

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1092

97TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Pensions, April 23, 2014, with recommendation that the Senate Committee Substitute do pass.

4666S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 210.145, 210.152, 210.183, and 334.950, RSMo, and to enact in lieu thereof four new sections relating to child abuse investigations, with an existing penalty provision.

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

Section A. Sections 210.145, 210.152, 210.183, and 334.950, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be known as sections
3 210.145, 210.152, 210.183, and 334.950, to read as follows:

210.145. 1. The division shall develop protocols which give priority to:
2 (1) Ensuring the well-being and safety of the child in instances where
3 child abuse or neglect has been alleged;
4 (2) Promoting the preservation and reunification of children and families
5 consistent with state and federal law;
6 (3) Providing due process for those accused of child abuse or neglect; and
7 (4) Maintaining an information system operating at all times, capable of
8 receiving and maintaining reports. This information system shall have the ability
9 to receive reports over a single, statewide toll-free number. Such information
10 system shall maintain the results of all investigations, family assessments and
11 services, and other relevant information.

12 2. The division shall utilize structured decision-making protocols for
13 classification purposes of all child abuse and neglect reports. The protocols
14 developed by the division shall give priority to ensuring the well-being and safety
15 of the child. All child abuse and neglect reports shall be initiated within
16 twenty-four hours and shall be classified based upon the reported risk and injury

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 to the child. The division shall promulgate rules regarding the structured
18 decision-making protocols to be utilized for all child abuse and neglect reports.

19 3. Upon receipt of a report, the division shall determine if the report
20 merits investigation, including reports which if true would constitute a suspected
21 violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or
22 565.050 if the victim is a child less than eighteen years of age, section 566.030 or
23 566.060 if the victim is a child less than eighteen years of age, or other crimes
24 under chapter 566 if the victim is a child less than eighteen years of age and the
25 perpetrator is twenty-one years of age or older, section 567.050 if the victim is a
26 child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050,
27 568.060, 568.080, or 568.090, section 573.025, 573.035, 573.037, or 573.040, or an
28 attempt to commit any such crimes. The division shall immediately communicate
29 all reports that merit investigation to its appropriate local office and any relevant
30 information as may be contained in the information system. The local division
31 staff shall determine, through the use of protocols developed by the division,
32 whether an investigation or the family assessment and services approach should
33 be used to respond to the allegation. The protocols developed by the division
34 shall give priority to ensuring the well-being and safety of the child.

35 4. When the child abuse and neglect hotline receives three or more calls,
36 within a seventy-two hour period, from one or more individuals concerning the
37 same child, the division shall conduct a review to determine whether the calls
38 meet the criteria and statutory definition for a child abuse and neglect report to
39 be accepted. In conducting the review, the division shall contact the hotline caller
40 or callers in order to collect information to determine whether the calls meet the
41 criteria for harassment.

42 5. The local office shall contact the appropriate law enforcement agency
43 immediately upon receipt of a report which division personnel determine merits
44 an investigation and provide such agency with a detailed description of the report
45 received. In such cases the local division office shall request the assistance of the
46 local law enforcement agency in all aspects of the investigation of the
47 complaint. The appropriate law enforcement agency shall either assist the
48 division in the investigation or provide the division, within twenty-four hours, an
49 explanation in writing detailing the reasons why it is unable to assist.

50 6. The local office of the division shall cause an investigation or family
51 assessment and services approach to be initiated in accordance with the protocols
52 established in subsection 2 of this section, except in cases where the sole basis for

53 the report is educational neglect. If the report indicates that educational neglect
54 is the only complaint and there is no suspicion of other neglect or abuse, the
55 investigation shall be initiated within seventy-two hours of receipt of the report.
56 If the report indicates the child is in danger of serious physical harm or threat
57 to life, an investigation shall include direct observation of the subject child within
58 twenty-four hours of the receipt of the report. Local law enforcement shall take
59 all necessary steps to facilitate such direct observation. Callers to the child abuse
60 and neglect hotline shall be instructed by the division's hotline to call 911 in
61 instances where the child may be in immediate danger. If the parents of the
62 child are not the alleged [abusers] **perpetrators**, a parent of the child must be
63 notified prior to the child being interviewed by the division. No person
64 responding to or investigating a child abuse and neglect report shall call prior to
65 a home visit or leave any documentation of any attempted visit, such as business
66 cards, pamphlets, or other similar identifying information if he or she has a
67 reasonable basis to believe the following factors are present:

68 (1) (a) No person is present in the home at the time of the home visit; and

69 (b) The alleged perpetrator resides in the home or the physical safety of
70 the child may be compromised if the alleged perpetrator becomes aware of the
71 attempted visit;

72 (2) The alleged perpetrator will be alerted regarding the attempted visit;
73 or

74 (3) The family has a history of domestic violence or fleeing the community.

75 If the alleged perpetrator is present during a visit by the person responding to or
76 investigating the report, such person shall provide written material to the alleged
77 perpetrator informing him or her of his or her rights regarding such visit,
78 including but not limited to the right to contact an attorney. The alleged
79 perpetrator shall be given a reasonable amount of time to read such written
80 material or have such material read to him or her by the case worker before the
81 visit commences, but in no event shall such time exceed five minutes; except that,
82 such requirement to provide written material and reasonable time to read such
83 material shall not apply in cases where the child faces an immediate threat or
84 danger, or the person responding to investigating the report is or feels threatened
85 or in danger of physical harm. If the abuse is alleged to have occurred in a school
86 or child care facility the division shall not meet with the child in any school
87 building or child-care facility building where abuse of such child is alleged to
88 have occurred. When the child is reported absent from the residence, the location

89 and the well-being of the child shall be verified. For purposes of this subsection,
90 child care facility shall have the same meaning as such term is defined in section
91 210.201.

92 7. The director of the division shall name at least one chief investigator
93 for each local division office, who shall direct the division response on any case
94 involving a second or subsequent incident regarding the same subject child or
95 perpetrator. The duties of a chief investigator shall include verification of direct
96 observation of the subject child by the division and shall ensure information
97 regarding the status of an investigation is provided to the public school district
98 liaison. The public school district shall develop protocol in conjunction
99 with the chief investigator to ensure information regarding an investigation is
100 shared with appropriate school personnel. The superintendent of each school
101 district shall designate a specific person or persons to act as the public school
102 district liaison. Should the subject child attend a nonpublic school the chief
103 investigator shall notify the school principal of the investigation. Upon
104 notification of an investigation, all information received by the public school
105 district liaison or the school shall be subject to the provisions of the federal
106 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g,
107 and federal rule 34 C.F.R., Part 99.

108 8. The investigation shall include but not be limited to the nature, extent,
109 and cause of the abuse or neglect; the identity and age of the person responsible
110 for the abuse or neglect; the names and conditions of other children in the home,
111 if any; the home environment and the relationship of the subject child to the
112 parents or other persons responsible for the child's care; any indication of
113 incidents of physical violence against any other household or family member; and
114 other pertinent data.

115 9. When a report has been made by a person required to report under
116 section 210.115, the division shall contact the person who made such report
117 within forty-eight hours of the receipt of the report in order to ensure that full
118 information has been received and to obtain any additional information or
119 medical records, or both, that may be pertinent.

120 10. Upon completion of the investigation, if the division suspects that the
121 report was made maliciously or for the purpose of harassment, the division shall
122 refer the report and any evidence of malice or harassment to the local prosecuting
123 or circuit attorney.

124 11. Multidisciplinary teams shall be used whenever conducting the

125 investigation as determined by the division in conjunction with local law
126 enforcement. Multidisciplinary teams shall be used in providing protective or
127 preventive social services, including the services of law enforcement, a liaison of
128 the local public school, the juvenile officer, the juvenile court, and other agencies,
129 both public and private.

130 12. For all family support team meetings involving an alleged victim of
131 child abuse or neglect, the parents, legal counsel for the parents, foster parents,
132 the legal guardian or custodian of the child, the guardian ad litem for the child,
133 and the volunteer advocate for the child shall be provided notice and be permitted
134 to attend all such meetings. Family members, other than alleged perpetrators,
135 or other community informal or formal service providers that provide significant
136 support to the child and other individuals may also be invited at the discretion
137 of the parents of the child. In addition, the parents, the legal counsel for the
138 parents, the legal guardian or custodian and the foster parents may request that
139 other individuals, other than alleged perpetrators, be permitted to attend such
140 team meetings. Once a person is provided notice of or attends such team
141 meetings, the division or the convenor of the meeting shall provide such persons
142 with notice of all such subsequent meetings involving the child. Families may
143 determine whether individuals invited at their discretion shall continue to be
144 invited.

145 13. If the appropriate local division personnel determine after an
146 investigation has begun that completing an investigation is not appropriate, the
147 division shall conduct a family assessment and services approach. The division
148 shall provide written notification to local law enforcement prior to terminating
149 any investigative process. The reason for the termination of the investigative
150 process shall be documented in the record of the division and the written
151 notification submitted to local law enforcement. Such notification shall not
152 preclude nor prevent any investigation by law enforcement.

153 14. If the appropriate local division personnel determines to use a family
154 assessment and services approach, the division shall:

155 (1) Assess any service needs of the family. The assessment of risk and
156 service needs shall be based on information gathered from the family and other
157 sources;

158 (2) Provide services which are voluntary and time-limited unless it is
159 determined by the division based on the assessment of risk that there will be a
160 high risk of abuse or neglect if the family refuses to accept the services. The

161 division shall identify services for families where it is determined that the child
162 is at high risk of future abuse or neglect. The division shall thoroughly document
163 in the record its attempt to provide voluntary services and the reasons these
164 services are important to reduce the risk of future abuse or neglect to the child.
165 If the family continues to refuse voluntary services or the child needs to be
166 protected, the division may commence an investigation;

167 (3) Commence an immediate investigation if at any time during the family
168 assessment and services approach the division determines that an investigation,
169 as delineated in sections 210.109 to 210.183, is required. The division staff who
170 have conducted the assessment may remain involved in the provision of services
171 to the child and family;

172 (4) Document at the time the case is closed, the outcome of the family
173 assessment and services approach, any service provided and the removal of risk
174 to the child, if it existed.

175 15. (1) Within [thirty] **forty-five** days of an oral report of abuse or
176 neglect, the local office shall update the information in the information
177 system. The information system shall contain, at a minimum, the determination
178 made by the division as a result of the investigation, identifying information on
179 the subjects of the report, those responsible for the care of the subject child and
180 other relevant dispositional information. The division shall complete all
181 investigations within [thirty] **forty-five** days, unless good cause for the failure
182 to complete the investigation is **specifically** documented in the information
183 system. **Good cause for failure to complete an investigation shall**
184 **include, but not be limited to:**

185 (a) **The necessity to obtain relevant reports of medical providers,**
186 **medical examiners, psychological testing, law enforcement agencies,**
187 **forensic testing, and analysis of relevant evidence by third parties**
188 **which has not been completed and provided to the division;**

189 (b) **The attorney general or the prosecuting or circuit attorney**
190 **of the city or county in which a criminal investigation is pending**
191 **certifies in writing to the division that there is a pending criminal**
192 **investigation of the incident under investigation by the division and**
193 **the issuing of a decision by the division will adversely impact the**
194 **progress of the investigation; or**

195 (c) **The child victim, the subject of the investigation or another**
196 **witness with information relevant to the investigation is unable or**

197 temporarily unwilling to provide complete information within the
198 specified time frames due to illness, injury, unavailability, mental
199 capacity, age, developmental disability, or other cause.

200 The division shall document any such reasons for failure to complete
201 the investigation.

202 (2) If [a child involved in a pending investigation dies] a child fatality
203 or near-fatality is involved in a report of abuse or neglect, the
204 investigation shall remain open until the division's investigation surrounding [the
205 death] such death or near-fatal injury is completed.

206 (3) If the investigation is not completed within [thirty] forty-five days,
207 the information system shall be updated at regular intervals and upon the
208 completion of the investigation, which shall be completed no later than
209 ninety days after receipt of a report of abuse or neglect, or one
210 hundred and twenty days after receipt of a report of abuse or neglect
211 involving sexual abuse, or until the division's investigation is complete
212 in cases involving a child fatality or near-fatality. The information in the
213 information system shall be updated to reflect any subsequent findings, including
214 any changes to the findings based on an administrative or judicial hearing on the
215 matter.

216 16. A person required to report under section 210.115 to the division and
217 any person making a report of child abuse or neglect made to the division which
218 is not made anonymously shall be informed by the division of his or her right to
219 obtain information concerning the disposition of his or her report. Such person
220 shall receive, from the local office, if requested, information on the general
221 disposition of his or her report. Such person may receive, if requested, findings
222 and information concerning the case. Such release of information shall be at the
223 discretion of the director based upon a review of the reporter's ability to assist in
224 protecting the child or the potential harm to the child or other children within the
225 family. The local office shall respond to the request within forty-five days. The
226 findings shall be made available to the reporter within five days of the outcome
227 of the investigation. If the report is determined to be unsubstantiated, the
228 reporter may request that the report be referred by the division to the office of
229 child advocate for children's protection and services established in sections 37.700
230 to 37.730. Upon request by a reporter under this subsection, the division shall
231 refer an unsubstantiated report of child abuse or neglect to the office of child
232 advocate for children's protection and services.

233 17. The division shall provide to any individual who is not satisfied with
234 the results of an investigation information about the office of child advocate and
235 the services it may provide under sections 37.700 to 37.730.

236 18. In any judicial proceeding involving the custody of a child the fact that
237 a report may have been made pursuant to sections 210.109 to 210.183 shall not
238 be admissible. However:

239 (1) Nothing in this subsection shall prohibit the introduction of evidence
240 from independent sources to support the allegations that may have caused a
241 report to have been made; and

242 (2) The court may on its own motion, or shall if requested by a party to
243 the proceeding, make an inquiry not on the record with the children's division to
244 determine if such a report has been made.

245 If a report has been made, the court may stay the custody proceeding until the
246 children's division completes its investigation.

247 19. In any judicial proceeding involving the custody of a child where the
248 court determines that the child is in need of services under paragraph (d) of
249 subdivision (1) of subsection 1 of section 211.031 and has taken jurisdiction, the
250 child's parent, guardian or custodian shall not be entered into the registry.

251 20. The children's division is hereby granted the authority to promulgate
252 rules and regulations pursuant to the provisions of section 207.021 and chapter
253 536 to carry out the provisions of sections 210.109 to 210.183.

254 21. Any rule or portion of a rule, as that term is defined in section
255 536.010, that is created under the authority delegated in this section shall
256 become effective only if it complies with and is subject to all of the provisions of
257 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
258 nonseverable and if any of the powers vested with the general assembly pursuant
259 to chapter 536 to review, to delay the effective date or to disapprove and annul
260 a rule are subsequently held unconstitutional, then the grant of rulemaking
261 authority and any rule proposed or adopted after August 28, 2000, shall be
262 invalid and void.

 210.152. 1. All identifying information, including telephone reports
2 reported pursuant to section 210.145, relating to reports of abuse or neglect
3 received by the division shall be retained by the division and removed from the
4 records of the division as follows:

5 (1) For investigation reports contained in the central registry, identifying
6 information shall be retained by the division;

7 (2) (a) For investigation reports initiated against a person required to
8 report pursuant to section 210.115, where insufficient evidence of abuse or neglect
9 is found by the division and where the division determines the allegation of abuse
10 or neglect was made maliciously, for purposes of harassment or in retaliation for
11 the filing of a report by a person required to report, identifying information shall
12 be expunged by the division within forty-five days from the conclusion of the
13 investigation;

14 (b) For investigation reports, where insufficient evidence of abuse or
15 neglect is found by the division and where the division determines the allegation
16 of abuse or neglect was made maliciously, for purposes of harassment or in
17 retaliation for the filing of a report, identifying information shall be expunged by
18 the division within forty-five days from the conclusion of the investigation;

19 (c) For investigation reports initiated by a person required to report under
20 section 210.115, where insufficient evidence of abuse or neglect is found by the
21 division, identifying information shall be retained for five years from the
22 conclusion of the investigation. For all other investigation reports where
23 insufficient evidence of abuse or neglect is found by the division, identifying
24 information shall be retained for two years from the conclusion of the
25 investigation. Such reports shall include any exculpatory evidence known by the
26 division, including exculpatory evidence obtained after the closing of the case. At
27 the end of such time period, the identifying information shall be removed from
28 the records of the division and destroyed;

29 (3) For reports where the division uses the family assessment and services
30 approach, identifying information shall be retained by the division;

31 (4) For reports in which the division is unable to locate the child alleged
32 to have been abused or neglected, identifying information shall be retained for ten
33 years from the date of the report and then shall be removed from the records of
34 the division.

35 2. Within ninety days, **or within one hundred twenty days in cases**
36 **involving sexual abuse, or until the division's investigation is complete**
37 **in cases involving a child fatality or near-fatality**, after receipt of a report
38 of abuse or neglect that is investigated, the alleged perpetrator named in the
39 report and the parents of the child named in the report, if the alleged perpetrator
40 is not a parent, shall be notified in writing of any determination made by the
41 division based on the investigation. The notice shall advise either:

42 (1) That the division has determined by a probable cause finding prior to

43 August 28, 2004, or by a preponderance of the evidence after August 28, 2004,
44 that abuse or neglect exists and that the division shall retain all identifying
45 information regarding the abuse or neglect; that such information shall remain
46 confidential and will not be released except to law enforcement agencies,
47 prosecuting or circuit attorneys, or as provided in section 210.150; that the
48 alleged perpetrator has sixty days from the date of receipt of the notice to seek
49 reversal of the division's determination through a review by the child abuse and
50 neglect review board as provided in subsection 4 of this section; or

51 (2) That the division has not made a probable cause finding or determined
52 by a preponderance of the evidence that abuse or neglect exists.

53 3. The children's division may reopen a case for review at the request of
54 the alleged perpetrator, the alleged victim, or the office of the child advocate if
55 new, specific, and credible evidence is obtained that the division's decision was
56 based on fraud or misrepresentation of material facts relevant to the division's
57 decision and there is credible evidence that absent such fraud or
58 misrepresentation the division's decision would have been different. If the
59 alleged victim is under the age of eighteen, the request for review may be made
60 by the alleged victim's parent, legal custodian, or legal guardian. All requests to
61 reopen an investigation for review shall be made within a reasonable time and
62 not more than one year after the children's division made its decision. The
63 division shall not reopen a case for review based on any information which the
64 person requesting the review knew, should have known, or could by the exercise
65 of reasonable care have known before the date of the division's final decision in
66 the case, unless the person requesting the review shows by a preponderance of
67 the evidence that he or she could not have provided such information to the
68 division before the date of the division's final decision in the case. Any person,
69 other than the office of the child advocate, who makes a request to reopen a case
70 for review based on facts which the person knows to be false or misleading or who
71 acts in bad faith or with the intent to harass the alleged victim or perpetrator
72 shall not have immunity from any liability, civil or criminal, for providing the
73 information and requesting that the division reopen the investigation. Any
74 person who makes a request to reopen an investigation based on facts which the
75 person knows to be false shall be guilty of a class A misdemeanor. The children's
76 division shall not reopen an investigation under any circumstances while the case
77 is pending before a court of this state nor when a court has entered a final
78 judgment after de novo judicial review pursuant to this section.

79 4. Any person named in an investigation as a perpetrator who is
80 aggrieved by a determination of abuse or neglect by the division as provided in
81 this section may seek an administrative review by the child abuse and neglect
82 review board pursuant to the provisions of section 210.153. Such request for
83 review shall be made within sixty days of notification of the division's decision
84 under this section. In those cases where criminal charges arising out of facts of
85 the investigation are pending, the request for review shall be made within sixty
86 days from the court's final disposition or dismissal of the charges.

87 5. In any such action for administrative review, the child abuse and
88 neglect review board shall sustain the division's determination if such
89 determination was supported by evidence of probable cause prior to August 28,
90 2004, or is supported by a preponderance of the evidence after August 28, 2004,
91 and is not against the weight of such evidence. The child abuse and neglect
92 review board hearing shall be closed to all persons except the parties, their
93 attorneys and those persons providing testimony on behalf of the parties.

94 6. If the alleged perpetrator is aggrieved by the decision of the child abuse
95 and neglect review board, the alleged perpetrator may seek de novo judicial
96 review in the circuit court in the county in which the alleged perpetrator resides
97 and in circuits with split venue, in the venue in which the alleged perpetrator
98 resides, or in Cole County. If the alleged perpetrator is not a resident of the
99 state, proper venue shall be in Cole County. The case may be assigned to the
100 family court division where such a division has been established. The request for
101 a judicial review shall be made within sixty days of notification of the decision of
102 the child abuse and neglect review board decision. In reviewing such decisions,
103 the circuit court shall provide the alleged perpetrator the opportunity to appear
104 and present testimony. The alleged perpetrator may subpoena any witnesses
105 except the alleged victim or the reporter. However, the circuit court shall have
106 the discretion to allow the parties to submit the case upon a stipulated record.

107 7. In any such action for administrative review, the child abuse and
108 neglect review board shall notify the child or the parent, guardian or legal
109 representative of the child that a review has been requested.

210.183. 1. At the time of the initial investigation of a report of child
2 abuse or neglect, the division employee conducting the investigation shall provide
3 the alleged perpetrator with a written description of the investigation
4 process. Such written notice shall be given substantially in the following form:

5 "The investigation is being undertaken by the Children's Division pursuant

6 to the requirements of chapter 210 of the Revised Missouri Statutes in response
7 to a report of child abuse or neglect.

8 The identity of the person who reported the incident of abuse or neglect
9 is confidential and may not even be known to the Division since the report could
10 have been made anonymously.

11 This investigation is required by law to be conducted in order to enable the
12 Children's Division to identify incidents of abuse or neglect in order to provide
13 protective or preventive social services to families who are in need of such
14 services.

15 The division shall make every reasonable attempt to complete the
16 investigation within [thirty days, except if a child involved in the pending
17 investigation dies the investigation shall remain open until the division's
18 investigation surrounding the death is completed.] **forty-five days, except for**
19 **good cause which shall be documented**, otherwise, within ninety days, **or**
20 **one hundred and twenty days after receipt of a report of abuse or**
21 **neglect involving sexual abuse, or when the division's investigation is**
22 **complete in cases involving a child fatality or near-fatality**, you will
23 receive a letter from the Division which will inform you of one of the following:

24 (1) That the Division has found insufficient evidence of abuse or neglect;
25 or

26 (2) That there appears to be by a preponderance of the evidence reason
27 to suspect the existence of child abuse or neglect in the judgment of the Division
28 and that the Division will contact the family to offer social services.

29 If the Division finds by a preponderance of the evidence reason to believe
30 child abuse or neglect has occurred or the case is substantiated by court
31 adjudication, a record of the report and information gathered during the
32 investigation will remain on file with the Division.

33 If you disagree with the determination of the Division and feel that there
34 is insufficient reason to believe by a preponderance of the evidence that abuse or
35 neglect has occurred, you have a right to request an administrative review at
36 which time you may hire an attorney to represent you. If you request an
37 administrative review on the issue, you will be notified of the date and time of
38 your administrative review hearing by the child abuse and neglect review board.
39 If the Division's decision is reversed by the child abuse and neglect review board,
40 the Division records concerning the report and investigation will be updated to
41 reflect such finding. If the child abuse and neglect review board upholds the

42 Division's decision, an appeal may be filed in circuit court within sixty days of the
43 child abuse and neglect review board's decision."

44 2. If the division uses the family assessment approach, the division shall
45 at the time of the initial contact provide the parent of the child with the following
46 information:

47 (1) The purpose of the contact with the family;

48 (2) The name of the person responding and his or her office telephone
49 number;

50 (3) The assessment process to be followed during the division's
51 intervention with the family including the possible services available and
52 expectations of the family.

334.950. 1. As used in this section, the following terms shall mean:

2 (1) "Child abuse medical resource centers", medical institutions affiliated
3 with accredited children's hospitals or recognized institutions of higher education
4 with accredited medical school programs that provide training, support,
5 mentoring, and peer review to SAFE CARE providers in Missouri;

6 (2) "SAFE CARE provider", a physician, advanced practice nurse, or
7 physician's assistant licensed in this state who provides medical diagnosis and
8 treatment to children suspected of being victims of abuse and who receives:

9 (a) Missouri-based initial intensive training regarding child maltreatment
10 from the SAFE CARE network;

11 (b) Ongoing update training on child maltreatment from the SAFE CARE
12 network;

13 (c) Peer review and new provider mentoring regarding the forensic
14 evaluation of children suspected of being victims of abuse from the SAFE CARE
15 network;

16 (3) "Sexual assault forensic examination child abuse resource education
17 network" or "SAFE CARE network", a network of SAFE CARE providers and
18 child abuse medical resource centers that collaborate to provide forensic
19 evaluations, medical training, support, mentoring, and peer review for SAFE
20 CARE providers for the medical evaluation of child abuse victims in this state to
21 improve outcomes for children who are victims of or at risk for child
22 maltreatment by enhancing the skills and role of the medical provider in a
23 multidisciplinary context.

24 2. Child abuse medical resource centers may collaborate directly or
25 through the use of technology with SAFE CARE providers to promote improved

26 services to children who are suspected victims of abuse that will need to have a
27 forensic medical evaluation conducted by providing specialized training for
28 forensic medical evaluations for children conducted in a hospital, child advocacy
29 center, or by a private health care professional without the need for a
30 collaborative agreement between the child abuse medical resource center and a
31 SAFE CARE provider.

32 3. SAFE CARE providers who are a part of the SAFE CARE network in
33 Missouri may collaborate directly or through the use of technology with other
34 SAFE CARE providers and child abuse medical resource centers to promote
35 improved services to children who are suspected victims of abuse that will need
36 to have a forensic medical evaluation conducted by providing specialized training
37 for forensic medical evaluations for children conducted in a hospital, child
38 advocacy center, or by a private health care professional without the need for a
39 collaborative agreement between the child abuse medical resource center and a
40 SAFE CARE provider.

41 4. The SAFE CARE network shall develop recommendations concerning
42 medically based screening processes and forensic evidence collection for children
43 who may be in need of an emergency examination following an alleged sexual
44 assault. Such recommendations shall be provided to the SAFE CARE providers,
45 child advocacy centers, hospitals and licensed practitioners that provide
46 emergency examinations for children suspected of being victims of abuse.

47 **5. The department of public safety shall establish rules and make**
48 **payments to SAFE CARE providers, out of appropriations made for that**
49 **purpose, who provide forensic examinations of persons under eighteen**
50 **years of age who are alleged victims of physical abuse.**

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