

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 819, Page 1, Section A, Line 3, by inserting immediately after said section and line
2 the following:

3
4 "210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the following
5 terms mean:

6 (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by
7 accidental means by those responsible for the child's care, custody, and control, except that discipline
8 including spanking, administered in a reasonable manner, shall not be construed to be abuse. Victims of
9 abuse shall also include any victims of sex trafficking or severe forms of trafficking as those terms are
10 defined in 22 U.S.C. 78 Section 7102(9)-(10);

11 (2) "Assessment and treatment services for children [~~under ten years old~~]", an approach to be
12 developed by the children's division which will recognize and treat the specific needs of at-risk and abused or
13 neglected children [~~under the age of ten~~]. The developmental and medical assessment may be a broad
14 physical, developmental, and mental health screening to be completed within thirty days of a child's entry
15 into custody and [~~every six months~~] in accordance with the periodicity schedule set forth by the American
16 Academy of Pediatrics thereafter as long as the child remains in care. Screenings may be offered at a
17 centralized location and include, at a minimum, the following:

18 (a) Complete physical to be performed by a pediatrician familiar with the effects of abuse and
19 neglect on young children;

20 (b) Developmental, behavioral, and emotional screening in addition to early periodic screening,
21 diagnosis, and treatment services, including a core set of standardized and recognized instruments as well as
22 interviews with the child and appropriate caregivers. The screening battery may be performed by a licensed
23 mental health professional familiar with the effects of abuse and neglect on young children, who will then
24 serve as the liaison between all service providers in ensuring that needed services are provided. Such
25 treatment services may include in-home services, out-of-home placement, intensive twenty-four-hour
26 treatment services, family counseling, parenting training and other best practices.

27
28 Children whose screenings indicate an area of concern may complete a comprehensive, in-depth health,
29 psychodiagnostic, or developmental assessment within sixty days of entry into custody;

30 (3) "Central registry", a registry of persons where the division has found probable cause to believe
31 prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, or a court has
32 substantiated through court adjudication that the individual has committed child abuse or neglect or the
33 person has pled guilty or has been found guilty of a crime pursuant to section 565.020, 565.021, 565.023,
34 565.024, 565.050, 566.030, 566.060, or 567.050 if the victim is a child less than eighteen years of age, or
35 any other crime pursuant to chapter 566 if the victim is a child less than eighteen years of age and the
36 perpetrator is twenty-one years of age or older, a crime under section 568.020, 568.030, 568.045, 568.050,
37 568.060, 568.080, 568.090, 573.023, 573.025, 573.035, 573.037, 573.040, 573.200, or 573.205, or an
38 attempt to commit any such crimes. Any persons placed on the registry prior to August 28, 2004, shall
39 remain on the registry for the duration of time required by section 210.152;

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- 1 (4) "Child", any person, regardless of physical or mental condition, under eighteen years of age;
- 2 (5) "Children's services providers and agencies", any public, quasi-public, or private entity with the
- 3 appropriate and relevant training and expertise in delivering services to children and their families as
- 4 determined by the children's division, and capable of providing direct services and other family services for
- 5 children in the custody of the children's division or any such entities or agencies that are receiving state
- 6 moneys for such services;
- 7 (6) "Director", the director of the Missouri children's division within the department of social
- 8 services;
- 9 (7) "Division", the Missouri children's division within the department of social services;
- 10 (8) "Family assessment and services", an approach to be developed by the children's division which
- 11 will provide for a prompt assessment of a child who has been reported to the division as a victim of abuse or
- 12 neglect by a person responsible for that child's care, custody or control and of that child's family, including
- 13 risk of abuse and neglect and, if necessary, the provision of community-based services to reduce the risk and
- 14 support the family;
- 15 (9) "Family support team meeting" or "team meeting", a meeting convened by the division or
- 16 children's services provider in behalf of the family and/or child for the purpose of determining service and
- 17 treatment needs, determining the need for placement and developing a plan for reunification or other
- 18 permanency options, determining the appropriate placement of the child, evaluating case progress, and
- 19 establishing and revising the case plan;
- 20 (10) "Investigation", the collection of physical and verbal evidence to determine if a child has been
- 21 abused or neglected;
- 22 (11) "Jail or detention center personnel", employees and volunteers working in any premises or
- 23 institution where incarceration, evaluation, care, treatment or rehabilitation is provided to persons who are
- 24 being held under custody of the law;
- 25 (12) "Neglect", failure to provide, by those responsible for the care, custody, and control of the
- 26 child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any
- 27 other care necessary for the child's well-being. Victims of neglect shall also include any victims of sex
- 28 trafficking or severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10);
- 29 (13) "Preponderance of the evidence", that degree of evidence that is of greater weight or more
- 30 convincing than the evidence which is offered in opposition to it or evidence which as a whole shows the fact
- 31 to be proved to be more probable than not;
- 32 (14) "Probable cause", available facts when viewed in the light of surrounding circumstances which
- 33 would cause a reasonable person to believe a child was abused or neglected;
- 34 (15) "Report", the communication of an allegation of child abuse or neglect to the division pursuant
- 35 to section 210.115;
- 36 (16) "Those responsible for the care, custody, and control of the child", includes, but is not limited
- 37 to:
- 38 (a) The parents or legal guardians of a child;
- 39 (b) Other members of the child's household;
- 40 (c) Those exercising supervision over a child for any part of a twenty-four-hour day;
- 41 (d) Any person who has access to the child based on relationship to the parents of the child or
- 42 members of the child's household or the family; or
- 43 (e) Any person who takes control of the child by deception, force, or coercion."; and
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45 Further amend said bill, Page 3, Section 210.112, Line 80, by deleting the words "under ten years old" and

46 inserting in lieu thereof the words "[~~under ten years old~~]"; and

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48 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.