

FIRST REGULAR SESSION

HOUSE BILL NO. 232

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JOLLY, JOHNSON (90), SAGER, HARRIS (23),
MAYER, WILDBERGER AND WILLOUGHBY (Co-sponsors).

Read 1st time January 21, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0365L.011

AN ACT

To repeal sections 210.903 and 210.909, RSMo, and to enact in lieu thereof two new sections relating to the family care safety registry.

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

Section A. Sections 210.903 and 210.909, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 210.903 and 210.909, to read as follows:

210.903. 1. To protect children, the elderly, and disabled individuals in this state, and
2 to promote family and community safety by providing information concerning family caregivers,
3 there is hereby established within the department of health and senior services a "Family Care
4 Safety Registry and Access Line" which shall be available by January 1, 2001.

5 2. The family care safety registry shall contain information on child-care workers',
6 elder-care workers', and personal-care workers' background and on child-care, elder-care and
7 personal-care providers through:

8 (1) The patrol's criminal record check system pursuant to section 43.540, RSMo,
9 including state and national information, to the extent possible;

10 (2) Probable cause findings of abuse and neglect pursuant to sections 210.109 to 210.183
11 and, as of January 1, 2003, financial exploitation of the elderly or disabled, pursuant to section
12 570.145, RSMo;

13 (3) The division of aging's employee disqualification list pursuant to section 660.315,
14 RSMo;

15 (4) As of January 1, 2003, the department of mental health's employee disqualification

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.

16 registry;

17 (5) Foster parent licensure denials, revocations and involuntary suspensions pursuant to
18 section 210.496;

19 (6) Child-care facility license denials, revocations and suspensions pursuant to sections
20 210.201 to 210.259; [and]

21 (7) Residential living facility and nursing home license denials, revocations, suspensions
22 and probationary status pursuant to chapter 198, RSMo; **and**

23 **(8) As of January 1, 2004, a check of the patrol's Missouri uniform law enforcement**
24 **system (MULES) for sexual offender registrations pursuant to section 589.400, RSMo.**

210.909. 1. Upon submission of a completed registration form by a child-care worker,
2 elder-care worker or personal-care attendant, the department shall:

3 (1) Determine if a probable cause finding of child abuse or neglect involving the
4 applicant has been recorded pursuant to sections 210.109 to 210.183 and, as of January 1, 2003,
5 if there is a probable cause finding of financial exploitation of the elderly or disabled pursuant
6 to section 570.145, RSMo;

7 (2) Determine if the applicant has been refused licensure or has experienced involuntary
8 licensure suspension or revocation pursuant to section 210.496;

9 (3) Determine if the applicant has been placed on the employee disqualification list
10 pursuant to section 660.315, RSMo;

11 (4) As of January 1, 2003, determine if the applicant is listed on the department of
12 mental health's employee disqualification registry;

13 (5) Determine through a request to the patrol pursuant to section 43.540, RSMo, whether
14 the applicant has any conviction, plea of guilty or nolo contendere, or a suspended execution of
15 sentence to a charge of any offense pursuant to chapters 198, 334, 560, 565, 566, 568, 569, 573,
16 575 and 578, RSMo; [and]

17 (6) If the background check involves a provider, determine if a facility has been refused
18 licensure or has experienced licensure suspension, revocation or probationary status pursuant to
19 sections 210.201 to 210.259 or chapter 198, RSMo; **and**

20 **(7) As of January 1, 2004, determine through a request to the patrol if the applicant**
21 **is a registered sexual offender pursuant to section 589.400, RSMo, listed in the Missouri**
22 **uniform law enforcement system (MULES).**

23 2. Upon completion of the background check described in subsection 1 of this section,
24 the department shall include information in the registry for each registrant as to whether any
25 convictions, employee disqualification listings, registry listings, probable cause findings, pleas
26 of guilty or nolo contendere, or license denial, revocation or suspension have been documented
27 through the records checks authorized pursuant to the provisions of sections 210.900 to 210.936.

28 3. The department shall notify such registrant in writing of the results of the
29 determination recorded on the registry pursuant to this section.