

SENATE AMENDMENT NO. 3

Offered by Riddle of 10

Amend Ses/HCS/Hwa Bill No. 447, Page 18, Section 193.265, Line 74,

2 by inserting immediately after said line the following:

3 "210.192. 1. The prosecuting attorney or the circuit  
4 attorney shall impanel a child fatality review panel for the  
5 county or city not within a county in which he or she serves to  
6 investigate the deaths of children under the age of eighteen  
7 years, who are eligible to receive a certificate of live birth.  
8 The panel shall be formed and shall operate according to the  
9 rules, guidelines and protocols provided by the department of  
10 social services.

11 2. The panel shall include, but shall not be limited to,  
12 the following:

- 13 (1) The prosecuting or circuit attorney;  
14 (2) The coroner or medical examiner for the county or city  
15 not within a county;  
16 (3) Law enforcement personnel in the county or city not  
17 within a county;  
18 (4) A representative from the children's division;  
19 (5) A provider of public health care services;  
20 (6) A representative of the juvenile court;  
21 (7) A provider of emergency medical services.

22 3. The prosecuting or circuit attorney shall organize the

Offered 5/9/19

1 panel and shall call the first organizational meeting of the  
2 panel. The panel shall elect a chairman who shall convene the  
3 panel to meet to review all deaths of children under the age of  
4 eighteen years, who are eligible to receive a certificate of live  
5 birth, which meet guidelines for review as set forth by the  
6 department of social services. In addition, the panel may review  
7 at its own discretion any child death reported to it by the  
8 medical examiner or coroner, even if it does not meet criteria  
9 for review as set forth by the department. The panel shall issue  
10 a final report, which shall be a public record, of each  
11 investigation to the department of social services, state  
12 technical assistance team and to the director of the department  
13 of health and senior services. The final report shall include a  
14 completed summary report form. The form shall be developed by  
15 the director of the department of social services in consultation  
16 with the director of the department of health and senior  
17 services. [The department of health and senior services shall  
18 analyze the child fatality review panel reports and periodically  
19 prepare epidemiological reports which describe the incidence,  
20 causes, location and other factors pertaining to childhood  
21 deaths.] The department of health and senior services and  
22 department of social services shall make recommendations and  
23 develop programs to prevent childhood injuries and deaths.

24 4. The child fatality review panel shall enjoy such  
25 official immunity as exists at common law.

26 210.194. 1. The director of the department of social  
27 services, in consultation with the director of the department of  
28 health and senior services, shall promulgate rules, guidelines  
29 and protocols for child fatality review panels established

1 pursuant to section 210.192 and for state child fatality review  
2 panels.

3 2. The director shall promulgate guidelines and protocols  
4 for coroner and medical examiners to use to help them to identify  
5 suspicious deaths of children under the age of eighteen years,  
6 who are eligible to receive a certificate of live birth.

7 3. No rule or portion of a rule promulgated under the  
8 authority of sections 210.192 to 210.196 shall become effective  
9 unless it has been promulgated pursuant to the provisions of  
10 section 536.024.

11 4. All meetings conducted[, all reports and records] and  
12 work product, including internal memoranda, summaries or minutes  
13 of meetings, and written, audio, or electronic records and  
14 communications, made and maintained pursuant to sections 210.192  
15 to 210.196 by the department of social services and department of  
16 health and senior services and its divisions, including the state  
17 technical assistance team, or other appropriate persons,  
18 officials, or state child fatality review panel and local child  
19 fatality review panel shall be confidential [and shall not be  
20 open to the general public except for the annual report pursuant  
21 to section 210.195], unless otherwise provided in this  
22 subsection, section 210.150, section 210.195, or section 660.520.  
23 The state technical assistance team shall make nonidentifiable,  
24 aggregate data on child fatalities publicly available.  
25 Identifiable data shall be released at the discretion of the  
26 director of the department of social services, except for any  
27 data that was obtained only from birth or death certificate  
28 records provided by the department of health and senior services.  
29 In those cases, the release of identifiable data shall be at the

1 discretion of the state registrar.

2 210.195. 1. The director of the department of social  
3 services shall establish a special team which shall:

4 (1) Develop and implement protocols for the evaluation and  
5 review of child fatalities;

6 (2) Provide training, expertise and assistance to county  
7 child fatality review panels for the review of child fatalities;

8 (3) When required and unanimously requested by the county  
9 fatality review panel, assist in the review and prosecution of  
10 specific child fatalities; and

11 (4) The special team may be known as the department of  
12 social services, state technical assistance team.

13 2. The director of the department of social services shall  
14 appoint regional coordinators to serve as resources to child  
15 fatality review panels established pursuant to section 210.192.

16 3. The director of the department of social services shall  
17 appoint a state child fatality review panel which shall meet at  
18 least biannually to provide oversight and make recommendations to  
19 the department of social services, state technical assistance  
20 team. The department of social services, state technical  
21 assistance team shall gather data from local child fatality  
22 review panels to identify systemic problems and shall submit  
23 findings and recommendations to the director of the department of  
24 social services, the governor, the speaker of the house of  
25 representatives, the president pro tempore of the senate, the  
26 children's services commission, juvenile officers, and the  
27 chairman of the local child fatality review panel, at least once  
28 a year, on ways to prevent further child abuse and injury deaths.  
29 The report shall include a summary of compliance with the

1 provisions of sections 210.192 to 210.196 for each county or city  
2 not within a county."; and

3 Further amend the title and enacting clause accordingly.  
4