

HCS SCS SB 873 -- CHILDREN

SPONSOR: Brown (Torpey)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 14 to 0.

This bill changes the laws regarding. In its main provisions, the bill:

(1) Adds to the duties of the Joint Committee on Child Abuse and Neglect the task of making recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, children's division, juvenile officer, guardian ad litem, and foster parents (Section 21.771);

(2) Gives the Office of Administration the authority to file pleadings necessary to intervene on behalf of a child at the appropriate judicial level using the resources of the Office of the Attorney General (Section 37.710);

(3) Changes the laws regarding child care providers who receive state or federal funds for providing child care services in the home (Section 210.027);

(4) Prohibits children from being placed back in a home in which a parent or any person living in the home has been found guilty or plead guilty to a pornography related offense when a child was the victim (Sections 210.117 and 211.038);

(5) Provides that when the Children's Division within the Department of Social Services is unable to obtain the necessary information for the purpose of child placement for children who have been taken into the custody of the state or the jurisdiction of a juvenile court, the Children's Division may obtain fingerprints for any individual over the age of 17 in the household and for any child less than 17 years of age residing in the home who the division has determined has been certified as an adult for the commission of a crime (Sections 210.117 and 211.038);

(6) Allows a judge to appoint a guardian ad litem to appear for and represent an abused or neglected child involved in proceedings arising when an alleged perpetrator is aggrieved by the decision of the Child Abuse and Neglect Review Board (Section 210.160);

(7) Changes the time frames regarding a child abuse or neglect investigation by the Children's Division within the Department of Social Services by amending the time frame for the division as follows;

(a) Increases from 30 days to 45 days the time allowed for updating the information and completing the investigation except for good cause;

(b) If an investigation cannot be completed in 45 days, it must be completed no later than 90 days after receipt of a report, except in a case involving sexual abuse, the case must be completed no later than 120 days after receipt of such report;

(c) In cases involving a child fatality or near-fatality the investigation must remain open until the Children's Division's investigation is completed surrounding the death or near-fatal injury;

(8) Defines good cause to mean when certain relevant evidence outside of the Children's Division's control as specified in the bill, such as medical or law enforcement tests, have not been completed or there is a pending criminal case and the issuing of a decision by the division will adversely impact the progress of the criminal investigation (Sections 210.145, 210.152, and 210.183);

(9) Allows a child care facility incorporated as an LLC to qualify for the exemption for related children (Section 210.211);

(10) Removes the specific requirement to obtain three sets of fingerprints during a background check for child placement (Sections 210.482 and 210.487); and

(11) Requires the Department of Public Safety to establish rules and make payments to SAFE CARE providers, out of appropriations made for that purpose, who provide forensic examinations of persons under 18 years old who are alleged victims of physical abuse (Section 334.950).

PROPONENTS: Supporters say that this bill will protect children from being placed in improper homes.

Testifying for the bill were Senator Brown; the Department of Social Services; and Missouri Kids First.

OPPONENTS: There was no opposition voiced to the committee.