

SENATE BILL NO. 1137

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

3863S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 210.516, RSMo, and to enact in lieu thereof one new section relating to the licensure of homes for children.

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

Section A. Section 210.516, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 210.516,
3 to read as follows:

210.516. [1.] It shall be unlawful for any person to
2 establish, maintain, or operate a foster home, residential
3 care facility, or child placing agency, or to advertise or
4 hold himself **or herself** out as being able to perform any of
5 the services as defined in sections 210.481 to 210.536,
6 without having in full force and effect a license issued by
7 the division; provided, however, that nothing in sections
8 210.481 to 210.536 shall apply to:

9 (1) Any [residential care facility operated by a
10 person in which the care provided is in conjunction with an
11 educational program for which a tuition is charged and
12 completion of the program results in meeting requirements
13 for a diploma recognized by the state department of
14 elementary and secondary education;

15 (2) Any camp, hospital, sanitarium, or home which is
16 conducted in good faith primarily to provide recreation,
17 medical treatment, or nursing or convalescent care for
18 children;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 **(3)] hospital licensed under chapter 197;**

20 **(2)** Any person who receives free of charge, and not as
21 a business, for periods of time not exceeding ninety
22 consecutive days, the child of personal friends of such
23 person as an occasional and personal guest, and who receives
24 custody of no other unrelated child;

25 **[(4)] (3)** Any child placing agency operated by the
26 department of mental health or any foster home or
27 residential care facility operated or licensed by the
28 department of mental health under sections 630.705 to
29 630.760 which provides care, treatment, and habilitation
30 exclusively to children who have a primary diagnosis of
31 mental disorder, mental illness, intellectual disability or
32 developmental disability, as defined in section 630.005; **or**

33 **[(5)** Any foster home arrangement established and
34 operated by any well-known religious order or church and any
35 residential care facility or child placement agency operated
36 by such organization; **or**

37 **(6)] (4)** Any institution or agency maintained or
38 operated by the state, city or county.

39 **[2.** The division shall not require any foster home,
40 residential care facility, or child placing agency which
41 believes itself exempt from licensure as provided in
42 subsection 1 of this section to submit any documentation in
43 support of the claimed exemption; however said foster home,
44 residential care facility, or child placing agency is not
45 precluded from furnishing such documentation if it chooses
46 to do so.]

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