

SECOND REGULAR SESSION

HOUSE BILL NO. 3442

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KIMBLE.

7378H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to abuse and neglect reports.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be
2 known as section 210.128, to read as follows:

**210.128. 1. The department of social services shall maintain a state repository of
2 all reports of abuse and neglect. The purpose of such state repository, among other uses,
3 is to provide information of past reports of child abuse or neglect to assist in the proper
4 evaluation of current reports of child abuse or neglect, which may include a pattern of
5 incidents.**

**6 2. (1) Within the state repository, the department of social services shall
7 maintain a state central registry of certain substantiated reports of child abuse or
8 neglect as set forth in rules promulgated by the department.**

**9 (2) The name of an individual who is determined to be a perpetrator of child
10 abuse or neglect shall not be placed on the state central registry until that individual's
11 administrative appeals are exhausted.**

**12 (3) All decisions rendered by an administrative law judge are final, and the
13 decisions shall exhaust the individual's administrative remedy. However,
14 notwithstanding any other provision of law, the department of social services shall
15 immediately provide information involving an investigation from either the repository
16 or the state central registry to the local prosecuting attorney's office, or such attorney's**

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.

17 designee, or to the court when court action is necessary to protect a child from abuse or
18 neglect.

19 (4) The department of social services shall provide information involving an
20 open investigation or a completed investigation determined to be substantiated from
21 either the repository or the state central registry to another state's child welfare agency
22 upon written request when the request is made under an ongoing child protective
23 services investigation in the other state.

24 3. Except as provided in this section or section 210.150, all records of reports of
25 child abuse or neglect are confidential. The department of social services shall
26 promulgate rules regarding the maintenance, deletion, and release of information in the
27 state repository or central registry.

28 4. Upon the written request of a court during the court's evaluation of any of the
29 following individuals who will have contact with children served by a court-appointed
30 special advocate (CASA) program, and with the consent of the individual, the
31 department shall search the central registry and report to the court any substantiated
32 report of child abuse or neglect alleging that the individual is a perpetrator:

33 (1) An individual applying to work as a court-appointed special advocate;

34 (2) A CASA staff member; or

35 (3) A member of the CASA board of directors.

36 5. If, after an investigation, a determination is made by the department of social
37 services that the report appears to be substantiated, any subsequent adjudication by a
38 court exercising juvenile jurisdiction that dismisses the child in need of care petition
39 involving such report shall be added to the central registry.

40 6. Information from investigations of reports that are inconclusive may be
41 disclosed, with the applicant's written consent, for the limited purposes of evaluating the
42 applicant to be a foster parent, an adoptive parent, or caregiver.

43 7. Any violation of the confidentiality provisions of this section or the lawful
44 regulations of the department of social services subjects an offender to criminal
45 prosecution authorized under section 210.165.

46 8. The department of social services may charge a fee that shall not exceed
47 twenty-five dollars to conduct a search of the state central registry of substantiated child
48 abuse or neglect reports to determine whether an individual's name is recorded in the
49 registry. A search shall be allowed only when specifically authorized.

50 9. The department of social services shall promulgate all necessary rules and
51 regulations for the administration of this section. Any rule or portion of a rule, as that
52 term is defined in section 536.010, that is created under the authority delegated in this
53 section shall become effective only if it complies with and is subject to all of the

54 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
55 **536 are nonseverable and if any of the powers vested with the general assembly**
56 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
57 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
58 **and any rule proposed or adopted after August 28, 2026, shall be invalid and void.**

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