

FIRST REGULAR SESSION

# HOUSE BILL NO. 887

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ALLEN.

2114H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal sections 207.010, 207.030, 207.060, and 453.014, RSMo, and to enact in lieu thereof thirteen new sections relating to adoption, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 207.010, 207.030, 207.060, and 453.014, RSMo, are repealed  
2 and thirteen new sections enacted in lieu thereof, to be known as sections 207.010, 207.030,  
3 207.060, 207.100, 207.101, 207.102, 207.103, 207.104, 207.105, 207.106, 207.107, 207.108,  
4 and 453.014, to read as follows:

207.010. The children's division, family support division, MO HealthNet division,  
2 division of youth services, division of legal services, **division of maternal and child**  
3 **resources**, division of finance and administrative services, and the state technical support  
4 team are an integral part of the department of social services and shall have and exercise all  
5 the powers and duties necessary to carry out fully and effectively the purposes assigned to  
6 them by the director of the department of social services and by law and the department of  
7 social services shall be the state agency to:

- 8 (1) Administer state plans and laws involving aid to dependent children;
- 9 (2) Aid or relief in case of public calamity;
- 10 (3) Aid for direct relief;
- 11 (4) Child welfare services;
- 12 (5) Social services to families and adults;
- 13 (6) Pensions and services for the blind; **[and]**

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (7) **Coordinate and apply for services for expectant mothers wishing to place**  
15 **their baby for adoption and place such babies for adoption with fit and proper persons**  
16 **to adopt such baby; and**

17 (8) Any other duties relating to public assistance and social services which may be  
18 imposed upon the department of social services.

207.030. The directors of the family support division, **division of maternal and**  
2 **child resources**, and children's division shall be persons qualified by education and  
3 experience to supervise the work of such divisions and shall be citizens and taxpayers of  
4 Missouri. Before entering upon his or her duties, each director shall subscribe an oath or  
5 affirmation to support the Constitution of the United States and of the state of Missouri and to  
6 faithfully demean himself or herself in office. Each director shall enter into good and  
7 sufficient bond, payable to the state of Missouri, conditioned upon the faithful discharge and  
8 performance of official duties, and upon accountability for all property and funds coming  
9 under such director's administration and control, said bond to be approved by the attorney  
10 general as to form, and by the governor as to its sufficiency, the premium on said bond to be  
11 paid by the state. The governor may remove the director of the children's division and the  
12 director of the family support division for incompetence, misconduct, or neglect of duty.

207.060. 1. The directors of the family support division, **division of maternal and**  
2 **child resources**, and children's division shall jointly operate and maintain a county office in  
3 every county, which may be in the charge of a county welfare director who shall have been a  
4 resident of the state of Missouri for a period of at least two years immediately prior to taking  
5 office and whose salary shall be paid from funds appropriated for the family support division,  
6 **division of maternal and child resources**, and children's division.

7 2. For the purpose of establishing and maintaining county offices, or carrying out any  
8 of the duties of the divisions, the division directors may enter into agreements with any  
9 political subdivision of this state, and as a part of such agreement, may accept moneys,  
10 services, or quarters as a contribution toward the support and maintenance of such county  
11 offices. Any funds so received shall be payable to the director of revenue and deposited in the  
12 proper special account in the state treasury, and become and be a part of state funds  
13 appropriated for the use of the family support division, **division of maternal and child**  
14 **resources**, and children's division.

15 3. Other employees in the county offices shall be employed with due regard to the  
16 population of the county, existing conditions and purpose to be accomplished. Such  
17 employees shall be paid as are other employees of the family support division, **division of**  
18 **maternal and child resources**, and children's division.

207.100. 1. **Sections 207.100 to 207.108 shall be known and may be cited as the**  
2 **"Save MO Babies Act"**.

3           2. As used in sections 207.100 to 207.108, the following terms mean:

4           (1) "Adoption", a proceeding in any county of Missouri for the adoption of a  
5 child under sections 207.100 to 207.108 or chapter 453;

6           (2) "Child" or "children", any offspring of a man and a woman existing upon  
7 first detection of the mother being pregnant up to and after birth;

8           (3) "Children's services providers and agencies", any public, quasi-public, or  
9 private entity with the appropriate and relevant training and expertise in delivering  
10 services to children and their families as determined by the children's division and  
11 capable of providing direct services and other family services for children in the custody  
12 of the children's division or any such entities or agencies that are receiving state moneys  
13 for such services;

14           (4) "Director", the director of the Missouri division of maternal and child  
15 resources within the department of social services;

16           (5) "Division", the Missouri division of maternal and child resources within the  
17 department of social services;

18           (6) "Expectant mother", any woman currently pregnant with a child or  
19 children;

20           (7) "Father", the presumed or biological father of an unborn child or children;

21           (8) "Prospective adoptive parent", a person who is determined to be fit and  
22 proper to adopt a child in Missouri after successfully completing screenings,  
23 background checks, home studies, and other investigations.

          207.101. 1. In addition to the powers, duties, and functions vested in the division  
2 by other provisions of this chapter or by other laws of this state, the division shall have  
3 the power:

4           (1) To sue and be sued;

5           (2) To make contracts and carry out the duties imposed upon it by sections  
6 207.100 to 207.108 or any other law;

7           (3) To administer, disburse, dispose of, and account for funds, commodities,  
8 equipment, supplies or services, and any kind of property given, granted, loaned,  
9 advanced to, or appropriated by the state of Missouri for any of the purposes herein;

10           (4) To administer oaths, issue subpoenas for witnesses, examine such witnesses  
11 under oath, and make and keep a record of same;

12           (5) To adopt, amend, and repeal rules and regulations necessary or desirable to  
13 carry out the provisions of this chapter and that are not inconsistent with the  
14 constitution or laws of this state;

15           (6) To cooperate with the United States government in matters of mutual  
16 concern pertaining to any duties wherein the division is acting as a state agency,

17 including the adoption of such methods of administration as are found by the United  
18 States government to be necessary for the efficient operation of state plans hereunder;

19 (7) To make reports in a form that contain information the United States  
20 government may, from time to time, require, and comply with provisions the United  
21 States government may, from time to time, find necessary to assure the correctness and  
22 verification of reports;

23 (8) To coordinate and extend resources to an expectant mother seeking to carry  
24 her child to term and place such child for adoption with a person who is fit and proper  
25 to adopt such child;

26 (9) To aid an expectant mother in applying for services and resources provided  
27 by other state agencies to a similarly situated expectant mother in Missouri;

28 (10) To compile and maintain records of an expectant mother seeking services  
29 from the division and to make the same available to a prospective adoptive parent  
30 seeking to adopt a child in Missouri;

31 (11) To compile and maintain records of a prospective adoptive parent seeking  
32 services from the division and to make the same available to an expectant mother in  
33 Missouri choosing to place her unborn child with a fit and proper prospective adoptive  
34 parent upon the birth of the child;

35 (12) To conduct investigations of any prospective adoptive parent utilizing the  
36 services of the division to ensure such parent is fit and proper to adopt a child in  
37 Missouri;

38 (13) Upon request, to cooperate with the juvenile court and furnish social studies  
39 and reports to the court with respect to a child as to whom an adoption petition has been  
40 filed;

41 (14) To appoint, when and if it may deem necessary, advisory committees to  
42 provide professional or technical consultation with respect to barriers in facilitating the  
43 adoption of children. The members of such advisory committees shall receive no  
44 compensation for their services other than expenses actually incurred in the  
45 performance of their official duties. The number of members of each such advisory  
46 committee shall be determined by the division, and such advisory committees shall  
47 consult with and advise the children's division with respect to problems and policies  
48 incident to the administration of the particular function germane to the respective field  
49 of competence;

50 (15) To initiate or cooperate with other agencies in developing measures for the  
51 reduction of abortions in Missouri through facilitating adoptions with persons who are  
52 fit and proper to adopt;

53           **(16) To collect statistics, make special fact-finding studies, and publish reports in**  
54 **reference to its duties;**

55           **(17) To establish or cooperate in research or demonstration projects relative to**  
56 **sections 207.100 to 207.108, such as those relating to the reduction of abortion services**  
57 **utilized in Missouri, barriers to adoption of children who would otherwise be aborted,**  
58 **or that will aid in effecting coordination of planning between private and public**  
59 **agencies, or that will help improve the administration and effectiveness of programs**  
60 **carried on by the division and the programs related thereto; and**

61           **(18) To accept gifts and grants of any property, real or personal, and to sell such**  
62 **property and expend such gifts or grants not inconsistent with the administration of this**  
63 **chapter and within the limitations imposed by the donor thereof.**

64           **2. All powers and duties of the division shall, so far as applicable, apply to the**  
65 **administration of any other law wherein duties are imposed upon the division acting as**  
66 **a state agency.**

**207.102. 1. The division shall establish a "Missouri Adoptive Resources Services**  
2 **System" for the entire state.**

3           **2. The Missouri adoptive resources services system shall promote the safe and**  
4 **healthy birth of children in Missouri through the utilization of existing resources for**  
5 **expectant mothers and the adoption of children in Missouri by fit and proper persons**  
6 **seeking to adopt. The system shall coordinate community resources and provide**  
7 **assistance or services to expectant mothers identified to be at risk for seeking abortion**  
8 **services and to prevent abortions through the adoption of children by fit and proper**  
9 **persons seeking to adopt.**

10           **3. In furtherance of the Missouri adoptive resources services system, the division**  
11 **shall:**

12           **(1) Maintain a central registry of each expectant mother who is at risk for**  
13 **seeking an abortion of her unborn child and make the same available to a prospective**  
14 **adoptive parent who has completed screenings as provided in subdivision (2) of this**  
15 **subsection;**

16           **(2) Maintain a central registry of a prospective adoptive parent who has**  
17 **successfully completed screenings, background checks, home studies, and other**  
18 **investigations determining the parent to be fit and proper to adopt a child in**  
19 **Missouri and make the same available to such an expectant mother who has been**  
20 **identified as being at risk for seeking an abortion of her unborn child;**

21           **(3) Maintain mechanisms as are necessary to facilitate the introduction and**  
22 **mutual agreements of an expectant mother at risk for seeking an abortion of her unborn**  
23 **child and a fit and proper prospective adoptive parent;**

24           **(4) Facilitate adoptive proceedings wherein a fit and proper prospective adoptive**  
25 **parent adopts a child who would otherwise be aborted prior to his or her natural birth;**

26           **(5) Assist an expectant mother who is at risk for seeking an abortion of her**  
27 **unborn child in applying for existing services and resources provided by state and local**  
28 **government agencies;**

29           **(6) Collaborate with the community to identify comprehensive local services and**  
30 **assure access to those services for an expectant mother who is at risk for seeking an**  
31 **abortion of her unborn child;**

32           **(7) Maintain a record that contains the services provided to an expectant mother**  
33 **and all adoptive proceedings for a child born to an expectant mother seeking services**  
34 **from the division; and**

35           **(8) Whenever available and appropriate, contract for the provision of services**  
36 **through children's services providers and agencies in the community. In all legal**  
37 **proceedings involving the adoption of a child facilitated by the division, the division**  
38 **shall be represented in court by either division personnel or persons with whom the**  
39 **division contracts for such legal representation. All providers and agencies of services**  
40 **under this section shall be subject to criminal background checks under chapter 43 and**  
41 **shall submit names of all employees to the family care safety registry.**

**207.103. 1. It is the policy of this state and its agencies to implement a system to**  
2 **reduce the number of preventable abortions in Missouri by assisting an expectant**  
3 **mother in identifying and accessing existing resources for daily needs and prenatal care**  
4 **to ensure the health of both the expectant mother and the child and facilitating the**  
5 **adoption of a child who would have otherwise been aborted by a fit and proper person**  
6 **in Missouri. The department of social services shall implement such system subject to**  
7 **the following principles:**

8           **(1) The safety and welfare of expectant mothers and children are paramount;**

9           **(2) All expectant mothers and fathers shall be treated with respect and shall not**  
10 **be penalized for seeking services from the division;**

11           **(3) All providers of direct services to expectant mothers, fathers, and children**  
12 **shall be evaluated in a uniform, transparent, objective, and consistent basis based on an**  
13 **evaluation tool established in this section;**

14           **(4) Services to expectant mothers and children shall be provided in a timely**  
15 **manner to maximize the opportunity for successful outcomes, and such services shall be**  
16 **tracked and routinely evaluated through a quality assurance program;**

17           **(5) Any provider of direct services to expectant mothers, fathers, and children**  
18 **shall have the appropriate and relevant training, education, and expertise to provide the**

19 highest quality of services possible that shall be consistent with federal and state  
20 standards; and

21 (6) Resources and efforts shall be committed to pursue the best possible  
22 opportunity for a successful outcome for each expectant mother and child. Successful  
23 outcomes may include assisting expectant mothers with accessing available resources for  
24 daily needs and prenatal care, identifying resources and preparing expectant mothers,  
25 fathers, and prospective adoptive parents for the adoption process, and the provision of  
26 continued assistance to expectant mothers, fathers, and prospective adoptive parents  
27 during the children's first year of life.

28 2. (1) In conjunction with the response and evaluation team established under  
29 subsection 3 of this section, as well as other individuals the division deems appropriate,  
30 the division shall establish an evaluation tool that complies with state and federal  
31 guidelines.

32 (2) The evaluation tool shall include metrics supporting best practices for case  
33 management and service provision including, but not limited to, the frequency of face-  
34 to-face visits with the child.

35 (3) There shall be a mechanism whereby providers may propose different  
36 evaluation metrics on a case-by-case basis if such case may have circumstances far  
37 beyond those that would be expected. Such cases shall be evaluated by the response and  
38 evaluation team under subsection 3 of this section.

39 (4) Data regarding all evaluation metrics shall be collected by the division on a  
40 monthly basis, and the division shall issue a quarterly report regarding the evaluation  
41 data for each provider, both public and private, by county. The response and evaluation  
42 team shall determine how to aggregate cases for the division and large contractors so  
43 that performance and outcomes may be compared effectively while also protecting  
44 confidentiality. Such reports shall be made public and shall include information by  
45 county.

46 (5) The standards and metrics developed through this evaluation tool shall be  
47 used to evaluate competitive bids for future contracts established under subsection 4 of  
48 this section.

49 3. The division shall create a response and evaluation team. Membership of the  
50 team shall be composed of three staff members from the division with experience in  
51 prenatal care, adoption proceedings, or community resources for expectant mothers  
52 appointed by the director of the division; two staff members from the department of  
53 social services or children's division appointed by the director of the department of  
54 social services; four experts with related experience in medical, social work, legal, or  
55 other relevant areas, appointed by the governor; and one juvenile or family court judge

56 appointed by the Missouri supreme court. The division shall provide the necessary  
57 staffing for the team's operations. All members shall be appointed as provided in this  
58 subsection, and the team shall meet for the first time before July 1, 2026.

59 4. The team shall:

60 (1) Review the evaluation tool and metrics set forth in subsection 2 of this section  
61 on a semiannual basis to determine any adjustments needed or issues that could affect  
62 the quality of such tools and approve or deny on a case-by-case basis:

63 (a) Cases that a provider feels are anomalous and should not be part of  
64 developing the case management tool under subsection 2 of this section;

65 (b) Alternative evaluation metrics recommended by providers based on the best  
66 interests of the expectant mothers and children under subsections 2 and 5 of this section;

67 or

68 (c) Review and recommend any structure for incentives or other reimbursement  
69 strategies under subsection 6 of this section;

70 (2) Develop and execute periodic provider evaluations of cases managed by the  
71 division and service providers contracted with the state to provide case management  
72 services under this section under the evaluation tool created under subsection 2 of this  
73 section to ensure requirements are met, which shall include, but are not limited to,  
74 random file review to ensure documentation regarding case management plans and  
75 outcomes of cases are maintained; and

76 (3) Develop a system for reviewing and working with providers identified under  
77 subdivision (2) of this subsection or providers who request such assistance from the  
78 division who show signs of performance weakness to ensure technical assistance and  
79 other services are offered to assist the providers in achieving successful outcomes for  
80 their cases.

81 5. The division and any other state agency deemed necessary by the division  
82 shall, in consultation with service providers and other relevant parties, enter into and  
83 implement contracts with qualified children's services providers and agencies to provide  
84 a comprehensive and deliberate system of service delivery for expectant mothers,  
85 fathers, and children. Contracts shall be awarded through a competitive process and  
86 provided by qualified public and private not-for-profit or limited liability corporations  
87 owned exclusively by not-for-profit corporation children's services providers and  
88 agencies that have:

89 (1) A proven record of providing resources to expectant mothers and children  
90 within the state of Missouri that shall be consistent with the standards and policies that  
91 shall be established division; and



92           **(2) The ability to provide a range of services including, but not limited to, case**  
93 **management services, social work services, recruitment and retention services for**  
94 **expectant mothers and prospective adoptive parents, and adoption services.**

95           **6. Any contracts entered into by the division shall be in accordance with all state**  
96 **and federal laws and regulations and shall seek to maximize funding where available.**  
97 **Children's services providers and agencies under contract with the division shall be**  
98 **subject to all federal, state, and local laws and regulations relating to the provision of**  
99 **such services and shall be subject to oversight and inspection by appropriate state**  
100 **agencies to assure compliance with standards, which shall be consistent with state or**  
101 **federal standards.**

102           **7. The division shall accept as prima facie evidence of completion of the**  
103 **requirements for licensure under sections 210.481 to 210.511 proof that an agency is**  
104 **accredited by any of the following nationally recognized bodies: the Council on**  
105 **Accreditation, Children and Families, Inc., or the Joint Commission on Accreditation of**  
106 **Hospitals.**

107           **8. Payment to the children's services providers and agencies shall be made based**  
108 **on the reasonable costs of services, including responsibilities necessary to execute the**  
109 **contract. Any reimbursement increases made through enhanced appropriations for**  
110 **services shall be allocated to providers regardless of whether the provider is public or**  
111 **private. Such increases shall be considered additive to the existing contracts. In**  
112 **addition to payments reflecting the cost of services, contracts shall include incentives**  
113 **provided in recognition of performance based on the evaluation tool created under**  
114 **subsection 2 of this section and the corresponding savings for the state. The response**  
115 **and evaluation team under subsection 3 of this section shall review a formula to**  
116 **distribute such payments, as recommended by the division.**

117           **9. The division shall consider immediate actions that are in the best interests of**  
118 **expectant mothers, fathers, and children served including, but not limited to, placing the**  
119 **agency on a corrective plan, halting new referrals, transferring cases to other**  
120 **performing providers, or terminating the provider's contract. The division shall take**  
121 **steps necessary to evaluate the nature of the issue and act accordingly in the most timely**  
122 **fashion possible.**

123           **10. By July 1, 2026, the division shall promulgate and have in effect rules to**  
124 **implement the provisions of this section and, under this section, shall define**  
125 **implementation plans and dates. Any rule or portion of a rule, as that term is**  
126 **defined in section 536.010, that is created under the authority delegated in this section**  
127 **shall become effective only if it complies with and is subject to all of the provisions of**  
128 **chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**

129 nonseverable and if any of the powers vested with the general assembly pursuant to  
130 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
131 subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
132 proposed or adopted after August 28, 2025, shall be invalid and void.

207.104. 1. Except as otherwise provided in section 207.085, private contractors  
2 who in their capacities as children's services providers and agencies, as defined in  
3 section 207.100, receive state moneys from the division or the department of social  
4 services for providing services to expectant mothers, fathers, and children under section  
5 207.103 shall have qualified immunity from civil liability for providing such services to  
6 the same extent that the division has qualified immunity from civil liability when the  
7 division or department directly provides such services.

8 2. This section shall not apply if a private contractor described in subsection 1 of  
9 this section knowingly violates a stated or written policy of the division, any rule  
10 promulgated by the division, or any state law directly related to the provision of services  
11 by the division.

207.105. The division may share any records, information, and findings with  
2 federal, state, or local child welfare agency personnel and law enforcement agencies,  
3 including those from outside the state, or any agent of such agencies, in the performance  
4 of the division's duties, upon a reasonable belief that such information is needed to  
5 protect an expectant mother, father, or child from abuse or neglect or to assist such  
6 agency in providing child welfare services. Such information may include, but is not  
7 limited to:

- 8 (1) Identifying information about an expectant mother, father, or child;
- 9 (2) Family assessments;
- 10 (3) Home studies;
- 11 (4) Criminal background and child abuse or neglect reports; and
- 12 (5) Any other documents or information the division deems necessary for  
13 another agency to have access to in order to protect an expectant mother, father, or child  
14 and to effect the policy of the state provided for in section 207.103.

15  
16 Identifying information may be shared only if the division reasonably believes the  
17 receiving entity will prevent the unauthorized dissemination of the information  
18 contained therein.

207.106. 1. The division shall ensure the confidentiality of all reports and  
2 records made under sections 207.100 to 207.108 and maintained by the division, its local  
3 offices, the central registry, and other appropriate persons, officials, and institutions  
4 under sections 207.100 to 207.108. To protect the rights of expectant mothers, fathers,

5 and children participating in the Missouri adoptive resources services system, the  
6 division shall establish guidelines that will ensure that any disclosure of information  
7 concerning any participant in the system is made only to persons or agencies that have a  
8 right to such information. The division may require persons to make written requests  
9 for access to records maintained by the division. The division shall only release  
10 information to persons who have a right to such information. The division shall notify  
11 persons receiving information under subdivisions (2), (7), (8), and (9) of subsection 2 of  
12 this section of the purpose for which the information is released and of the penalties for  
13 unauthorized dissemination of information. Such information shall be used only for the  
14 purpose for which the information is released.

15       **2. Only the following persons shall have access to investigation records contained**  
16 **in the central registry:**

17       **(1) Appropriate federal, state, or local criminal justice agency personnel, or any**  
18 **agent of such entity, with a need for such information under the law to protect children**  
19 **from abuse or neglect;**

20       **(2) A physician or a designated agent who provides prenatal or other medical or**  
21 **psychological care to an expectant mother, father, or child participating in the Missouri**  
22 **adoptive resources services system;**

23       **(3) Appropriate staff of the division and of its local offices, including**  
24 **interdisciplinary teams that are formed to assist the division in carrying out its duties**  
25 **under sections 207.100 to 207.108;**

26       **(4) Any child adopted under the provisions of sections 207.100 to 207.108 and**  
27 **chapter 453. Prior to the release of any identifying information, the division shall**  
28 **determine if the release of such identifying information may place a person's life or**  
29 **safety in danger. If the division makes the determination that a person's life or safety**  
30 **may be in danger, the identifying information shall not be released;**

31       **(5) A grand jury; juvenile officer; prosecuting attorney; law enforcement officer**  
32 **involved in the investigation of child abuse or neglect; juvenile court or other court**  
33 **conducting abuse or neglect or child protective proceedings or child custody**  
34 **proceedings; and other federal, state, and local government entities, or any agent of**  
35 **such entity, with a need for such information in order to carry out its responsibilities**  
36 **under the law to protect a child from abuse or neglect;**

37       **(6) Any person engaged in a bona fide research purpose, with the permission of**  
38 **the director; provided, however, that no information identifying the expectant mother,**  
39 **father, or child named in the records shall be made available to the researcher unless the**  
40 **identifying information is essential to the research or evaluation and the expectant**

41 mother, father, or child named in the records, or if the child is less than eighteen years of  
42 age, through the child's parent or guardian, provides written permission;

43 (7) Any child-placing agency, juvenile courts, or any other public or private  
44 person or agency assisting in the provision of services consistent with the provisions of  
45 sections 207.100 to 207.108;

46 (8) Any state agency acting under state law regarding a license of any person,  
47 institution, or agency that provides care for or services to children;

48 (9) Any child fatality review panel established under section 210.192 or any state  
49 child fatality review panel established under section 210.195; and

50 (10) The state registrar of vital statistics, or his or her designee, but the  
51 information made available shall be limited to identifying information only for the  
52 purposes of providing birth record information under section 210.156.

53 3. Any person who knowingly violates the provisions of this section, or who  
54 permits or encourages the unauthorized dissemination of information contained in the  
55 information system or the central registry and in reports and records made under  
56 sections 207.100 to 207.108, shall be guilty of a class A misdemeanor.

57 4. Nothing in this section shall preclude the release of findings or information  
58 regarding cases that resulted in a child fatality or near fatality. Such release is at the  
59 sole discretion of the director of the department of social services, based upon a review  
60 of the potential harm to other children within the immediate family.

61 5. Notwithstanding any provisions of this section or chapter to the contrary and  
62 under section 210.115, if the division receives a report of or any division personnel  
63 suspects that a child has been or may be subjected to abuse or neglect or observes a  
64 child being subjected to conditions or circumstances that would reasonably result in  
65 abuse or neglect, that person shall immediately report to the division in accordance with  
66 the provisions of sections 210.109 to 210.183 and may release such records as would be  
67 necessary to properly investigate such allegations.

68 6. Notwithstanding the provisions of subsection 5 of this section, participation in  
69 the Missouri adoptive resources services system shall not, by itself, be grounds for  
70 suspicion of child abuse or neglect.

207.107. 1. The division shall create and maintain a database of expectant  
2 mothers and prospective adoptive parents who have registered with the division for  
3 participation in the system for the purposes of identifying children who may be suitable  
4 for adoption.

5 2. The division shall maintain a database of attorneys who are properly licensed  
6 and in good standing with the Missouri supreme court and who will agree to provide

7 **legal services in conjunction with the adoption of children identified through the system**  
8 **under the provisions of sections 207.100 to 207.108.**

9 **3. The contents of the Missouri adoptive resources services system database**  
10 **created under section 207.102 shall be subject to the confidentiality requirements**  
11 **provided for in sections 207.105 and 207.106.**

**207.108. 1. Any employee of the division, including supervisory personnel and**  
2 **children's services providers or agencies contracting with the division, who is involved**  
3 **with the provision of services under sections 207.100 to 207.108 and purposely,**  
4 **knowingly, and willfully violates a stated or written policy of the division, any rule**  
5 **promulgated by the division, or any state law directly related to the activities of the**  
6 **division shall be dismissed if the violation directly results in serious physical injury or**  
7 **death of an expectant mother, father, or child, subject to the provisions of subsection 2 of**  
8 **this section. Any person employed in a position described under subdivision (2) of**  
9 **subsection 1 of section 36.030, if any, shall have the right of appeal under sections 36.380**  
10 **and 36.390.**

11 **2. If an employee of the division or children's services providers or agencies**  
12 **contracting with the division purposely, knowingly, and willfully violates a stated or**  
13 **written policy of the division, any rule promulgated by the division, or any state law**  
14 **directly related to the activities of the division and the violation directly results in**  
15 **serious physical injury or death of an expectant mother, father, or child, the employee's**  
16 **good faith efforts to follow the stated or written policies of the division, the rules**  
17 **promulgated by the division, or the state laws directly related to the activities of the**  
18 **division shall be a mitigating factor in determining whether an employee of the division**  
19 **or a private contractor with the division is dismissed under subsection 1 of this section.**

**453.014. 1. The following persons may place a minor for adoption:**

2 (1) **The children's division or division of maternal and child resources of the**  
3 **department of social services;**

4 (2) **A child placing agency licensed pursuant to sections 210.481 to 210.536;**

5 (3) **The child's parents, without the direct or indirect assistance of an intermediary, in**  
6 **the home of a relative of the child within the third degree;**

7 (4) **An intermediary, which shall include an attorney licensed pursuant to chapter 484;**  
8 **a physician licensed pursuant to chapter 334; or a clergyman of the parents.**

9 **2. All persons granted the authority to place a minor child for adoption as designated**  
10 **in subdivision (1), (2) or (4) of subsection 1 of this section shall comply with the rules and**  
11 **regulations promulgated by the children's division of the department of social services for**  
12 **such placement.**

13           3. The children's division of the department of social services shall promulgate rules  
14 and regulations regarding the placement of a minor for adoption.

15           4. No rule or portion of a rule promulgated under the authority of this section shall  
16 become effective unless it has been promulgated pursuant to the provisions of section  
17 536.024.

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