

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4710H.01I
Bill No.: HB 1951
Subject: Children and Minors; Family Law; Adoption; Children's Division
Type: Original
Date: January 11, 2024

Bill Summary: This proposal establishes provisions relating to the removal of a child from his or her home.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Federal	\$0 or (Unknown, Potentially Significant)	\$0 or (Unknown, Potentially Significant)	\$0 or (Unknown, Potentially Significant)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 or (Unknown, Potentially Significant)	\$0 or (Unknown, Potentially Significant)	\$0 or (Unknown, Potentially Significant)

* Potential loss due to federal sanctions against the Title IV-E federal claim. Oversight assumes a fiscal impact of \$0 or potentially greater than \$250,000.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§ 210.126 - Provisions relating to the removal of a child from his or her home

Officials from the **Department of Social Services (DSS), Children’s Division (CD)** state they expect a significant financial impact from this legislation. This legislation could impact the Department’s ability to earn federal title IV-E funding. The Department received \$169 million in Federal Fiscal Year 2023. The amount or extent of the impact to the Department’s IV-E funding is unknown. Additionally, it is unknown how many children would be impacted by this proposed legislation or the cost to provide services to these children and their families. Therefore, the Department is providing an impact of unknown but significant.

Oversight does not have information to the contrary. Oversight notes DSS, CD “could” be impacted by the provisions of this proposal; therefore, Oversight will reflect the estimates as provided by the DSS, CD as “(\$0 or Unknown, Potentially Significant)” to federal funds for fiscal note purposes.

Oversight notes the authority of title IV-E programs falls under [42 U.S.C. 620 et seq.](#), [42 U.S.C. 670 et seq.](#); [42 U.S.C. 1302](#). [45 CFR § 1356.20\(a\)](#) states:

To be in compliance with the title IV–E plan requirements and to be eligible to receive Federal financial participation (FFP) in the costs of foster care maintenance payments and adoption assistance under this part, a title IV–E agency must have a plan approved by the Secretary that meets the requirements of this part, part 1355, section 471(a) of the Act...

45 CFR § 1356.21 contains foster care maintenance payments program implementation requirements which includes information regarding reasonable efforts to maintain family units, removal of children from the home and permanency plans.

Officials from the **Department of Health and Senior Services, the Department of Public Safety, Missouri Highway Patrol, the Office of Administration, the Office of the State Courts Administrator, the Phelps County Sheriff’s Department, the Kansas City Police Department** and the **St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other sheriffs’ departments, police departments and hospitals were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
FEDERAL FUNDS			
Losses – DSS, CD (§ 210.126) Potential loss of federal portion of Title IV-E funding p. 3	<u>\$0 or (Unknown, Potentially Significant)</u>	<u>\$0 or (Unknown, Potentially Significant)</u>	<u>\$0 or (Unknown, Potentially Significant)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0 or (Unknown, Potentially Significant)</u>	<u>\$0 or (Unknown, Potentially Significant)</u>	<u>\$0 or (Unknown, Potentially Significant)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill establishes provisions relating to the removal of a child from his or her home when a police officer, law enforcement official, or physician has reasonable cause to suspect the child is suffering from illness, injury, abuse, or neglect, or is in danger of such. If a child is removed from the home for the first time due to suspicion of illness, injury, abuse, or neglect, or danger thereof, the child shall be placed in a foster home. The parent or guardian shall be given 12 months from the time of removal to complete a rehabilitation program or parental training, which shall be paid for by the State. If the program or training required of the parent is not completed, the child shall be placed into the custody of the Children's Division within the Department of Social Services and placed for adoption. If the required program or training is completed, however, the parent or guardian shall regain custody of his or her child, provided that biweekly supervised visits are conducted by the Children's Division for a period of 12 months following the reunification.

If a parent or guardian has regained custody of his or her child but the child is removed from the home for the second time, the child shall be placed into a foster home and the parent or guardian

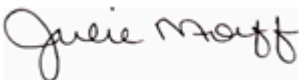
shall be given six months from the time of removal to complete any required rehabilitation program or parental training, which shall be paid for by the State. If the program or training is not completed in the provided time frame, the child shall be placed into the custody of the Children's Division and placed for adoption. If the program or training is completed in the provided time frame, the parent or guardian shall regain custody of his or her child again, provided that biweekly supervised visits are conducted by the Children's Division for a period of six months following the reunification.

If a parent or guardian has regained custody of his or her child for a second time but the child is removed from the home for a third time, the child shall be moved to a foster home and placed for adoption, and the parent or guardian shall relinquish his or her rights to that child to the State. (§ 210.126)

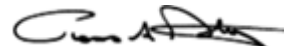
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health and Senior Services
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Office of Administration
Office of the State Courts Administrator
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department



Julie Morff
Director
January 11, 2024



Ross Strobe
Assistant Director
January 11, 2024