

HCS SCS#2 SB 155 -- CHILD ABUSE AND NEGLECT REPORTS

SPONSOR: Mayer (Kingery)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Children and Families by a vote of 8 to 0.

This substitute changes the laws regarding the reporting of child abuse and neglect. The Children's Division of the Department of Social Services is required to expunge identifying information within 45 days after the conclusion of the investigation when there was insufficient evidence of abuse or neglect or when the allegation of abuse or neglect was made maliciously, for purposes of harassment or retaliation.

Currently, the division is required to retain information initiated by a mandatory reporter for five years when the division finds there is insufficient evidence of abuse or neglect. For all other reporters, the division will keep identifying information for two years.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that the bill is necessary to protect mandatory reporters from having malicious reports filed in retaliation. Teachers being reported in retaliation for being mandatory reporters are having a hard time getting hired by different school districts.

Testifying for the bill were Senator Mayer; Missouri State Teachers Association; CNS Corporation; Missouri School Administrators; Missouri Nurses' Association; Missouri School Boards Association; and Missouri National Education Association.

OPPOSERS: Those who oppose the bill say unsubstantiated evidence of abuse or neglect should immediately be removed by the Children's Division at the conclusion of the investigation.

Testifying against the bill was Missouri Council for Children at Risk.

Dominic Lackey, Legislative Analyst