 452, 453, 454, or 455, or orders of guardianship under
27 chapter 475. Any final judgment and order establishing paternity under this section shall
28 be a final and binding judgment of the circuit court as in other civil judgments entered
29 under the uniform parentage act under sections 210.817 to 210.852, and the court may
30 enter the final paternity judgment and order under a different, nonjuvenile case number.

31 **4. If the juvenile court terminates jurisdiction without entering a continuing**
32 **custody, support, or visitation order under subsections 2 and 3 of this section, legal and**
33 **physical custody of the child shall be returned to the custodian, parent, or legal guardian**
34 **who exercised custody prior to the juvenile court assuming jurisdiction under subdivision**
35 **(1) of subsection 1 of section 211.031, and any custody or visitation orders in effect at the**
36 **time the juvenile court assumed jurisdiction shall be restored.**

37 **5. The juvenile court shall not have the authority to hear modification motions or**
38 **other actions to rehear any orders entered under this section after the juvenile court**
39 **terminates jurisdiction on the underlying case. A circuit court in the same county as the**
40 **juvenile court shall have jurisdiction to hear any motions for rehearing or modifications**
41 **of any orders entered under this section after the juvenile court terminates jurisdiction.**
42 **Any future actions shall be conducted under sections 210.817 to 210.852, this chapter, or**
43 **chapter 452, 453, 454, 455, or 475, as appropriate.**

44 **6. On entry of a child support order, the circuit clerk shall follow the procedures**
45 **set forth in section 454.412 and upon request send a certified copy of the order to the**
46 **family support division.**

431.056. 1. A minor shall be qualified and competent to contract for housing,
2 employment, purchase of an automobile, receipt of a student loan, admission to high school or
3 postsecondary school, obtaining medical care, establishing a bank account, admission to a shelter
4 for victims of domestic violence, as ~~defined in section~~ **that phrase is used in sections 455.200**
5 **to 455.220, a rape crisis center, as defined in section 455.003, or a homeless shelter, and**
6 receipt of services as a victim of domestic violence or sexual ~~abuse~~ **assault, as such terms are**
7 **defined in section 455.010, including but not limited to counseling, court advocacy, financial**
8 assistance, and other advocacy services, if:

9 (1) The minor is sixteen or seventeen years of age; and

10 (2) The minor is homeless, as defined in subsection 1 of section 167.020, or a victim of
11 domestic violence, as defined in section ~~[455.200]~~ **455.010, unless the child is under the**
12 supervision of the children's division or the jurisdiction of the juvenile court; and

13 (3) The minor is self-supporting, such that the minor is without the physical or financial
14 support of a parent or legal guardian; and

15 (4) The minor's parent or legal guardian has consented to the minor living independent
16 of the parents' or guardians' control. Consent may be expressed or implied, such that:

17 (a) Expressed consent is any verbal or written statement made by the parents or guardian
18 of the minor displaying approval or agreement that the minor may live independently of the
19 parent's or guardian's control;

20 (b) Implied consent is any action made by the parent or guardian of the minor that
21 indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such
22 actions may include, but are not limited to:

23 a. Barring the minor from the home or otherwise indicating that the minor is not
24 welcome to stay;

25 b. Refusing to provide any or all financial support for the minor; or

26 c. Abusing or neglecting the minor, as defined in section 210.110 or committing an act
27 or acts of domestic violence against the minor, as defined in section 455.010.

28 2. A minor who is sixteen years of age or older and who is in the legal custody of the
29 children's division pursuant to an order of a court of competent jurisdiction shall be qualified and
30 competent to contract for the purchase of automobile insurance with the consent of the children's
31 division or the juvenile court. The minor shall be responsible for paying the costs of the
32 insurance premiums and shall be liable for damages caused by his or her negligent operation of
33 a motor vehicle. No state department, foster parent, or entity providing case management of
34 children on behalf of a department shall be responsible for paying any insurance premiums nor
35 liable for any damages of any kind as a result of the operation of a motor vehicle by the minor.

36 **3. A minor who is sixteen years of age or older and who is in the legal custody of**
37 **the children's division pursuant to an order of a court of competent jurisdiction shall be**
38 **qualified and competent to contract for the opening of a checking or savings bank account**
39 **with the consent of the children's division or the juvenile court. The minor shall be**
40 **responsible for paying all banking related costs associated with the checking or savings**
41 **account and shall be liable for any and all penalties should he or she violate a banking**
42 **agreement. No state department, foster parent, or entity providing case management of**
43 **children on behalf of a department shall be responsible for paying any bank fees nor liable**
44 **for any and all penalties related to violation of a banking agreement.**

455.121. 1. As used in this section, unless the context clearly indicates otherwise, the
2 following terms mean:

3 (1) "Adopted adult", any adopted person who is eighteen years of age or over;

4 (2) "Adopted child", any adopted person who is less than eighteen years of age;

5 (3) "Adult sibling", any brother or sister of the whole or half blood who is eighteen years
6 of age or over;

7 (4) "Biological parent", the natural and biological mother or father of the adopted child;

8 (5) "Identifying information", information which includes the name, date of birth, place
9 of birth and last known address of the biological parent;

10 (6) "Lineal descendant", a legal descendant of a person as defined in section 472.010;

11 (7) "Nonidentifying information", information concerning the physical description,
12 nationality, religious background and medical history of the biological parent or sibling.

13 2. All papers, records, and information pertaining to an adoption whether part of any
14 permanent record or file may be disclosed only in accordance with this section.

15 3. Nonidentifying information, if known, concerning undisclosed biological parents or
16 siblings shall be furnished by the child-placing agency or the juvenile court to the adoptive
17 parents, legal guardians, adopted adult or the adopted adult's lineal descendants if the adopted
18 adult is deceased, upon written request therefor.

19 4. An adopted adult, or the adopted adult's lineal descendants if the adopted adult is
20 deceased, may make a written request to the circuit court having original jurisdiction of such
21 adoption to secure and disclose information identifying the adopted adult's biological parents.
22 If the biological parents have consented to the release of identifying information under
23 subsection 8 of this section, the court shall disclose such identifying information to the adopted
24 adult or the adopted adult's lineal descendants if the adopted adult is deceased. If the biological
25 parents have not consented to the release of identifying information under subsection 8 of this
26 section, the court shall, within ten days of receipt of the request, notify in writing the child-
27 placing agency or juvenile court personnel having access to the information requested of the
28 request by the adopted adult or the adopted adult's lineal descendants.

29 5. Within three months after receiving notice of the request of the adopted adult, or the
30 adopted adult's lineal descendants, the child-placing agency or the juvenile court personnel shall
31 make reasonable efforts to notify the biological parents of the request of the adopted adult or the
32 adopted adult's lineal descendants. The child-placing agency or juvenile court personnel may
33 charge actual costs to the adopted adult or the adopted adult's lineal descendants for the cost of
34 making such search. All communications under this subsection are confidential. For purposes
35 of this subsection, "notify" means a personal and confidential contact with the biological parent
36 of the adopted adult, which initial contact shall be made by an employee of the child-placing
37 agency which processed the adoption, juvenile court personnel or some other licensed child-
38 placing agency designated by the child-placing agency or juvenile court. Nothing in this section
39 shall be construed to permit the disclosure of communications privileged pursuant to section
40 491.060. At the end of three months, the child-placing agency or juvenile court personnel shall
41 file a report with the court stating that each biological parent that was located was given the
42 following information:

- 43 (1) The nature of the identifying information to which the agency has access;
- 44 (2) The nature of any nonidentifying information requested;
- 45 (3) The date of the request of the adopted adult or the adopted adult's lineal descendants;
- 46 (4) The right of the biological parent to file an affidavit with the court stating that the
- 47 identifying information should be disclosed;
- 48 (5) The effect of a failure of the biological parent to file an affidavit stating that the
- 49 identifying information should be disclosed.

50 6. If the child-placing agency or juvenile court personnel reports to the court that it has
 51 been unable to notify the biological parent within three months, the identifying information shall
 52 not be disclosed to the adopted adult or the adopted adult's lineal descendants. Additional
 53 requests for the same or substantially the same information may not be made to the court within
 54 one year from the end of the three-month period during which the attempted notification was
 55 made, unless good cause is shown and leave of court is granted.

56 7. If, within three months, the child-placing agency or juvenile court personnel reports
 57 to the court that it has notified the biological parent pursuant to subsection 5 of this section, the
 58 court shall receive the identifying information from the child-placing agency. If an affidavit duly
 59 executed by a biological parent authorizing the release of information is filed with the court or
 60 if a biological parent is found to be deceased, the court shall disclose the identifying information
 61 as to that biological parent to the adopted adult or the adopted adult's lineal descendants if the
 62 adopted adult is deceased, provided that the other biological parent either:

- 63 (1) Is unknown;
- 64 (2) Is known but cannot be found and notified pursuant to ~~[section 5 of this act]~~
- 65 **subsection 5 of this section;**
- 66 (3) Is deceased; or
- 67 (4) Has filed with the court an affidavit authorizing release of identifying information.

68
 69 If the biological parent fails or refuses to file an affidavit with the court authorizing the release
 70 of identifying information, then the identifying information shall not be released to the adopted
 71 adult. No additional request for the same or substantially the same information may be made
 72 within three years of the time the biological parent fails or refuses to file an affidavit authorizing
 73 the release of identifying information.

74 8. Any adopted adult whose adoption was finalized in this state or whose biological
 75 parents had their parental rights terminated in this state may request the court to secure and
 76 disclose identifying information concerning an adult sibling. Identifying information pertaining
 77 exclusively to the adult sibling, whether part of the permanent record of a file in the court or in
 78 an agency, shall be released only upon consent of that adult sibling.

79 9. The central office of the children's division within the department of social services
80 shall maintain a registry by which biological parents, adult siblings, and adoptive adults may
81 indicate their desire to be contacted by each other. The division may request such identification
82 for the registry as a party may possess to assure positive identifications. At the time of registry,
83 a biological parent or adult sibling may consent in writing to the release of identifying
84 information to an adopted adult. If such a consent has not been executed and the division
85 believes that a match has occurred on the registry between biological parents or adult siblings
86 and an adopted adult, an employee of the division shall make the confidential contact provided
87 in subsection 5 of this section with the biological parents or adult siblings and with the adopted
88 adult. If the division believes that a match has occurred on the registry between one biological
89 parent or adult sibling and an adopted adult, an employee of the division shall make the
90 confidential contact provided by subsection 5 of this section with the biological parent or adult
91 sibling. The division shall then attempt to make such confidential contact with the other
92 biological parent, and shall proceed thereafter to make such confidential contact with the adopted
93 adult only if the division determines that the other biological parent meets one of the conditions
94 specified in subsection 7 of this section. The biological parent, adult sibling, or adopted adult
95 may refuse to go forward with any further contact between the parties when contacted by the
96 division.

97 10. The provisions of this section, except as provided in subsection 5 of this section
98 governing the release of identifying and nonidentifying adoptive information apply to adoptions
99 completed before and after August 13, 1986.

100 **11. All papers, records, and information known to or in the possession of an**
101 **adoptive parent or adoptive child that pertain to an adoption, regardless of whether part**
102 **of any permanent record or file, may be disclosed by the adoptive parent or adoptive child.**
103 **The provisions of this subsection shall not be construed to create a right to have access to**
104 **information not otherwise allowed under this section.**

 610.021. Except to the extent disclosure is otherwise required by law, a public
2 governmental body is authorized to close meetings, records and votes, to the extent they relate
3 to the following:

4 (1) Legal actions, causes of action or litigation involving a public governmental body
5 and any confidential or privileged communications between a public governmental body or its
6 representatives and its attorneys. However, any minutes, vote or settlement agreement relating
7 to legal actions, causes of action or litigation involving a public governmental body or any agent
8 or entity representing its interests or acting on its behalf or with its authority, including any
9 insurance company acting on behalf of a public government body as its insured, shall be made
10 public upon final disposition of the matter voted upon or upon the signing by the parties of the

11 settlement agreement, unless, prior to final disposition, the settlement agreement is ordered
12 closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the
13 action clearly outweighs the public policy considerations of section 610.011, however, the
14 amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed;
15 provided, however, in matters involving the exercise of the power of eminent domain, the vote
16 shall be announced or become public immediately following the action on the motion to
17 authorize institution of such a legal action. Legal work product shall be considered a closed
18 record;

19 (2) Leasing, purchase or sale of real estate by a public governmental body where public
20 knowledge of the transaction might adversely affect the legal consideration therefor. However,
21 any minutes, vote or public record approving a contract relating to the leasing, purchase or sale
22 of real estate by a public governmental body shall be made public upon execution of the lease,
23 purchase or sale of the real estate;

24 (3) Hiring, firing, disciplining or promoting of particular employees by a public
25 governmental body when personal information about the employee is discussed or recorded.
26 However, any vote on a final decision, when taken by a public governmental body, to hire, fire,
27 promote or discipline an employee of a public governmental body shall be made available with
28 a record of how each member voted to the public within seventy-two hours of the close of the
29 meeting where such action occurs; provided, however, that any employee so affected shall be
30 entitled to prompt notice of such decision during the seventy-two-hour period before such
31 decision is made available to the public. As used in this subdivision, the term "personal
32 information" means information relating to the performance or merit of individual employees;

33 (4) The state militia or national guard or any part thereof;

34 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
35 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
36 treatment;

37 (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including
38 records of individual test or examination scores; however, personally identifiable student records
39 maintained by public educational institutions shall be open for inspection by the parents,
40 guardian or other custodian of students under the age of eighteen years and by the parents,
41 guardian or other custodian and the student if the student is over the age of eighteen years;

42 (7) Testing and examination materials, before the test or examination is given or, if it
43 is to be given again, before so given again;

44 (8) Welfare cases of identifiable individuals;

45 (9) Preparation, including any discussions or work product, on behalf of a public
46 governmental body or its representatives for negotiations with employee groups;

- 47 (10) Software codes for electronic data processing and documentation thereof;
- 48 (11) Specifications for competitive bidding, until either the specifications are officially
49 approved by the public governmental body or the specifications are published for bid;
- 50 (12) Sealed bids and related documents, until the bids are opened; and sealed proposals
51 and related documents or any documents related to a negotiated contract until a contract is
52 executed, or all proposals are rejected;
- 53 (13) Individually identifiable personnel records, performance ratings or records
54 pertaining to employees or applicants for employment, except that this exemption shall not apply
55 to the names, positions, salaries and lengths of service of officers and employees of public
56 agencies once they are employed as such, and the names of private sources donating or
57 contributing money to the salary of a chancellor or president at all public colleges and
58 universities in the state of Missouri and the amount of money contributed by the source;
- 59 (14) Records which are protected from disclosure by law;
- 60 (15) Meetings and public records relating to scientific and technological innovations in
61 which the owner has a proprietary interest;
- 62 (16) Records relating to municipal hotlines established for the reporting of abuse and
63 wrongdoing;
- 64 (17) Confidential or privileged communications between a public governmental body
65 and its auditor, including all auditor work product; however, all final audit reports issued by the
66 auditor are to be considered open records pursuant to this chapter;
- 67 (18) Operational guidelines, policies and specific response plans developed, adopted, or
68 maintained by any public agency responsible for law enforcement, public safety, first response,
69 or public health for use in responding to or preventing any critical incident which is or appears
70 to be terrorist in nature and which has the potential to endanger individual or public safety or
71 health. Financial records related to the procurement of or expenditures relating to operational
72 guidelines, policies or plans purchased with public funds shall be open. When seeking to close
73 information pursuant to this exception, the public governmental body shall affirmatively state
74 in writing that disclosure would impair the public governmental body's ability to protect the
75 security or safety of persons or real property, and shall in the same writing state that the public
76 interest in nondisclosure outweighs the public interest in disclosure of the records;
- 77 (19) Existing or proposed security systems and structural plans of real property owned
78 or leased by a public governmental body, and information that is voluntarily submitted by a
79 nonpublic entity owning or operating an infrastructure to any public governmental body for use
80 by that body to devise plans for protection of that infrastructure, the public disclosure of which
81 would threaten public safety;

82 (a) Records related to the procurement of or expenditures relating to security systems
83 purchased with public funds shall be open;

84 (b) When seeking to close information pursuant to this exception, the public
85 governmental body shall affirmatively state in writing that disclosure would impair the public
86 governmental body's ability to protect the security or safety of persons or real property, and shall
87 in the same writing state that the public interest in nondisclosure outweighs the public interest
88 in disclosure of the records;

89 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the
90 receiving agency within ninety days of submission to determine if retention of the document is
91 necessary in furtherance of a state security interest. If retention is not necessary, the documents
92 shall be returned to the nonpublic governmental body or destroyed;

93 (20) The portion of a record that identifies security systems or access codes or
94 authorization codes for security systems of real property;

95 (21) Records that identify the configuration of components or the operation of a
96 computer, computer system, computer network, or telecommunications network, and would
97 allow unauthorized access to or unlawful disruption of a computer, computer system, computer
98 network, or telecommunications network of a public governmental body. This exception shall
99 not be used to limit or deny access to otherwise public records in a file, document, data file or
100 database containing public records. Records related to the procurement of or expenditures
101 relating to such computer, computer system, computer network, or telecommunications network,
102 including the amount of moneys paid by, or on behalf of, a public governmental body for such
103 computer, computer system, computer network, or telecommunications network shall be open;

104 (22) Credit card numbers, personal identification numbers, digital certificates, physical
105 and virtual keys, access codes or authorization codes that are used to protect the security of
106 electronic transactions between a public governmental body and a person or entity doing business
107 with a public governmental body. Nothing in this section shall be deemed to close the record
108 of a person or entity using a credit card held in the name of a public governmental body or any
109 record of a transaction made by a person using a credit card or other method of payment for
110 which reimbursement is made by a public governmental body; ~~and~~

111 (23) Records submitted by an individual, corporation, or other business entity to a public
112 institution of higher education in connection with a proposal to license intellectual property or
113 perform sponsored research and which contains sales projections or other business plan
114 information the disclosure of which may endanger the competitiveness of a business; **and**

115 **(24) Records relating to foster home or kinship placements of children in foster care**
116 **under section 210.498.**

2 ~~[210.101. 1. There is hereby established the "Missouri Children's~~
~~3 Services Commission", which shall be composed of the following members:-~~
~~4 (1) The director or the director's designee of the following departments:-~~
~~5 corrections, elementary and secondary education, higher education, health and~~
~~6 senior services, labor and industrial relations, mental health, public safety, and~~
~~7 social services;-~~
~~8 (2) One judge of a family or juvenile court, who shall be appointed by the~~
~~9 chief justice of the supreme court;-~~
~~10 (3) Two members, one from each political party, of the house of~~
~~11 representatives, who shall be appointed by the speaker of the house of~~
~~12 representatives;-~~
~~13 (4) Two members, one from each political party, of the senate, who shall~~
~~14 be appointed by the president pro tempore of the senate;-~~
~~15 All members shall serve for as long as they hold the position which made them~~
~~16 eligible for appointment to the Missouri children's services commission under~~
~~17 this subsection. All members shall serve without compensation but may be~~
~~18 reimbursed for all actual and necessary expenses incurred in the performance of~~
~~19 their official duties for the commission.-~~
~~20 2. All meetings of the Missouri children's services commission shall be~~
~~21 open to the public and shall, for all purposes, be deemed open public meetings~~
~~22 under the provisions of sections 610.010 to 610.030. The Missouri children's~~
~~23 services commission shall meet no less than once every two months. Notice of~~
~~24 all meetings of the commission shall be given to the general assembly in the same~~
~~25 manner required for notifying the general public of meetings of the general~~
~~26 assembly.-~~
~~27 3. The Missouri children's services commission may make all rules it~~
~~28 deems necessary to enable it to conduct its meetings, elect its officers, and set the~~
~~29 terms and duties of its officers.-~~
~~30 4. The commission shall elect from amongst its members a chairman,~~
~~31 vice chairman, a secretary-reporter, and such other officers as it deems necessary.-~~
~~32 5. The services of the personnel of any agency from which the director~~
~~33 or deputy director is a member of the commission shall be made available to the~~
~~34 commission at the discretion of such director or deputy director. All meetings of~~
~~35 the commission shall be held in the state of Missouri.-~~

36 ~~6. The officers of the commission may hire an executive director.~~
 37 ~~Funding for the executive director may be provided from the Missouri children's~~
 38 ~~services commission fund or other sources provided by law.~~

39 ~~7. The commission, by majority vote, may invite individuals representing~~
 40 ~~local and federal agencies or private organizations and the general public to serve~~
 41 ~~as ex officio members of the commission. Such individuals shall not have a vote~~
 42 ~~in commission business and shall serve without compensation but may be~~
 43 ~~reimbursed for all actual and necessary expenses incurred in the performance of~~
 44 ~~their official duties for the commission.]~~

45

~~[210.103. 1. There is established in the state treasury a special fund, to~~
 2 ~~be known as the "Missouri Children's Services Commission Fund". The state~~
 3 ~~treasurer shall credit to and deposit in the Missouri children's services~~
 4 ~~commission fund all amounts which may be received from general revenue,~~
 5 ~~grants, gifts, bequests, the federal government, or other sources granted or given~~
 6 ~~for the purposes of sections 210.101 and 210.102.~~

7 ~~2. The state treasurer shall invest moneys in the Missouri children's~~
 8 ~~services commission fund in the same manner as surplus state funds are invested~~
 9 ~~pursuant to section 30.260. All earnings resulting from the investment of moneys~~
 10 ~~in the Missouri children's services commission fund shall be credited to the~~
 11 ~~Missouri children's services commission fund.~~

12 ~~3. The administration of the Missouri children's services commission~~
 13 ~~fund, including, but not limited to, the disbursement of funds therefrom, shall be~~
 14 ~~as prescribed by the Missouri children's services commission in its bylaws.~~

15 ~~4. The provisions of section 33.080, requiring all unexpended balances~~
 16 ~~remaining in various state funds to be transferred and placed to the credit of the~~
 17 ~~ordinary revenue of this state at the end of each biennium, shall not apply to the~~
 18 ~~Missouri children's services commission fund.~~

19 ~~5. Amounts received in the fund shall only be used by the commission~~
 20 ~~for purposes authorized under sections 210.101 and 210.102.]~~

✓