

# SENATE BILL NO. 1387

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

5290S.01H

KRISTINA MARTIN, Secretary

## 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 known as section 210.497, to read as follows:

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

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

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

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

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

**(2) Registration with a qualified association shall consist of annually filing with the qualified association, on forms provided by the qualified association, the name and address of the facility or organization; the capacity of, and the number of children being cared for in, the facility**

19 or organization; the names and addresses of the officers and  
20 the board of directors or other governing body of the  
21 facility or organization, if applicable; the name of the  
22 owner, operator, director, or person in charge of the  
23 facility or organization; and proof that the facility or  
24 organization is in compliance with the minimum fire, safety,  
25 health, and sanitary standards required by applicable state  
26 law or local ordinance and the requirements for screening of  
27 personnel. A separate registration form shall be filed for  
28 each such facility or organization.

29 (3) As part of the registration application, each  
30 facility or organization that meets the requirements set  
31 forth by the qualified association shall annually provide to  
32 the qualified association the names and ages of children  
33 being cared for in the facility or organization; the names  
34 of children who have been received from out of this state or  
35 who have been sent out of this state during the past  
36 calendar year; the names of children who have left the  
37 facility or organization during the past year, the length of  
38 their stay, and the nature of their placement; the names of  
39 all personnel; and proof that the facility or organization  
40 is in compliance with published minimum standards that are  
41 filed with the department of social services.

42 (4) Upon verification that all requirements for  
43 registration have been met, the qualified association shall  
44 issue without charge a certificate of registration to the  
45 facility or organization. The certificate of registration  
46 shall be valid for two years.

47 2. The standards developed by the qualified  
48 association shall ensure child welfare and include clear  
49 guidelines for safety, investigational procedures,

50 complaints, or allegations of abuse or neglect, as well as  
51 local health and safety requirements and written policies.

52 3. Each child served by a facility or organization  
53 that registers under this section shall be covered by a  
54 written contract executed at the time of admission into the  
55 facility or organization or prior to admission between the  
56 facility or organization and the parent, legal guardian, or  
57 person having legal custody of the child. The parent, legal  
58 guardian, or person having legal custody of the child shall  
59 be given a copy of the contract at the time of its  
60 execution, and the facility or organization shall retain the  
61 original contract. Each contract shall:

62 (1) Enumerate the basic services and accommodations  
63 provided by the facility or organization;

64 (2) State that the facility or organization is  
65 registered under the provisions of this section;

66 (3) Contain the address and telephone number of the  
67 qualified association;

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

70 (5) Contain a clear statement regarding disciplinary  
71 procedures; and

72 (6) Authorize the owner, operator, director, or person  
73 in charge, or his or her designee, of the facility or  
74 organization to consent to routine and emergency medical  
75 care on behalf of the parent, legal guardian, or person  
76 having legal custody of the child, provided the owner,  
77 operator, director, or person in charge, or his or her  
78 designee, of the facility or organization shall immediately  
79 notify the parent, legal guardian, or person having legal  
80 custody of the child of medical care being provided on his  
81 or her behalf.

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

86 4. (1) There is hereby established the "Child  
87 Protection Board" within the department of social services.  
88 The board shall consist of ten members appointed by the  
89 governor by and with the advice and consent of the senate,  
90 without regard to political affiliation. The members of the  
91 board shall serve for a term of four years.

92 (2) The board shall be composed of:

93 (a) Two foster parents;

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

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

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

100 (e) A certified educator.

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

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

109 (4) The board shall establish procedures, provide  
110 written opinions and recommendations as to any changes to  
111 the standards, and provide to the department of social

112 services and to facilities or organizations policy  
113 suggestions for improvement.

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

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

123 (7) The board shall notify the qualified association  
124 and the department of social services within ten days of the  
125 suspension or revocation of the registration.

126 (8) The board shall make any other recommendations to  
127 participating facilities or organizations and to the  
128 department of social services as the board deems appropriate.

129 5. Any facility or organization that meets the  
130 requirements of the qualified association may apply for a  
131 license under this chapter. A facility or organization that  
132 has applied for and received a license is no longer eligible  
133 to operate under the provisions of this section.

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