

FIRST REGULAR SESSION

HOUSE BILL NO. 497

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ABEL, MUCKLER, GEORGE, PAGE, EL-AMIN, BISHOP, DONNELLY, WILDBERGER (Co-sponsors), SKAGGS, ADAMS, DAUS, LIESE, HILGEMANN, VOGT, SPRENG, SHOEMYER (9), SCHOEMEHL, DAVIS (122), BURNETT, LeVOTA, YAEGER, FRASER, RIBACK WILSON (25), HARRIS (110), KRATKY, DARROUGH, HENKE, HARRIS (23), WITTE, SAGER, WALSH, WALKER, CORCORAN, MEINERS AND BRINGER.

Read 1st time February 18, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1399L.01I

AN ACT

To repeal section 208.047, RSMo, and to enact in lieu thereof one new section relating to public assistance for foster children.

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

Section A. Section 208.047, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 208.047, to read as follows:

208.047. 1. Notwithstanding the provisions of section 208.040, [aid to dependent children] **temporary assistance for needy families** benefits may be granted to a dependent child:

(1) Who would meet the requirements of section 208.040, except for his **or her** removal from the home of a relative as a result of a judicial determination to the effect that continuation therein would be contrary to the welfare of such child;

(2) For whose placement and care the division of family services is responsible;

(3) Who has been placed in a foster family home or nonprofit private child-care institution as a result of such determination; and

(4) Who (a) received [aid to dependent children] **temporary assistance for needy families** benefits in and for the month in which court proceedings leading to such determination were initiated; or (b) would have received aid in or for that month if application had been made therefor; or (c) in the case of a child who had been living with a relative specified in section

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.

14 208.040 within six months prior to the month in which such proceedings were initiated, would
15 have received aid in and for such month, if in such month he had been living with, and removed
16 from the home of, such a relative and application had been made therefor.

17 2. Monthly aid to dependent children benefits on behalf of a child placed in a foster
18 family home or nonprofit private child-care institution shall not exceed one hundred dollars for
19 each child and in the event that federal aid to states for dependent children placed in a nonprofit
20 private child-care institution is withdrawn, benefit payments under this section shall be
21 terminated on behalf of a dependent child in a nonprofit private child-care institution.

22 3. **Notwithstanding any other provision of law to the contrary, medical assistance**
23 **provided to any child who is in foster care may extend past the child's eighteenth birthday**
24 **in the following circumstances:**

25 (1) **If when a foster child reaches age eighteen the child is enrolled in and attending**
26 **a secondary school program of instruction, and continues to attend and progresses toward**
27 **completion of such program, the medical assistance shall continue until the child completes**
28 **such program or reaches age twenty-one, whichever first occurs; or**

29 (2) **If the foster child is enrolled in an institution of vocational or higher education**
30 **not later than October first following graduation from a secondary school or completion**
31 **of a graduation equivalence degree program and so long as the child enrolls for and**
32 **completes at least twelve hours of credit each semester, not including the summer semester,**
33 **at an institution of vocational or higher education and achieves grades sufficient to reenroll**
34 **at such institution, the medical assistance shall continue until the child completes his or her**
35 **education, or until the child reaches the age of twenty-three, whichever first occurs. If the**
36 **circumstances of the child manifestly dictate, the division may waive the October first**
37 **deadline for enrollment required by this subsection. As used in this subsection, an**
38 **"institution of vocational education" means any postsecondary training or schooling for**
39 **which the student is assessed a fee and attends classes regularly. "Higher education"**
40 **means any junior college, community college, college, or university at which the child**
41 **attends classes regularly.**