

HB 1278 -- RESIDENTIAL CARE FACILITIES

SPONSOR: Veit

This bill allows the Department of Social Services, a county prosecuting attorney, the St. Louis circuit attorney, or the Attorney General to seek temporary or permanent injunctive relief in order to protect the health, safety, and welfare of children served by a residential care facility. This bill modifies the reasons that permit the initiation of such action to include employing people who are required to complete a background check and who have pending criminal charges for any of the offenses that would render them ineligible for employment at the residential facility.

The temporary or permanent injunctive relief may include one or more of the stipulations found in the bill. If the court determines that temporary or permanent closure of the residential care facility is the appropriate remedy, the court must enter orders for the removal of the children from the facility. The court shall employ the least invasive remedy that is necessary to ensure compliance with the law and to protect the health, safety, and welfare of the children. If the Attorney General or Department of Social Services is the requester, the court is required to hold a full evidentiary hearing within 10 business days of the date the motion was filed.

In conducting an investigation of reports of child abuse or neglect, the residential care facility must provide any information necessary to complete the investigation. The prosecuting attorney, circuit attorney, or Attorney General shall have the authority to issue subpoenas duces tecum for the production of documents, records, video and audio recordings, and other evidence required to complete the investigation.