

HCS HBs 557 & 560 -- PROTECTION OF CHILDREN

SPONSOR: Veit

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Legislative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 557.

This bill adds a process by which an "exempt-from-licensure residential care facility", as defined in the bill, is required to notify the Department of Social Services of their existence and compliance with provisions that protect the safety of the children in residence. These include: fire and safety inspections, local health department inspections, medical records for all residents, and information about schools serving the children. The bill provides courts the power to expand on orders to produce children in a facility if there is suspicion of abuse or neglect.

This bill specifies that the residential care facility must conduct background checks of all employees and volunteers at the home and details the background check findings that will exclude people from working or volunteering in the home. Parents must be allowed access to the facility and requires the facility to provide food, clothing, and medical care for any resident in their care.

When there are allegations of abuse or neglect in the residential facility, the bill outlines how the Department can petition a court for an order for a home to present a child that is the subject of a child abuse investigation. The bill specifies that any case in which a referral is made to a juvenile officer for removal of a child, a referral may also be made to the Attorney General.

The bill further details that failure to comply with these provisions may result in fines, misdemeanor charges for failure to conduct background checks, and potential removal of children.

The bill specifies that the Department may promulgate necessary rules that include a fee to cover the cost of the notification process. However, it is not permitted to regulate any religious program, curriculum, or ministry.

The bill includes an emergency clause for immediate implementation to protect children.

The following is a summary of the public testimony from the

committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that abuse and neglect have occurred at these types of homes over the last 40 years and there is more outrage over the abuse of animals than the treatment of children. Facilities like these are exempted from any regulation due to their supposed religious nature and this bill will allow some oversight without interference in any religious curriculum or practices. This bill is critical for the protection of children and is a bare minimum requirement to provide notification of the existence of the home, and access to children. Proponents of the bill feel that there should have been state action in years prior and that the lack of oversight has allowed abuse to continue when it could have been stopped.

Testifying for the bill were Representative Veit; Gabriel Joseph Gonzalez; James Griffey; Maggie A Drew; Marianne Mills; Robert Lepido; Shelly Snow Pordea; Colton Schrag; Ara Manzin; Arnie Dienoff; Brett William Harper; Chanel Mare; Danny Vo; Eliza Lamm; Joshua Bradney; Missouri Coalition of Children's Agencies; Natalie Wills; Susanna Orah Klein; Deirdre Sugiuchi; Dominique Giansanti; Miranda Sullivan; Aimee Groves; Haley Hompstead; Aaron Hermanson; David Bryan Patterson; Allen Knoll; Amanda O'Brien Householder; Barb Patterson; David Bowsher; Children's Trust Fund; Emily Adams; Missouri Kidsfirst; Office Of Child Advocate; Missouri Juvenile Justice Association; Nicole M. Norton; and Shelva Thomas.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say there have been investigations in the past and that at anytime there is a hotline call a process would start, however with no access to children or evidence of abuse or neglect there are limits to what the child services can do.

Testifying on the bill were Kyra Frankowski; Cynthia Schott; and the Missouri Department of Social Services.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.