

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1946
94TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Public Health, April 15, 2008, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4828S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 453.072 and 453.073, RSMo, and to enact in lieu thereof three new sections relating to adoption subsidies.

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

Section A. Sections 453.072 and 453.073, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 210.278, 453.072,
3 and 453.073, to read as follows:

210.278. Neighborhood youth development programs shall be
2 **exempt from the child care licensing provisions under this chapter so**
3 **long as the program meets the following requirements:**

4 (1) The program is affiliated and in good standing with a
5 national congressionally chartered organization's standards under Title
6 36, Public Law 105-225;

7 (2) The program provides activities designed for recreational,
8 educational, and character building purposes for children six to
9 seventeen years of age;

10 (3) The governing body of the program adopts standards for care
11 that at a minimum include staff ratios, staff training, health and safety
12 standards, and mechanisms for assessing and enforcing the program's
13 compliance with the standards;

14 (4) The program does not collect compensation for its services
15 except for one-time annual membership dues not to exceed fifty dollars
16 per year or program service fees for special activities such as field
17 trips or sports leagues, except for current exemptions as written in

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

18 **section 210.211;**

19 **(5) The program informs each parent that the operations of the**
20 **program is not regulated by licensing requirements;**

21 **(6) The program provides a process to receive and resolve**
22 **parental complaints; and**

23 **(7) The program conducts national criminal background checks**
24 **for all employees and volunteers who work with children, as well as**
25 **screening under the family care safety registry as provided in sections**
26 **210.900 to 210.936.**

453.072. Any subsidies available to adoptive parents pursuant to section
2 453.073 and section 453.074 shall also be available to a qualified relative of a
3 child who is granted legal guardianship of the child in the same manner as such
4 subsidies are available for adoptive parents[, including income restrictions as
5 provided in subsection 4 of section 453.073]. As used in this section "relative"
6 means any grandparent, aunt, uncle, adult sibling of the child or adult first
7 cousin of the child.

453.073. 1. The children's division is authorized to grant a subsidy to a
2 child in one of the forms of allotment defined in section 453.065. Determination
3 of the amount of monetary need is to be made by the division at the time of
4 placement, if practicable, and in reference to the needs of the child, including
5 consideration of the physical and mental condition, and age of the child in each
6 case; provided, however, that the subsidy amount shall not exceed the expenses
7 of foster care and medical care for foster children paid under the homeless,
8 dependent and neglected foster care program.

9 2. The subsidy shall be paid for children who have been in the care and
10 custody of the children's division under the homeless, dependent and neglected
11 foster care program. In the case of a child who has been in the care and custody
12 of a private child-caring or child-placing agency or in the care and custody of the
13 division of youth services or the department of mental health, a subsidy shall be
14 available from the children's division subsidy program in the same manner and
15 under the same circumstances and conditions as provided for a child who has
16 been in the care and custody of the children's division.

17 3. Within thirty days after the authorization for the grant of a subsidy by
18 the children's division, a written agreement shall be entered into by the division
19 and the parents. The agreement shall set forth the following terms and
20 conditions:

- 21 (1) The type of allotment;
- 22 (2) The amount of assistance payments;
- 23 (3) The services to be provided;
- 24 (4) The time period for which the subsidy is granted [shall not exceed one
- 25 year. The agreement can be renewed for subsequent years at the discretion of the
- 26 director. All existing agreements will have deemed to have expired one year after
- 27 they were initially entered into], **if such period is reasonably ascertainable;**
- 28 (5) The obligation of the parents to inform the division when they are no
- 29 longer providing support to the child or when events affect the subsidy eligibility
- 30 of the child;
- 31 (6) The eligibility of the child for Medicaid.
- 32 [4. The subsidy shall only be granted to children who reside in a
- 33 household with an income that does not exceed two hundred percent of the federal
- 34 poverty level or are eligible for Title IV-E adoption assistance.]

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