

SS HCS HBs 557 & 560 -- PROTECTION OF CHILDREN

This bill adds a process by which an "exempt-from-licensure residential care facility", as defined in the bill, is required to notify the Department of Social Services (DSS) of their existence and compliance with provisions that protect the safety of the children in residence. These include: fire and safety inspections, local health department inspections, background checks, medical records for all residents, and information about schools serving the children. The bill provides courts the power to expand on orders to produce children in a facility if there is cause to believe there has been abuse or neglect.

This bill creates a process for DSS to provide background checks for licensed residential care facilities or child placing agencies and for residential care facilities subject to the notification requirements of Sections 210.1250 to 210.1286, RSMo. Fingerprints are valid for 5 years and DSS will provide results to the applicant and to the facility or agency. The bill outlines what will make an applicant ineligible and provides applicants the right to appeal.

When there are allegations of abuse or neglect in the residential facility, the bill outlines how the Department can petition a court for an order for a home to present a child that is the subject of a child abuse investigation. The bill specifies that any case in which a referral is made to a juvenile officer for removal of a child, a referral may also be made to the Attorney General.

The bill further details that failure to comply with these provisions may result in fines, misdemeanor charges for failure to conduct background checks, and potential removal of children.

The bill specifies that the Department may promulgate necessary rules that include a fee to cover the cost of the notification process. However, it is not permitted to regulate any religious program, curriculum, or ministry.

The bill includes an emergency clause for immediate implementation to protect children.