

FIRST REGULAR SESSION

HOUSE BILL NO. 1579

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AMATO.

3214H.011

JOSEPH ENGLER, Chief Clerk

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.

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Section A. Sections 207.010, 207.030, 207.060, and 453.014, RSMo, are repealed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 finance and administrative
3 services, and the state technical support team are an integral part of the department of social
4 services and shall have and exercise all the powers and duties necessary to carry out fully and
5 effectively the purposes assigned to them by the director of the department of social services
6 and by law and the department of social services shall be the state agency to:

- 7 (1) Administer state plans and laws involving aid to dependent children;
- 8 (2) Aid or relief in case of public calamity;
- 9 (3) Aid for direct relief;
- 10 (4) Child welfare services;
- 11 (5) Social services to families and adults;
- 12 (6) Pensions and services for the blind; ~~and~~
- 13 (7) **Coordinate and apply for services for expectant mothers and maintain a**
14 **system to match expectant mothers and fathers wishing to voluntarily place their**
15 **children for adoption with persons who are fit and proper to adopt such children; 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.

16 **(8)** Any other duties relating to public assistance and social services which may be
17 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. As used in sections 207.100 to 207.108, the following terms mean:

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

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

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

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

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

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

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

20 (8) "Prospective adoptive parent", a person who is determined to be fit and
21 proper to adopt a child in Missouri after successfully completing screenings,
22 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 ensure 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 voluntarily place such child for adoption with a person who is fit
25 and proper 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 establish and maintain a system to match an expectant mother and
29 father wishing to voluntarily place their child for adoption with a person who is fit and
30 proper to adopt such child;

31 (11) To conduct investigations regarding any prospective adoptive parent
32 utilizing the services of the division to ensure such parent is fit and proper to adopt a
33 child in Missouri;

34 (12) Upon request, to cooperate with the juvenile court and furnish social studies
35 and reports of investigations regarding a prospective adoptive parent to the court in
36 support of an adoption petition filed;

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

45 (14) To initiate or cooperate with other agencies in developing measures for the
46 reduction of abortions in Missouri through facilitating adoptions by persons who are fit
47 and proper to adopt children voluntarily placed with such persons by the children's
48 mothers and fathers for the purpose of adoption;

49 (15) To collect statistics, make special fact-finding studies, and publish reports in
50 reference to its duties;

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

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

60 **2. All powers and duties of the division shall, so far as applicable, apply to the**
61 **administration of any other law wherein duties are imposed upon the division acting as**
62 **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 directory of expectant mothers and fathers who have voluntarily**
13 **decided to place their unborn children for adoption and make the same available to**
14 **prospective adoptive parents who have completed screenings as provided under**
15 **subdivision (2) of this subsection;**

16 **(2) Maintain a directory of prospective adoptive parents who have successfully**
17 **completed screenings, background checks, home studies, and other investigations**
18 **determining the parents to be fit and proper to adopt children in Missouri and make the**
19 **same available to such expectant mothers and fathers who have voluntarily decided to**
20 **place their unborn children for adoption;**

21 **(3) Establish and maintain mechanisms as are necessary to facilitate the**
22 **introduction and mutual agreements of expectant mothers and fathers who have**
23 **voluntarily decided to place their unborn children for adoption and fit and proper**
24 **prospective adoptive parents and ensure that such mechanisms are limited in access to**
25 **expectant mothers and fathers who have voluntarily decided to place their unborn**
26 **children for adoption and fit and proper prospective adoptive parents;**

27 **(4) Facilitate adoptive proceedings wherein fit and proper prospective adoptive**
28 **parents adopt children from expectant mothers and fathers who have voluntarily**
29 **decided to place their unborn children for adoption;**

30 **(5) Assist expectant mothers and fathers in applying for existing services and**
31 **resources provided by federal, state, and local government agencies to other persons**
32 **similarly situated;**

33 **(6) Collaborate with the community to identify comprehensive local services and**
34 **assure ensure to those services for expectant mothers and father;**

35 **(7) Maintain a record of services provided by the division and ensure such**
36 **records are kept confidential and used only for the limited purpose of evaluating the**
37 **efficacy of the system; and**

38 **(8) Whenever available and appropriate, contract for the provision of services**
39 **through children's services providers and agencies in the community. In all legal**
40 **proceedings involving the adoption of a child facilitated by the division, the division**
41 **shall be represented in court by either division personnel or persons with whom the**
42 **division contracts with for such legal representation. All providers and agencies of**
43 **services under this section shall be subject to criminal background checks under chapter**
44 **43 and 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 by a fit and proper person in Missouri. The division shall implement**
6 **such system subject to the following principles:**

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

8 **(2) All records pertaining to children, expectant mothers and fathers, and**
9 **prospective adoptive parents shall be maintained in accordance with all federal and**
10 **state privacy laws and shall be released only with express authorization by the parties to**
11 **whom such records pertain or as otherwise required by law;**

12 **(3) All expectant mothers and fathers shall be treated with respect and shall not**
13 **be penalized for seeking services from the division;**

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

17 **(5) Services to expectant mothers, fathers, and children shall be provided in a**
18 **timely manner to maximize the opportunity for successful outcomes, and such services**
19 **shall be tracked and routinely evaluated through a quality assurance program;**

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

22 highest quality of services possible that shall be consistent with federal and state
23 standards; and

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

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

35 (2) The evaluation tool shall include metrics supporting best practices for case
36 management and service provision including, but not limited to, the frequency of face-
37 to-face visits with any person to whom services are provided.

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

42 (4) Data regarding all evaluation metrics shall be collected by the division on a
43 monthly basis, and the division shall issue a quarterly report regarding the evaluation
44 data for each provider, both public and private, by county. The response and evaluation
45 team shall determine how to aggregate cases for the division and large contractors so
46 that performance and outcomes may be compared effectively while also protecting
47 confidentiality. Such reports shall be made public and shall include information by
48 county, provided that no client-identifiable information is released with such reports.

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

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

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

62 4. The team shall:

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

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

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

70 or

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

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

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

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

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

95 (2) The ability to provide a range of services including, but not limited to, case
96 management services, social work services, recruitment and retention services for
97 expectant mothers and fathers, prospective adoptive parents, and adoption services.

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

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

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

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

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

132 nonseverable and if any of the powers vested with the general assembly pursuant to
133 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
134 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
135 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 directory, and other appropriate persons, officials, and institutions under
4 sections 207.100 to 207.108. To protect the rights of expectant mothers and fathers,

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

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

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, prospective adoptive parent, or child**
22 **participating in the Missouri 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 court, 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 directory and in reports and records made under sections
56 207.100 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 directory of expectant
2 mothers and fathers and prospective adoptive parents who have registered with the
3 division for participation in the system for the purpose of identifying children who may
4 be suitable 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 and all other federal and state
9 privacy laws.

10 3. The contents of the Missouri adoptive resources services system database
11 created under section 207.102 shall be subject to the confidentiality requirements
12 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, who 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, the employee's good faith efforts to follow the stated or
16 written policies of the division, the rules promulgated by the division, or the state laws
17 directly related to the activities of the division shall be a mitigating factor in determining
18 whether an employee of the division or a private contractor with the division is
19 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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