

HCB 11 -- PERSONS UNDER PROTECTIVE CUSTODY

SPONSOR: Neely

COMMITTEE ACTION: Voted "To Introduce" by the Special Committee to Improve the Care and Well-Being of Young People by a vote of 10 to 3. Voted "Do Pass" by the Rules-Administrative Oversight Committee by a vote of 11 to 0.

FEES FOR CERTIFICATES

This bill requires that no fee shall be collected for birth, death, or marriage certificates requested by the Children's Division or the Division of Youth Services on behalf of a child under 21 years who has come under the jurisdiction of the juvenile court (Section 193.265, RSMo).

This section is similar to HB 1470 (2018).

IMMUNIZATIONS FOR FOSTER CHILDREN

This bill allows a child to enroll in school without having completed all the necessary immunizations if the child is homeless or in the custody of the Children's Division. Evidence of the immunizations or that the child has begun the process of immunization must be presented within 30 days of enrollment (Section 210.003).

This section is the same as HB 2139 (2018).

ASSESSMENT AND TREATMENT OF CHILDREN

This bill changes the law regarding assessment and treatment services for children in foster care. The bill specifies that assessment and treatment services must be completed in accordance with the periodicity schedule set forth by the American Academy of Pediatrics. The bill also requires assessment and treatment services for all children in foster care; previously such services were only needed for children under 10 years old (Sections 210.110 and 210.112).

These sections are the same as HB 1767 (2018).

FOSTER CARE CASE MANAGEMENT PLANS

This bill extends the time by which a case management plan must be developed for a child entering foster care after the initial investigation from 14 days to 30 days (Section 210.112).

This section is the same as HB 1637 (2018).

#### FOSTER FAMILIES BACKGROUND CHECKS

This bill changes the law regarding background checks for foster families. The bill requires the Children's Division to obtain fingerprints for any person over the age of 17 in the applicant's household; previously the division had to obtain three separate sets of fingerprints. The bill requires the State Highway Patrol to provide ongoing electronic updates of criminal history background checks, which will terminate when the applicant ceases to be an applicant or a licensed foster parent (Sections 210.112 and 210.487).

These sections are the same as HB 1944 and SB 819 (2018).

#### ABUSE AND NEGLECT REPORTS

This bill provides that the Children's Division, within the Department of Social Services, may accept a report for investigation or assessment if either the child or alleged perpetrator resides or may be found in Missouri or if the incident occurred in Missouri or if the child recently resided in Missouri but the incident occurred outside of Missouri. The division must immediately communicate reports that merit investigation to the appropriate agencies in the state where the child is believed to be located.

This bill shall not prohibit the division from co-investigating a report of child abuse or neglect or sharing records and information with another state, territory, or nation if the division determines it is appropriate to do so. The division may share records with child welfare agencies, law enforcement agencies, or judicial officers outside of Missouri when the division believes that it is appropriate to do so (Section 210.145).

This section is similar to HCS HB 1862 (2018).

#### FOSTER HOME RECORDS

This bill provides that information and records pertaining to the licensure of foster homes and the care and treatment of children in foster homes are closed records and may only be disclosed as authorized in this bill.

Any parent or legal guardian of a child in foster care may have access to investigation records regarding the denial, suspension, or revocation of the license of the foster home in which the child was placed. After a request for the release of such information,

any response must not include financial, medical, or other personal information of the foster home provider or his or her family unless the information is directly relevant to the disposition of the investigation and report.

The Children's Division may disclose and utilize information and records pertaining to foster family homes in its discretion as necessary for the administration of the foster care program.

The Director of the Department of Social Services may authorize the disclosure of information and findings of foster family homes in cases of child fatality or near-fatality.

The department may disclose information and records pertaining to foster homes to certain agencies and individuals that have a need for the information to conduct their duties under the law.

The bill clarifies that records in the possession of an adoptive parent or child that pertain to the adoption may be disclosed by the adoptive parent or child. The bill places records pertaining to foster homes and kinship placements of children in foster care on the list of records that may be closed (Sections 210.498, 453.121, and 610.021).

These sections are similar to SB 715 and HB 1966 (2018).

#### TRAUMA-INFORMED CARE FOR CHILDREN AND FAMILIES TASK FORCE

This bill establishes the "Trauma-Informed Care for Children and Families Task Force" with the mission of promoting the healthy development of children and their families by promoting comprehensive trauma-informed children and family support systems and interagency cooperation. The task force shall incorporate evidence-based and evidence-informed best practices. The members of the task force are outlined in the bill.

The staff of Senate Research, House Research, and the Joint Committee on Legislative Research will provide services to the task force. The task force members may receive reimbursement for actual expenses.

The task force must meet within two months of the effective date of the bill and report a summary of its activities and any recommendations for legislation by January 1, 2019. The task force will terminate on January 1, 2019 (Section 210.1030).

This section is similar to HB 2217 (2018).

#### JUVENILE COURTS

Currently, any order or judgment entered by the juvenile court takes precedence over any order or judgment concerning status or custody of a child under 21 years of age, as long as the order or judgment remains in effect. This bill specifies that the order or judgment by the juvenile court shall take precedence over other orders concerning status or custody of a child under 21 years of age, or orders of guardianship, so long as the juvenile court exercises continuing jurisdiction. The bill also specifies additional powers a court exercising jurisdiction over a child under 21 shall have. The bill further provides provisions regarding custody, support, or visitation orders entered by a court having jurisdiction over a child under 21 (Section 211.093).

This section is similar to HB 1728 (2018).

#### FOSTER CHILDREN BANK ACCOUNTS

This bill allows a minor who is 16 years of age or older and who is in the legal custody of the Children's Division to open a checking or savings account with the consent of the Children's Division or Juvenile Court. The minor will be responsible for paying any costs of the account or any penalties for violating terms of the account. No state department, foster parent, or entity providing case management of children on behalf of a department will be responsible for paying any fees or penalties on the minor's account (Section 431.056).

This section is similar to HB 1715 (2018).

**PROPOSERS:** Supporters say that the Governor's task force created a group of individuals who determined that more information should be given to relevant state agencies about children who deal with trauma. This bill is largely a result of that task force's work. There are also concerns that abused and neglected children are taken across state lines before the investigation into that abuse and neglect is completed. This bill gives the Department of Social Services more authority to share investigative information with other states. In addition, the bill ensures that children in contracted cases are treated the same as children in state cases and there is no lag in the processing of cases.

Testifying for the bill were Representative Neely; Missouri Coalition of Children's Agencies; and the Missouri Department of Social Services.

**OPPOSERS:** Those who oppose the bill say that there is an effort to work on the language to strengthen the resolution of cross-state situation and want to make sure that the department is covered from

liability when information is shared across state lines.

Testifying against the bill were CNS Corporation and Ward Cook, Heartland Ministries.