

HB 1022 -- ADOPTION

SPONSOR: Oehlerking

This bill establishes the "Save MO Babies Act", establishing within the Department of Social Services the Division of Maternal and Child Resources, which has the purpose of coordinating and applying for services for expecting mothers who wish to place their baby for adoption and placing such babies for adoption with fit and proper adoptive parents. Additional powers, duties, and functions as they relate to the Division's purpose are specified in the bill. Relevant sections of existing law governing the Department's Family Support and Children's Divisions are updated to include the Division of Maternal and Child Resources.

The Division is required to establish a "Missouri Adoptive Resources Services System" for the entire state, the function of which is to promote the safe and healthy birth of children in the state through the utilization of existing resources; coordinate community resources and provide assistance or services to expecting mothers identified to be at risk for seeking abortion services; and prevent abortions through the adoption of children by fit and proper adoptive parents.

The Division is required to make and maintain a central registry of each expecting mother who is at risk for seeking an abortion and a central registry of each prospective adoptive parent who has successfully completed certain screenings, background checks, home studies, and other investigations to ensure the fit of the prospective parent to adopt a child. The registries must be made available to the party or parties of the other registry. Additionally, the Division must maintain mechanisms as necessary to facilitate introductions between an expecting mother and prospective adoptive parent; facilitate certain adoptive proceedings; assist an expecting mother at risk for seeking an abortion in applying for existing services and resources; collaborate with the community to identify such comprehensive services; maintain a record containing such services provided to an expecting mother and all adoptive proceedings for a child born to an expecting mother who is seeking services; and, when available or appropriate, contract for the provision of services through children's services providers and agencies in the community.

This bill provides that it is the policy of this state and its agencies to implement a system to reduce the number of preventable abortions in the State by assisting expecting mothers in accessing resources as well as facilitating the adoption of a child who would have otherwise been aborted.

The Division is required to establish an evaluation tool and a response and evaluation team. The tool is required to include metrics supporting best practices for case management and service provision, though providers can propose different metrics for evaluation under a case-by-case basis. The team's membership is composed of three staff members of the Division with certain skills and experience; two staff members of either the Department of Social Services or the Children's Division, to be appointed by the Director of the Department; four experts with experience in medical, social work, legal, or other relevant areas, appointed by the Governor; and one juvenile or family court judge, appointed by the Missouri Supreme Court.

The response and evaluation team is required to review the evaluation tool and its metrics to determine the need for adjustments or whether there are issues affecting the quality of such tools; develop and execute provider evaluations of cases managed by the Division and service providers contracted with the State to provide case management services; and develop a system for reviewing and working with certain providers who show signs of performance weakness to ensure technical assistance and services are offered.

The Division is required to enter into and implement contracts with qualified children's services providers and agencies to provide a system of service delivery for expecting mothers, fathers, and children. Payment to the services providers must be made based on the reasonable costs of services, including those costs necessary to execute the contract. The Division is also required to consider immediate actions that are in the best interests of expecting mothers, fathers, and children that include, but are not limited to, placing agencies on corrective plans, halting new referrals, transferring cases, or terminating provider contracts.

By July 1, 2026, the division must have in effect rules to implement the provisions of this bill, including plans and dates.

Certain private contractors, who in their capacities as children's services providers and agencies receive state moneys from the Division or Department, have qualified immunity from civil liability for providing such services to the same extent that the Division has qualified immunity.

The Division can share records, information, and findings with federal, state, or local child welfare agency personnel and law enforcement agencies, including those outside of this state, in the performance of the Division's duties. Acceptable information that can be shared is specified in the bill.

The Division is required to ensure the confidentiality of all reports and records made under the provisions of this bill, and is must establish guidelines to ensure any disclosure of information concerning any participant in the system is made only to those with a right to such information. The bill specifies which persons have access to investigation records contained in the central registry.

A person who violates the provisions of this bill relating to the disclosure of information, or who permits or encourages the unauthorized dissemination of such information contained in the system or central registry, is guilty of a class A misdemeanor.

This bill requires the Division to create and maintain a database of expecting mothers and prospective adoptive parents for the purposes of identifying children who may be suitable for adopting, and a database of attorneys who are licensed and in good standing with the Missouri Supreme Court, who agree to provide legal services in conjunction with the adoption of children identified through the system under the provisions of this bill.

Any employee of the Division who purposefully, knowingly, and willfully violates the Division's policies or promulgated rules, or any state law directly relating to the activities of the Division must be dismissed if the violation directly results in serious physical injury or the death of an expecting mother, father, or child. However, the employee's good faith efforts to follow the Division's policies or promulgated rules, or relevant state laws, must be a mitigating factor in determining whether an employee of or private contractor with the Division is dismissed.

This bill is the same as HB 807 and HB 887 (2025).