

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 766, Page 2, Section 195.780, Line 27, by
2 inserting after said section and line the following:

3
4 "210.516. ~~[1-]~~ It shall be unlawful for any person to establish, maintain, or operate a foster
5 home, residential care facility, or child placing agency, or to advertise or hold himself or herself out
6 as being able to perform any of the services as defined in sections 210.481 to 210.536, without
7 having in full force and effect a license issued by the division; provided, however, that nothing in
8 sections 210.481 to 210.536 shall apply to:

9 (1) Any ~~[residential care facility operated by a person in which the care provided is in~~
10 ~~conjunction with an educational program for which a tuition is charged and completion of the~~
11 ~~program results in meeting requirements for a diploma recognized by the state department of~~
12 ~~elementary and secondary education;~~

13 ~~(2) Any camp, hospital, sanitarium, or home which is conducted in good faith primarily to~~
14 ~~provide recreation, medical treatment, or nursing or convalescent care for children;~~

15 ~~(3) hospital licensed under chapter 197;~~

16 (2) Any person who receives free of charge, and not as a business, for periods of time not
17 exceeding ninety consecutive days, the child of personal friends of such person as an occasional and
18 personal guest, and who receives custody of no other unrelated child;

19 ~~[(4)] (3) Any child placing agency operated by the department of mental health or any foster~~
20 ~~home or residential care facility operated or licensed by the department of mental health under~~
21 ~~sections 630.705 to 630.760 which provides care, treatment, and habilitation exclusively to children~~
22 ~~who have a primary diagnosis of mental disorder, mental illness, intellectual disability or~~
23 ~~developmental disability, as defined in section 630.005; or~~

24 ~~[(5) Any foster home arrangement established and operated by any well-known religious~~
25 ~~order or church and any residential care facility or child placement agency operated by such~~
26 ~~organization; or~~

27 (6) (4) Any institution or agency maintained or operated by the state, city or county.
28 ~~[2. The division shall not require any foster home, residential care facility, or child placing agency~~
29 ~~which believes itself exempt from licensure as provided in subsection 1 of this section to submit any~~
30 ~~documentation in support of the claimed exemption; however said foster home, residential care~~
31 ~~facility, or child placing agency is not precluded from furnishing such documentation if it chooses to~~

Action Taken _____ Date _____

1 ~~do so.]~~; and

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