

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 982,
2 Page 4, Section 162.720, Line 45, by inserting after all of said section and line the following:

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4 "163.063. 1. For the purpose of determining state and local funding for a child's education,
5 if the child resides in a residential treatment facility or other facility and is unable to attend in the
6 public school district where the child resides, either because the child may be a safety risk or the
7 child has behavioral conditions that support the need to educate the child on such facility's site or
8 campus and the school district uses the residential care facility to provide any portion of the child's
9 education, the school district shall pass through to such facility at least eighty percent of any state or
10 local moneys paid to the district on a per-pupil basis for such child in addition to any other moneys
11 available to the school district through the department of elementary and secondary education for
12 such child.

13 2. If the school district provides a teacher or other educational resources to such residential
14 treatment facility or other facility, the district may use moneys provided under subsection 1 of this
15 section to offset the cost of such teacher or other educational resources that are directly attributable
16 to such child in state custody at such facility's site or campus. Such facility shall be afforded
17 reasonable costs associated with such child's education up to the average per-pupil cost. No such
18 facility shall be required to offset the costs to the child's school district for the education of such
19 child as long as such costs of education do not exceed the average per-pupil spending on an annual
20 basis within the school district.

21 3. The school district shall provide an annual accounting to the residential treatment facility
22 or other facility and shall either support or approve the facility's education plan for such child or
23 provide for the child's education on such facility's site or campus.

24 4. If a child receives educational services from a residential care facility, it shall be the
25 responsibility of the school district in which the child resides to provide for the education of the
26 child and ensure the child is receiving education services that are substantially similar to the
27 curriculum and standards of the school district.

28 5. The provisions of this section shall not apply to school boards authorized under sections
29 162.670 to 162.999."; and

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31 Further amend said bill, Page 35, Section 210.275, Line 6, by inserting after all of said section and
32 line the following:

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34 "210.278. Neighborhood youth development programs shall be exempt from the child care
35 licensing provisions under this chapter so long as the program meets the following requirements:

36 (1) The program is affiliated and in good standing with a national congressionally chartered

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organization's standards under Title 36, Public Law 105-225;

(2) The program provides activities designed for recreational, educational, and character building purposes for children ~~[six]~~ five to seventeen years of age;

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

(4) The program does not collect compensation for its services except for one-time annual membership dues not to exceed fifty dollars per year or program service fees for special activities such as field trips or sports leagues, except for current exemptions as written in section 210.211;

(5) The program informs each parent that the operation of the program is not regulated by licensing requirements;

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

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

Further amend said bill, Page 45, Section 210.1080, Line 207, by inserting after all of said section and line the following:

"210.1450. 1. Before January 1, 2024, all licensed residential care facilities currently contracted with the department of social services shall seek and obtain national accreditation by one of the following:

(1) The Commission on Accreditation of Rehabilitation Facilities;

(2) The Joint Commission on Accreditation of Healthcare Organizations;

(3) The Council on Accreditation; or

(4) Any other independent, not-for-profit accrediting body approved by the United States Department of Health and Human Services.

2. (1) Each licensed residential care facility with accreditation under subsection 1 of this section at the time this section takes effect shall apply for designation as a qualified residential treatment program by the department of social services before October 1, 2023, unless the facility is licensed by the department for intensive residential treatment to meet above level IV needs and may apply for certification as a psychiatric residential treatment facility by the department of health and senior services.

(2) Any licensed residential care facility that obtains accreditation after the effective date of this section shall apply to the department of social services for designation as a qualified residential treatment program within sixty days after obtaining accreditation.

3. Within forty-five days of receiving an application from a licensed residential care facility for designation as a qualified residential treatment program, the department of social services shall issue a qualified residential treatment program designation to a licensed residential care facility meeting the following requirements and shall issue to the facility new or amended contracts for qualified residential treatment program services:

(1) National accreditation as described under subsection 1 of this section; and

(2) Other standards for a qualified residential treatment program under Part IV, Section 50741(a)(4)(A) to (F) of the Family First Prevention Services Act of 2018, as amended.

4. Subject to appropriations, the department shall provide grants to licensed residential care facilities for the purpose of helping the facilities obtain national accreditation and developing the infrastructure, workforce, and programming necessary to meet the standards for a designation as a qualified residential treatment program.

5. The department of social services shall assess and determine if each qualified residential

1 treatment program is an institution for mental diseases (IMD) using the criteria provided in The
 2 State Medicaid Manual.

3 6. (1) The department of social services shall seek a section 1115 demonstration waiver of
 4 the IMD exclusion for qualified residential treatment programs within ninety days after the effective
 5 date of this section.

6 (2) No fewer than one hundred eighty days before the expiration of the waiver, the
 7 department shall seek an extension or amendment of the waiver or seek a new waiver.

8 (3) All licensed residential care facilities designated by the department as a qualified
 9 residential treatment program shall follow rules and procedures to limit the use of seclusion and
 10 restraint under 42 CFR, Part 483, Subpart G.

11 (4) The provisions of this subsection shall not apply to licensed residential care facilities not
 12 assessed and determined to be an institution for mental diseases.

13 (5) The department has the duty to seek maximum federal funding, and the department shall
 14 report to the general assembly the federal financial participation of Title IV-E and Medicaid for
 15 licensed residential treatment programs within thirty days after the end of each fiscal quarter in
 16 which the waiver is in effect.

17 7. The provisions of this section shall apply to licensed residential care facilities licensed by
 18 the department of social services, except licensed residential care facilities:

19 (1) With a capacity for fewer than seven children or youth;

20 (2) With no placement for children or youth beyond fourteen days;

21 (3) With a supervised independent living setting for youth eighteen years of age or older;

22 (4) That solely provide supportive services for pregnant or parenting youth in foster care;

23 (5) That solely provide supportive services for children or youth who have been found to be
 24 or are at risk of becoming sex trafficking victims;

25 (6) That serve as an emergency shelter with temporary placement for children or youth; or

26 (7) That solely provide family-based treatment."; and
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28 Further amend said bill, Page 46, Section B, Lines 1-6, by deleting all of said lines and inserting in
 29 lieu thereof the following:
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31 "Section B. Because immediate action is necessary to have access to necessary funding, and
 32 because of the need for safe and adequate child care services for Missouri families, the enactment of
 33 section 210.1450, and the repeal and reenactment of sections 210.201 and 210.211, of section A of
 34 this act are deemed necessary for the immediate preservation of the public health, welfare, peace,
 35 and safety, and are hereby declared to be an emergency act within the meaning of the constitution,
 36 and the enactment of section 210.1450, and the repeal and reenactment of sections 210.201 and
 37 210.211, of section A of this act shall be in full force and effect upon its passage and approval."; and
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39 Further amend said bill by amending the title, enacting clause, and intersectional references
 40 accordingly.
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