

SECOND REGULAR SESSION

HOUSE BILL NO. 2307

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHNELTING.

4097H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to child protections required for certain children's homes.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be
2 known as section 210.497, to read as follows:

210.497. 1. (1) **In lieu of a license required under this chapter or notification**
2 **required under sections 210.1250 to 210.1286, a facility or organization that meets the**
3 **requirements set forth by a qualified association may register with a qualified**
4 **association that:**

5 (a) **Is a well-established organization that has been in place for a minimum of**
6 **twenty years;**

7 (b) **Publishes and requires compliance with the association's written standards;**

8 (c) **Files copies of the standards with the department of social services as**
9 **required under this section; and**

10 (d) **Has a board of directors able to conduct oversight of member organizations.**

11 (2) **Registration with a qualified association shall consist of annually filing with**
12 **the qualified association, on forms provided by the qualified association, the name and**
13 **address of the facility or organization; the capacity of, and the number of children being**
14 **cared for in, the facility or organization; the names and addresses of the officers and the**
15 **board of directors or other governing body of the facility or organization, if applicable;**
16 **the name of the owner, operator, director, or person in charge of the facility or**
17 **organization; and proof that the facility or organization is in compliance with the**

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.

18 **minimum fire, safety, health, and sanitary standards required by applicable state law or**
19 **local ordinance and the requirements for screening of personnel. A separate**
20 **registration form shall be filed for each such facility or organization.**

21 **(3) As part of the registration application, each facility or organization that**
22 **meets the requirements set forth by the qualified association shall annually provide to**
23 **the qualified association the names and ages of children being cared for in the facility or**
24 **organization; the names of children who have been received from out of this state or**
25 **who have been sent out of this state during the past calendar year; the names of children**
26 **who have left the facility or organization during the past year, the length of their stay,**
27 **and the nature of their placement; the names of all personnel; and proof that the facility**
28 **or organization is in compliance with published minimum standards that are filed with**
29 **the department of social services.**

30 **(4) Upon verification that all requirements for registration have been met, the**
31 **qualified association shall issue without charge a certificate of registration to the facility**
32 **or organization. The certificate of registration shall be valid for two years.**

33 **2. The standards developed by the qualified association shall ensure child**
34 **welfare and include clear guidelines for safety, investigational procedures, complaints,**
35 **or allegations of abuse or neglect, as well as local health and safety requirements and**
36 **written policies.**

37 **3. Each child served by a facility or organization that registers under this section**
38 **shall be covered by a written contract executed at the time of admission into the facility**
39 **or organization or prior to admission between the facility or organization and the**
40 **parent, legal guardian, or person having legal custody of the child. The parent, legal**
41 **guardian, or person having legal custody of the child shall be given a copy of the**
42 **contract at the time of its execution, and the facility or organization shall retain the**
43 **original contract. Each contract shall:**

44 **(1) Enumerate the basic services and accommodations provided by the facility or**
45 **organization;**

46 **(2) State that the facility or organization is registered under the provisions of this**
47 **section;**

48 **(3) Contain the address and telephone number of the qualified association;**

49 **(4) Specify the charges, if any, to the parent, legal guardian, or person having**
50 **legal custody of the child;**

51 **(5) Contain a clear statement regarding disciplinary procedures; and**

52 **(6) Authorize the owner, operator, director, or person in charge, or his or her**
53 **designee, of the facility or organization to consent to routine and emergency medical**
54 **care on behalf of the parent, legal guardian, or person having legal custody of the child,**

55 provided the owner, operator, director, or person in charge, or his or her designee, of the
56 facility or organization shall immediately notify the parent, legal guardian, or person
57 having legal custody of the child of medical care being provided on his or her behalf.

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59 A copy of the contract signed by the parent, legal guardian, or person having legal
60 custody of the child shall be filed with the qualified association within ten days after the
61 child enters the facility or organization.

62 4. (1) There is hereby established the "Child Protection Board" within the
63 department of social services. The board shall consist of ten members appointed by the
64 governor by and with the advice and consent of the senate, without regard to political
65 affiliation. The members of the board shall serve for a term of four years.

66 (2) The board shall be composed of:

67 (a) Two foster parents;

68 (b) A member in a leadership position of the Missouri Association of Christian
69 Child-Care Agencies;

70 (c) Five members of faith-based child care agencies with priority given to the
71 Missouri Association of Christian Child-Care Agencies;

72 (d) A member with expertise in nutrition; and

73 (e) A certified educator.

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75 Members shall be appointed based upon recommendations from faith-based child care
76 agencies, foster care and mental health boards, and similar entities.

77 (3) The board shall hold an annual meeting at which it shall elect from its
78 membership a chair and secretary. The chair may call for additional meetings as may
79 be required, provided that notice of every meeting shall be given to each member at least
80 ten days prior to the date of the meeting.

81 (4) The board shall establish procedures, provide written opinions and
82 recommendations as to any changes to the standards, and provide to the department
83 of social services and to facilities or organizations policy suggestions for improvement.

84 (5) For any complaint or allegation of child abuse or neglect in which the alleged
85 perpetrator is aggrieved by the decision of the children's division, the board shall
86 independently review the decision and make recommendations to the department of
87 social services.

88 (6) The board may deny, suspend, or revoke the registration of a participating
89 facility or organization that fails to comply with the standards established by the
90 qualified association.

91 **(7) The board shall notify the qualified association and the department of social**
92 **services within ten days of the suspension or revocation of the registration.**

93 **(8) The board shall make any other recommendations to participating facilities**
94 **or organizations and to the department of social services as the board deems**
95 **appropriate.**

96 **5. Any facility or organization that meets the requirements of the qualified**
97 **association may apply for a license under this chapter. A facility or organization that**
98 **has applied for and received a license is no longer eligible to operate under the**
99 **provisions of this section.**

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