

HCS SCS SB 653 -- FOSTER CARE

SPONSOR: Crawford

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 10 to 0.

The following is a summary of the HCS for the SCS SB 653.

DATA SHARING

This bill allows the Children's Division within the Missouri Department of Social Services to exchange electronic reports and share data with any entities as needed to protect children and access other social services. The department is required to implement a system allowing the electronic exchange of such data by August 28, 2020 (Sections 210.116 and 652).

CHILD PROTECTION AND CASE MANAGEMENT

This bill requires the division to complete a standard risk assessment within 72 hours of a report of abuse or neglect as part of its structured decision-making protocols. The division and the Office of the State Court Administrator shall develop a joint safety assessment tool before December 31, 2020 to replace the current risk assessment. The safety assessment tool must be implemented before January 1, 2022.

The bill elaborates on the principles guiding the child protection system to prioritize home and community-based services and supports successful outcomes. The department is required to create a response and evaluation team that reviews and evaluates the practice of the division and any contractors. This system will be used to support contract negotiations, placement and referrals, and enhanced payments.

Finally, the bill creates new procedures for "temporary alternative placement agreements" that allow voluntary placement of a child with a relative in cases where a parent is temporarily unable to care for a child but removal from the home, through court action, is not appropriate (Sections 210.112, 123, 145, and 790).

This bill modifies the "Foster Parents' Bill of Rights" to require the Children's Division and its contractors to provide written notification of these rights at the time the child is placed with a prospective foster parent, even if the parent has yet to be licensed as a foster parent. Additionally, the division and its contractors shall provide full access to the child's medical, psychological, and psychiatric records, including records prior to

the child coming into care, at the time the child is placed with a foster parent. Access shall include providing information and authorization for foster parents to review or to obtain the records directly from the service provider. The bill also requires the court to allow foster parents to testify in any proceedings involving a child in their care and if not given that opportunity, they may seek remedial writ relief pursuant to Missouri Supreme Court Rules 84, 94, and 97. No docket fee shall be required to be paid by the foster parent and the division shall not remove a child from placement with the foster parent based solely upon the foster parent's filing of a petition for a remedial writ or while the writ is pending, unless removal is necessary for the health and safety of the child.

The bill also prohibits the division from requiring foster parents to conduct or be present for supervised visits with a child in their care and states that the court shall only require a child to appear in court if necessary for making a decision and after considering all of the information provided by the division and family support team, the appropriateness of the courtroom environment, and the hardship to the child and current guardians (Sections 210.566 and 211.135 and 171).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the SCS SB 653.

PROPONENTS: Supporters say that this bill gives foster parents standing in the eyes of the court, the right to appeal if their voice is not heard, and access to the information they need to provide better care to the children.

Testifying for the bill were Senator Crawford; FosterAdopt Connect; Missouri Juvenile Justice Association; and Kids Win Missouri.

OPPONENTS: There was no opposition voiced to the committee.