

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE BILL NO. 432

AN ACT

To repeal sections 192.2520, 193.075, 197.135, 208.018, 208.053, 208.227, 208.285, 210.115, 210.150, 210.201, 210.251, 210.950, and 452.410, RSMo, and to enact in lieu thereof twenty-eight new sections relating to the protection of vulnerable persons, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 192.2520, 193.075, 197.135, 208.018,
2 208.053, 208.227, 208.285, 210.115, 210.150, 210.201, 210.251,
3 210.950, and 452.410, RSMo, are repealed and twenty-eight new
4 sections enacted in lieu thereof, to be known as sections
5 178.935, 191.116, 192.2520, 193.075, 197.135, 208.018, 208.053,
6 208.226, 208.227, 208.285, 208.1060, 210.115, 210.121, 210.150,
7 210.156, 210.201, 210.251, 210.950, 210.1225, 261.450, 285.625,
8 285.630, 285.635, 285.650, 285.665, 285.670, 376.1228, and
9 452.410, to read as follows:

178.935. 1. For the purposes of this section, the
2 following terms mean:

3 (1) "Certificate", authorization issued to employers
4 by the department to pay special wages to workers who have
5 disabilities for the work being performed;

6 (2) "Commensurate Wage", a wage paid to a disabled
7 person when his or her disability impairs his or her

8 productive and earning capacities for the work being
9 performed. The wage shall be commensurate with the worker's
10 productivity as compared to the wage and productivity of an
11 experienced worker who is not disabled.

12 2. Notwithstanding any provision of law to contrary,
13 the department, to the extent necessary to prevent the
14 curtailment of opportunities for employment, shall provide
15 for the employment, under special certificates, of disabled
16 persons at sheltered workshops, at wages which are:

17 (1) Lower than the wage rate applicable under sections
18 290.500 to 290.530;

19 (2) Commensurate with those paid to nondisabled
20 workers, employed in the vicinity in which the persons under
21 the certificates are employed, for essentially the same
22 type, quality, and quantity of work; and

23 (3) Related to the person's productivity.

24 3. The department shall not issue a certificate under
25 subsection 2 of this section unless the sheltered workshop
26 provides written assurances to the department of the
27 following:

28 (1) In the case of persons paid on an hourly rate
29 basis, wages paid in accordance with subsection 2 of this
30 section shall be reviewed by the sheltered workshop at
31 periodic intervals at least once every six months; and

32 (2) Wages paid in accordance with subsection 2 of this
33 section shall be adjusted by the sheltered workshop at
34 periodic intervals, at least once each year, to reflect
35 changes in the prevailing wage paid to experienced
36 nondisabled persons employed in the locality for essentially
37 the same type of work.

38 4. Notwithstanding the provisions of subsection 2 of
39 this section, no sheltered workshop shall be permitted to
40 reduce the hourly wage rate prescribed by certificate under

41 this section of any disabled worker for a period of two
42 years from such date without prior authorization from the
43 department.

191.116. 1. There is hereby established in the
2 department of health and senior services the "Alzheimer's
3 State Plan Task Force". The task force shall consist of
4 twenty-one members, as follows:

5 (1) The lieutenant governor, or his or her designee,
6 who shall serve as chair of the task force;

7 (2) The directors of the departments of health and
8 senior services, social services, and mental health, or
9 their designees;

10 (3) One member of the house of representatives to be
11 appointed by the speaker of the house of representatives;

12 (4) One member of the senate to be appointed by the
13 president pro tempore of the senate;

14 (5) One member who has early-stage Alzheimer's disease
15 or a related dementia;

16 (6) One member who is a family caregiver of a person
17 with Alzheimer's disease or a related dementia;

18 (7) One member who is a licensed physician with
19 experience in the diagnosis, treatment, and research of
20 Alzheimer's disease;

21 (8) One member from the office of state ombudsman for
22 long-term care facility residents;

23 (9) One member representing residential long-term care;

24 (10) One member representing the home care profession;

25 (11) One member representing the adult day services
26 profession;

27 (12) One member representing the area agencies on
28 aging;

29 (13) One member with expertise in minority health;

30 (14) One member representing the law enforcement
31 community;

32 (15) One member from the department of higher
33 education and workforce development with knowledge of
34 workforce training;

35 (16) Two members representing voluntary health
36 organizations in Alzheimer's disease care, support, and
37 research;

38 (17) One member representing licensed skilled nursing
39 facilities; and

40 (18) One member representing Missouri veterans' homes.

41 2. The members of the task force, other than the
42 lieutenant governor, members from the general assembly, and
43 department and division directors, shall be appointed by the
44 governor with the advice and consent of the senate. Members
45 shall serve on the task force without compensation.

46 3. The task force shall assess all state programs that
47 address Alzheimer's disease and update and maintain an
48 integrated state plan to overcome the challenges caused by
49 Alzheimer's disease. The state plan shall include
50 implementation steps and recommendations for priority
51 actions based on this assessment. The task force's actions
52 shall include, but shall not be limited to, the following:

53 (1) Assess the current and future impact of
54 Alzheimer's disease on residents of the state of Missouri;

55 (2) Examine the existing services and resources
56 addressing the needs of persons with Alzheimer's disease and
57 their families and caregivers;

58 (3) Develop recommendations to respond to the
59 escalating public health crisis regarding Alzheimer's
60 disease;

61 (4) Ensure the inclusion of ethnic and racial
62 populations that have a higher risk for Alzheimer's disease

63 or are least likely to receive care in clinical, research,
64 and service efforts, with the purpose of decreasing health
65 disparities in Alzheimer's disease treatment;

66 (5) Identify opportunities for the state of Missouri
67 to coordinate with federal government entities to integrate
68 and inform the fight against Alzheimer's disease;

69 (6) Provide information and coordination of
70 Alzheimer's disease research and services across all state
71 agencies;

72 (7) Examine dementia-specific training requirements
73 across health care, adult protective services workers, law
74 enforcement, and all other areas in which staff are involved
75 with the delivery of care to those with Alzheimer's disease
76 and other dementias; and

77 (8) Develop strategies to increase the diagnostic rate
78 of Alzheimer's disease in Missouri.

79 4. The task force shall deliver a report of
80 recommendations to the governor and members of the general
81 assembly no later than June 1, 2022.

82 5. The task force shall continue to meet at the
83 request of the chair and at a minimum of one time annually
84 for the purpose of evaluating the implementation and impact
85 of the task force recommendations and shall provide annual
86 supplemental report updates on the findings to the governor
87 and the general assembly.

88 6. The provisions of this section shall expire on
89 December 31, 2026.

192.2520. 1. Sections 192.2520 and 197.135 shall be
2 known and may be cited as the "Justice for Survivors Act".

3 2. As used in this section, the following terms shall
4 mean:

5 (1) "Appropriate medical provider", the same meaning
6 as used in section 595.220;

7 (2) "Department", the department of health and senior
8 services;

9 (3) "Evidentiary collection kit", the same meaning as
10 used in section 595.220;

11 (4) "Forensic examination", the same meaning as used
12 in section 595.220;

13 (5) "Telehealth", the same meaning as used in section
14 191.1145.

15 3. No later than July 1, 2022, there shall be
16 established within the department a statewide telehealth
17 network for forensic examinations of victims of sexual
18 offenses in order to provide access to sexual assault nurse
19 examiners (SANE) or other similarly trained appropriate
20 medical providers. A statewide coordinator for the
21 telehealth network shall be selected by the director of the
22 department of health and senior services and shall have
23 oversight responsibilities and provide support for the
24 training programs offered by the network, as well as the
25 implementation and operation of the network. The statewide
26 coordinator shall regularly consult with Missouri-based
27 stakeholders and clinicians actively engaged in the
28 collection of forensic evidence regarding the training
29 programs offered by the network, as well as the
30 implementation and operation of the network.

31 4. The network shall provide mentoring and educational
32 training services, including:

33 (1) Conducting a forensic examination of a victim of a
34 sexual offense, in accordance with best practices, while
35 utilizing an evidentiary collection kit;

36 (2) Proper documentation, transmission, and storage of
37 the examination evidence;

38 (3) Utilizing trauma-informed care to address the
39 needs of victims;

40 (4) Utilizing telehealth technology while conducting a
41 live examination; and

42 (5) Providing ongoing case consultation and serving as
43 an expert witness in event of a trial.

44 The network shall, in the mentoring and educational training
45 services provided, emphasize the importance of obtaining a
46 victim's informed consent to evidence collection, including
47 issues involving minor consent, and the scope and
48 limitations of confidentiality regarding information
49 gathered during the forensic examination.

50 5. The training offered ~~[may]~~ shall be made available
51 ~~[both] online [or in person],~~ including the use of video
52 conferencing technology to connect trained interdisciplinary
53 experts with providers in a case-based learning environment,
54 and may also be made available in-person.

55 6. The network shall, through telehealth services
56 available twenty-four hours a day, seven days a week, by a
57 SANE or another similarly trained appropriate medical
58 provider, provide mentoring, consultation services,
59 guidance, and technical assistance to appropriate medical
60 providers during and outside of a forensic examination of a
61 victim of a sexual offense. The network shall ensure that
62 the system through which the network provides telehealth
63 services meets national standards for interoperability to
64 connect to telehealth systems.

65 7. The department may consult and enter into any
66 necessary contracts with any other local, state, or federal
67 agency, institution of higher education, or private entity
68 to carry out the provisions of this section, including, but
69 not limited to, a contract to:

70 (1) Develop, implement, maintain, or operate the
71 network;

72 (2) Train and provide technical assistance to
73 appropriate medical providers on conducting forensic
74 examinations of victims of sexual offenses and the use of
75 telehealth services; and

76 (3) Provide consultation, guidance, or technical
77 assistance to appropriate medical providers using telehealth
78 services during a forensic examination of a victim of a
79 sexual offense.

80 8. Beginning October 1, 2021, and each year
81 thereafter, all hospitals licensed under chapter 197 shall
82 report to the department the following information for the
83 previous year:

84 (1) The number of forensic examinations of victims of
85 a sexual offense performed at the hospital;

86 (2) The number of forensic examinations of victims of
87 a sexual offense requested to be performed by a victim of a
88 sexual offense that the hospital did not perform and the
89 reason why the examination was not performed;

90 (3) The number of evidentiary collection kits
91 submitted to a law enforcement agency for testing; and

92 (4) After July 1, 2022, the number of appropriate
93 medical providers employed at or contracted with the
94 hospital who utilized the training and telehealth services
95 provided by the network.

96 The information reported under this subsection and
97 subsection 9 of this section shall not include any
98 personally identifiable information of any victim of a
99 sexual offense or any appropriate medical provider
100 performing a forensic examination of such victim.

101 9. Beginning January 1, 2022, and each year
102 thereafter, the department shall make publicly available a
103 report that shall include the information submitted under
104 subsection 8 of this section. The report shall also

include, in collaboration with the department of public safety, information about the number of evidentiary collection kits submitted by a person or entity outside of a hospital setting, as well as the number of appropriate medical providers utilizing the training and telehealth services provided by the network outside of a hospital setting.

10. (1) The funding for the network shall be subject to appropriations. In addition to appropriations from the general assembly, the department shall apply for available grants and shall be able to accept other gifts, grants, bequests, and donations to develop and maintain the network and the training offered by the network.

(2) There is hereby created in the state treasury the "Justice for Survivors Telehealth Network Fund", which shall consist of any gifts, grants, bequests, and donations accepted under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department for the purpose of developing and maintaining the network and the training offered by the network. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The department shall promulgate rules and regulations in order to implement the provisions of this section, including, but not limited to, the following:

(1) The operation of a statewide telehealth network for forensic examinations of victims of sexual offenses;

136 (2) The development of training for appropriate
137 medical providers conducting a forensic examination of a
138 victim of a sexual offense; and

139 (3) Maintenance of records and data privacy and
140 security of patient information.

141 Any rule or portion of a rule, as that term is defined in
142 section 536.010, that is created under the authority
143 delegated in this section shall become effective only if it
144 complies with and is subject to all of the provisions of
145 chapter 536 and, if applicable, section 536.028. This
146 section and chapter 536 are nonseverable and if any of the
147 powers vested with the general assembly pursuant to chapter
148 536 to review, to delay the effective date, or to disapprove
149 and annul a rule are subsequently held unconstitutional,
150 then the grant of rulemaking authority and any rule proposed
151 or adopted after August 28, 2020, shall be invalid and void.

193.075. 1. The forms of certificates and reports
2 required by sections 193.005 to 193.325 or by regulations
3 adopted hereunder shall include as a minimum the items
4 recommended by the federal agency responsible for national
5 vital statistics.

6 2. Each certificate, report, and other document
7 required by sections 193.005 to 193.325 shall be on a form
8 or in a format prescribed by the state registrar.

9 3. All vital records shall contain the date received
10 for registration.

11 4. Information required in certificates or reports
12 authorized by sections 193.005 to 193.325 may be filed and
13 registered by photographic, electronic, or other means as
14 prescribed by the state registrar.

15 5. In addition to other personal data required by the
16 registrar to be entered on a birth certificate, each parent
17 shall furnish to the registrar the Social Security account

18 number, or numbers if applicable, issued to the parent
19 unless the registrar finds good cause for not requiring the
20 furnishing of such number or numbers. Good cause shall be
21 determined in accordance with regulations established by the
22 Secretary of the United States Department of Health and
23 Human Services. The registrar shall make numbers furnished
24 under this section available to the family support division
25 and the children's division of the department of social
26 services. Such numbers shall not be recorded on the birth
27 certificate. The family support division shall not use any
28 Social Security number furnished under the section for any
29 purpose other than for the establishment and enforcement of
30 child support obligations, and the confidentiality
31 provisions and penalties contained in section 454.440 shall
32 apply. The children's division shall not use any Social
33 Security number furnished under this section for any purpose
34 other than verifying the identity of a parent of a child
35 whose birth record information is provided under section
36 210.156 and the confidentiality provisions of section
37 210.156 shall apply. Nothing in this section shall be
38 construed to prohibit the department of health and senior
39 services from using Social Security numbers for statistical
40 purposes.

197.135. 1. Beginning January 1, 2023, or no later
2 than six months after the establishment of the statewide
3 telehealth network under section 192.2520, whichever is
4 later, any hospital licensed under this chapter shall
5 perform a forensic examination using an evidentiary
6 collection kit upon the request and consent of the victim of
7 a sexual offense, or the victim's guardian, when the victim
8 is at least fourteen years of age. In the case of minor
9 consent, the provisions of subsection 2 of section 595.220
10 shall apply. Victims under fourteen years of age shall be

11 referred, and victims fourteen years of age but less than
12 eighteen years of age may be referred, to a SAFE CARE
13 provider, as such term is defined in section 334.950, for
14 medical or forensic evaluation and case review. Nothing in
15 this section shall be interpreted to preclude a hospital
16 from performing a forensic examination for a victim under
17 fourteen years of age upon the request and consent of the
18 victim or victim's guardian, subject to the provisions of
19 section 595.220 and the rules promulgated by the department
20 of public safety.

21 2. (1) An appropriate medical provider, as such term
22 is defined in section 595.220, shall perform the forensic
23 examination of a victim of a sexual offense. The hospital
24 shall ensure that any provider performing the examination
25 has received training conducting such examinations that is,
26 at a minimum, equivalent to the training offered by the
27 statewide telehealth network under subsection 4 of section
28 192.2520. Nothing in this section shall require providers
29 to utilize the training offered by the statewide telehealth
30 network, as long as the training utilized is, at a minimum,
31 equivalent to the training offered by the statewide
32 telehealth network.

33 (2) If the provider is not a sexual assault nurse
34 examiner (SANE), or another similarly trained physician or
35 nurse, then the hospital shall utilize telehealth services
36 during the examination, such as those provided by the
37 statewide telehealth network, to provide guidance and
38 support through a SANE, or other similarly trained physician
39 or nurse, who may observe the live forensic examination and
40 who shall communicate with and support the onsite provider
41 with the examination, forensic evidence collection, and
42 proper transmission and storage of the examination evidence.

43 3. The department of health and senior services may
44 issue a waiver of the telehealth requirements of subsection
45 2 of this section if the hospital demonstrates to the
46 department, in writing, a technological hardship in
47 accessing telehealth services or a lack of access to
48 adequate broadband services sufficient to access telehealth
49 services. Such waivers shall be granted sparingly and for
50 no more than a year in length at a time, with the
51 opportunity for renewal at the department's discretion.

52 4. The department shall waive the requirements of this
53 section if the statewide telehealth network established
54 under section 192.2520 ceases operation, the director of the
55 department of health and senior services has provided
56 written notice to hospitals licensed under this chapter that
57 the network has ceased operation, and the hospital cannot,
58 in good faith, comply with the requirements of this section
59 without assistance or resources of the statewide telehealth
60 network. Such waiver shall remain in effect until such time
61 as the statewide telehealth network resumes operation or
62 until the hospital is able to demonstrate compliance with
63 the provisions of this section without the assistance or
64 resources of the statewide telehealth network.

65 5. The provisions of section 595.220 shall apply to
66 the reimbursement of the reasonable costs of the
67 examinations and the provision of the evidentiary collection
68 kits.

69 6. No individual hospital shall be required to comply
70 with the provisions of this section and section 192.2520
71 unless and until the department provides such hospital with
72 access to the statewide telehealth network for the purposes
73 of mentoring and training services required under section
74 192.2520 without charge to the hospital.

208.018. 1. Subject to federal approval, the
2 department of social services shall establish a pilot
3 program for the purpose of providing Supplemental Nutrition
4 Assistance Program (SNAP) participants with access and the
5 ability to afford fresh food when purchasing fresh food at
6 farmers' markets. The pilot program shall be established in
7 at least one rural area and one urban area. Under the pilot
8 program, such participants shall be able to:

9 (1) Purchase fresh fruit, vegetables, meat, fish,
10 poultry, eggs, and honey with SNAP benefits with an
11 electronic benefit transfer (EBT) card; and

12 (2) Receive a dollar-for-dollar match for every SNAP
13 dollar spent at a participating farmers' market or vending
14 urban agricultural zone as defined in section 262.900 in an
15 amount up to ten dollars per week whenever the participant
16 purchases fresh food with an EBT card.

17 2. For purposes of this section, the term "farmers'
18 market" shall mean a market with multiple stalls at which
19 farmer-producers sell agricultural products, particularly
20 fresh fruit and vegetables, directly to the general public
21 at a central or fixed location.

22 3. Purchases of approved fresh food by SNAP
23 participants under this section shall automatically trigger
24 matching funds reimbursement into the central farmers'
25 market vendor accounts by the department.

26 4. The funding of this pilot program shall be subject
27 to appropriation. In addition to appropriations from the
28 general assembly, the department may apply for available
29 grants and shall be able to accept other gifts, grants, and
30 donations to develop and maintain the program.

31 5. The department shall promulgate rules setting forth
32 the procedures and methods of implementing this section.
33 Any rule or portion of a rule, as that term is defined in

section 536.010, that is created under and pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

6. Under and pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of this section shall sunset automatically six years after [the effective date of this section] August 28, 2021, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

208.053. 1. The provisions of this section shall be known as the "Low-Wage Trap Elimination Act". In order to more effectively transition persons receiving state-funded child care subsidy benefits under this chapter, the children's division, in conjunction with the department of revenue, shall, subject to appropriations, by [January 1, 2013] July 1, 2022, implement a pilot program in [at least one rural county and in at least one urban child care center that serves at least three hundred families] a county with a

10 charter form of government and with more than six hundred
11 thousand but fewer than seven hundred thousand inhabitants,
12 a county of the first classification with more than two
13 hundred sixty thousand but fewer than three hundred thousand
14 inhabitants, and a county of the first classification with
15 more than two hundred thousand but fewer than two hundred
16 sixty thousand inhabitants, to be called the "Hand-Up
17 Program", to allow [willing recipients who wish to
18 participate] applicants in the program to [continue to]
19 receive [such] transitional child care [subsidy] benefits
20 [while sharing in the cost of such benefits through the
21 payment of a premium, as follows:] without the requirement
22 that such applicants first be eligible for full child care
23 benefits.

24 (1) For purposes of this section, "full child care
25 benefits" shall be the full benefits awarded to a recipient
26 based on the income eligibility amount established by the
27 division through the annual appropriations process as of
28 August 28, [2012] 2021, to qualify for the benefits and
29 shall not include the transitional child care benefits that
30 are awarded to recipients whose income surpasses the
31 eligibility level for full benefits to continue. The hand-
32 up program shall be voluntary and shall be designed such
33 that [a participating recipient will not be faced with a
34 sudden loss of child care benefits should the recipient's
35 income rise above the maximum allowable monthly income for
36 persons to receive full child care benefits as of August 28,
37 2012. In such instance, the recipient shall be permitted to
38 continue to receive such benefits if the recipient pays a
39 premium, to be paid via a payroll deduction if possible, to
40 be applied only to that portion of the recipient's income
41 above such maximum allowable monthly income for the receipt
42 of full child care benefits as follows:

43 (a) The premium shall be forty-four percent of the
44 recipient's excess adjusted gross income over the maximum
45 allowable monthly income for the applicable family size for
46 the receipt of child care benefits;

47 (b) The premium shall be paid on a monthly basis by
48 the participating recipient, or may be paid on a different
49 periodic basis if through a payroll deduction consistent
50 with the payroll period of the person's employer;

51 (c) The division shall develop a payroll deduction
52 program in conjunction with the department of revenue, and
53 shall promulgate rules for the payment of premiums, through
54 such payroll deduction program or through an alternate
55 method to be determined by the division, owed under the hand-
56 up program; and

57 (d) Participating recipients who fail to pay the
58 premium owed shall be removed permanently from the program
59 after sixty days of nonpayment;

60 (2) Subject to the receipt of federal waivers if
61 necessary, participating recipients shall be eligible to
62 receive child care service benefits at income levels all the
63 way up to the level at which a person's premium equals the
64 value of the child care service benefits received by the
65 recipient;

66 (3) Only those recipients who currently receive full
67 child care benefits as of joining the program and who had
68 been receiving full child care service benefits for a period
69 of at least four months prior to implementation by the
70 division of this program shall be eligible to participate in
71 the program. Only those recipients who agree to the terms
72 of the hand-up program during a ninety-day sign-up period
73 shall be allowed to participate in the program, pursuant to
74 rules to be promulgated by the division; and

75 (4)] an applicant may begin receiving the transitional
76 child care benefit without having first qualified for the
77 full child care benefit or any other tier of the
78 transitional child care benefit. Under no circumstances
79 shall any applicant be eligible for the hand-up program if
80 the applicant's income does not fall within the transitional
81 child care benefit income limits established through the
82 annual appropriations process.

83 (2) A participating recipient shall be allowed to opt
84 out of the program at any time, but such person shall not be
85 allowed to participate in the program a second time.

86 2. The division shall track the number of participants
87 in the hand-up program[, premiums and taxes paid by each
88 participant in the program and the aggregate of such
89 premiums and taxes, as well as the aggregate of those taxes
90 paid on income exceeding the maximum allowable income for
91 receiving full child care benefits outside the hand-up
92 program,] and shall issue an annual report to the general
93 assembly by [January 1, 2014] September 1, 2023, and
94 annually on [January] September first thereafter, detailing
95 the effectiveness of the pilot program in encouraging
96 recipients to [increase their income levels above the income
97 maximum applicable to each recipient] secure employment
98 earning an income greater than the maximum wage eligible for
99 the full child care benefit. The report shall also detail
100 the costs of administration and the increased amount of
101 state income tax paid [and premiums paid] as a result of the
102 program, as well as an analysis of whether the pilot program
103 could be expanded to include other types of benefits
104 including but not limited to food stamps, temporary
105 assistance for needy families, low-income heating
106 assistance, women, infants and children supplemental

107 nutrition program, the state children's health insurance
108 program, and MO HealthNet benefits.

109 3. The division shall pursue all necessary waivers
110 from the federal government to implement the hand-up program
111 [with the goal of allowing participating recipients to
112 receive child care service benefits at income levels all the
113 way up to the level at which a person's premium equals the
114 value of the child care service benefits received by the
115 recipient]. If the division is unable to obtain such
116 waivers, the division shall implement the program to the
117 degree possible without such waivers.

118 4. [(1) There is hereby created in the state treasury
119 the "Hand-Up Program Premium Fund" which shall consist of
120 premiums collected under this section. The state treasurer
121 shall be custodian of the fund. In accordance with sections
122 30.170 and 30.180, the state treasurer may approve
123 disbursements. The state treasurer shall invest moneys in
124 the fund in the same manner as other funds are invested.
125 Any interest and moneys earned on such investments shall be
126 credited to the fund. Notwithstanding the provisions of
127 section 33.080 to the contrary, any moneys remaining in the
128 fund at the end of the biennium shall not revert to the
129 credit of the general revenue fund.

130 (2) All premiums received under the program shall be
131 deposited in the fund, out of which the cost of
132 administering the hand-up program shall be paid, as well as
133 the necessary payments to the federal government and to the
134 state general revenue fund. Child care benefits provided
135 under the hand-up program shall continue to be paid for as
136 under the existing state child care assistance program.

137 5. After the first year of the program, or sooner if
138 feasible, the cost of administering the program shall be
139 paid out of the premiums received. Any premiums collected

140 exceeding the cost of administering the program shall, if
141 required by federal law, be shared with the federal
142 government and the state general revenue fund in the same
143 proportion that the federal government shares in the cost of
144 funding the child care assistance program with the state.

145 6.] Any rule or portion of a rule, as that term is
146 defined in section 536.010, that is created under the
147 authority delegated under this section shall become
148 effective only if it complies with and is subject to all of
149 the provisions of chapter 536 and, if applicable, section
150 536.028. This section and chapter 536 are nonseverable and
151 if any of the powers vested with the general assembly
152 pursuant to chapter 536 to review, to delay the effective
153 date, or to disapprove and annul a rule are subsequently
154 held unconstitutional, then the grant of rulemaking
155 authority and any rule proposed or adopted after August 28,
156 2012, shall be invalid and void.

157 [7.] 5. Pursuant to section 23.253 of the Missouri
158 sunset act:

159 (1) The provisions of the new program authorized under
160 this section shall sunset automatically three years after
161 August 28, [2014] 2021, unless reauthorized by an act of the
162 general assembly; and

163 (2) If such program is reauthorized, the program
164 authorized under this section shall sunset automatically
165 ~~[six]~~ three years after the effective date of the
166 reauthorization of this section; and

167 (3) This section shall terminate on September first of
168 the calendar year immediately following the calendar year in
169 which the program authorized under this section is sunset.

208.226. 1. No restrictions to access shall be
2 imposed that preclude availability of any individual
3 antipsychotic medication.

4 2. The provisions of this section shall not prohibit
5 the division from utilizing clinical edits to ensure
6 clinical best practices, including, but not limited to:

7 (1) Drug safety and avoidance of harmful drug
8 interactions;

9 (2) Compliance with nationally recognized and juried
10 clinical guidelines from national medical associations using
11 medical evidence and emphasizing best practice principles;

12 (3) Detection of patients receiving prescription drugs
13 from multiple prescribers; and

14 (4) Detection, prevention, and treatment of substance
15 use disorders.

16 3. The division shall issue a provider update no less
17 than twice annually to enumerate treatment and utilization
18 principles for MO HealthNet providers, including, but not
19 limited to:

20 (1) Treatment with antipsychotic drugs, as with any
21 other form of treatment, should be individualized in order
22 to optimize the patient's recovery and stability;

23 (2) Treatment with antipsychotic drugs should be as
24 effective, safe, and well-tolerated as supported by best
25 medical evidence;

26 (3) Treatment with antipsychotic drugs should consider
27 the individual patient's needs, preferences, and
28 vulnerabilities;

29 (4) Treatment with antipsychotic drugs should support
30 an improved quality of life for the patient; and

31 (5) Treatment choices should be informed by the best
32 current medical evidence and should be updated consistent
33 with evolving nationally recognized best practice guidelines.

34 4. If the division implements any new policy or
35 clinical edit for an antipsychotic drug, the division shall
36 continue to allow MO HealthNet participants access to any

37 antipsychotic drug that they utilize and on which they are
38 stable or that they have successfully utilized previously.
39 The division may recommend a resource list with no
40 restrictions to access.

208.227. 1. [No restrictions to access shall be
2 imposed that preclude availability of any individual
3 atypical antipsychotic monotherapy for the treatment of
4 schizophrenia, bipolar disorder, or psychosis associated
5 with severe depression.] The division shall establish a
6 pharmaceutical case management or polypharmacy program for
7 high risk MO HealthNet participants with numerous or
8 multiple prescribed drugs. The division shall also
9 establish a behavioral health pharmacy and opioid
10 surveillance program to encourage the use of best medical
11 evidence-supported prescription practices. The division
12 shall communicate with providers, as such term is defined in
13 section 208.164, whose prescribing practices deviate from or
14 do not otherwise utilize best medical evidence-supported
15 prescription practices. The communication may be
16 telemetric, written, oral, or some combination thereof.
17 These programs shall be established and administered through
18 processes established and supported under a memorandum of
19 understanding between the department of mental health and
20 the department of social services, or their successor
21 entities.

22 2. The provisions of this section shall not prohibit
23 the division from utilizing clinical edits to ensure
24 clinical best practices, including, but not limited to:

25 (1) Drug safety and avoidance of harmful drug
26 interactions;

27 (2) Compliance with nationally recognized and juried
28 clinical guidelines from national medical associations using
29 medical evidence and emphasizing best practice principles;

30 (3) Detection of patients receiving prescription drugs
31 from multiple prescribers; and

32 (4) Detection, prevention, and treatment of substance
33 use disorders.

34 3. [The division shall issue a provider update no less
35 than twice annually to enumerate treatment and utilization
36 principles for MO HealthNet providers including, but not
37 limited to:

38 (1) Treatment with antipsychotic drugs, as with any
39 other form of treatment, should be individualized in order
40 to optimize the patient's recovery and stability;

41 (2) Treatment with antipsychotic drugs should be as
42 effective, safe, and well-tolerated as supported by best
43 medical evidence;

44 (3) Treatment with antipsychotic drugs should consider
45 the individual patient's needs, preferences, and
46 vulnerabilities;

47 (4) Treatment with antipsychotic drugs should support
48 an improved quality of life for the patient;

49 (5) Treatment choices should be informed by the best
50 current medical evidence and should be updated consistent
51 with evolving nationally recognized best practice
52 guidelines; and

53 (6) Cost considerations in the context of best
54 practices, efficacy, and patient response to adverse drug
55 reactions should guide antipsychotic medication policy and
56 selection once the preceding principles have been maximally
57 achieved.

58 4. If the division implements any new policy or
59 clinical edit for an antipsychotic drug, the division shall
60 continue to allow MO HealthNet participants access to any
61 antipsychotic drug that they utilize and on which they are

62 stable or that they have successfully utilized previously.

63 The division shall adhere to the following:

64 (1) If an antipsychotic drug listed as "nonpreferred"
65 is considered clinically appropriate for an individual
66 patient based on the patient's previous response to the drug
67 or other medical considerations, prior authorization
68 procedures, as such term is defined in section 208.164,
69 shall be simple and flexible;

70 (2) If an antipsychotic drug listed as "nonpreferred"
71 is known or found to be safe and effective for a given
72 individual, the division shall not restrict the patient's
73 access to that drug. Such nonpreferred drug shall, for that
74 patient only and if that patient has been reasonably
75 adherent to the prescribed therapy, be considered
76 "preferred" in order to minimize the risk of relapse and to
77 support continuity of care for the patient;

78 (3) A patient shall not be required to change
79 antipsychotic drugs due to changes in medication management
80 policy, prior authorization, or a change in the payor
81 responsible for the benefit; and

82 (4) Patients transferring from state psychiatric
83 hospitals to community-based settings, including patients
84 previously found to be not guilty of a criminal offense by
85 reason of insanity or who have previously been found to be
86 incompetent to stand trial, shall be permitted to continue
87 the medication regimen that aided the stability and recovery
88 so that such patient was able to successfully transition to
89 the community-based setting.

90 5. The division's medication policy and clinical edits
91 shall provide MO HealthNet participants initial access to
92 multiple Food and Drug Administration-approved antipsychotic
93 drugs that have substantially the same clinical differences
94 and adverse effects that are predictable across individual

patients and whose manufacturers have entered into a federal rebate agreement with the Department of Health and Human Services. Clinical differences may include, but not be limited to, weight gain, extrapyramidal side effects, sedation, susceptibility to metabolic syndrome, other substantial adverse effects, the availability of long-acting formulations, and proven efficacy in the treatment of psychosis. The available drugs for an individual patient shall include, but not be limited to, the following categories:

- (1) At least one relatively weight-neutral atypical antipsychotic medication;
- (2) At least one long-acting injectable formulation of an atypical antipsychotic;
- (3) Clozapine;
- (4) At least one atypical antipsychotic medication with relatively potent sedative effects;
- (5) At least one medium-potency typical antipsychotic medication;
- (6) At least one long-acting injectable formulation of a high-potency typical antipsychotic medication;
- (7) At least one high-potency typical antipsychotic medication; and
- (8) At least one low-potency typical antipsychotic medication.

6. Nothing in subsection 5 of this section shall be construed to require any of the following:

- (1) Step therapy or a trial of a typical antipsychotic drug before permitting a patient access to an atypical drug or antipsychotic medication;
- (2) A limit of one atypical antipsychotic drug as an open-access, first-choice agent; or

127 (3) A trial of one of the eight categories of drugs
128 listed in subsection 5 of this section before having access
129 to the other seven categories.

130 7.] The department of social services may promulgate
131 rules and regulations to implement the provisions of this
132 section. Any rule or portion of a rule, as that term is
133 defined in section 536.010, that is created under the
134 authority delegated in this section shall become effective
135 only if it complies with and is subject to all of the
136 provisions of chapter 536 and, if applicable, section
137 536.028. This section and chapter 536 are nonseverable and
138 if any of the powers vested with the general assembly
139 pursuant to chapter 536 to review, to delay the effective
140 date, or to disapprove and annul a rule are subsequently
141 held unconstitutional, then the grant of rulemaking
142 authority and any rule proposed or adopted after August 28,
143 2017, shall be invalid and void.

144 [8.] 4. The department shall submit such state plan
145 amendments and waivers to the Centers for Medicare and
146 Medicaid Services of the federal Department of Health and
147 Human Services as the department determines are necessary to
148 implement the provisions of this section.

149 [9. As used in this section, the following terms mean:

150 (1) "Division", the MO HealthNet division of the
151 department of social services;

152 (2) "Reasonably adherent", a patient's adherence to
153 taking medication on a prescribed schedule as measured by a
154 medication position ratio of at least seventy-five percent;

155 (3) "Successfully utilized previously", a drug or drug
156 regimen's provision of clinical stability in treating a
157 patient's symptoms.]

208.285. 1. The department of agriculture shall apply
2 for a grant under the United States Department of

3 Agriculture's Senior Farmers' Market Nutrition Program and
4 apply for a grant and submit a state plan under the United
5 States Department of Agriculture's Women, Infants, and
6 Children (WIC) Farmers' Market Nutrition Program to provide
7 low-income seniors and pregnant and postpartum women,
8 infants, and children under five years of age who are found
9 to be at nutritional risk with vouchers or other approved
10 and acceptable methods of payment including, but not limited
11 to, electronic cards that may be used to purchase eligible
12 foods at farmers' markets[, roadside stands, and community-
13 supported agriculture (CSA) programs].

14 2. There is hereby established the "Missouri [Senior]
15 Farmers' Market Nutrition Program" within the department of
16 agriculture. Upon receipt of any grant moneys under
17 subsection 1 of this section, the program shall supply
18 Missouri-grown, fresh produce to [senior] participants
19 through the distribution of vouchers or other approved
20 methods of payment that may be used only at designated
21 Missouri farmers' markets[, roadside stands, and CSA
22 programs]. The program is designed to provide a
23 supplemental source of fresh produce for the dietary needs
24 of low-income seniors and pregnant and postpartum women,
25 infants, and children under five years of age who are found
26 to be at nutritional risk; to stimulate an increased demand
27 for Missouri-grown produce at farmers' markets[, roadside
28 stands, and CSA programs]; and to develop new and additional
29 farmers' markets[, roadside stands, and CSA programs].

30 3. Eligible seniors and pregnant and postpartum women,
31 infants, and children under five years of age who are found
32 to be at nutritional risk shall receive [senior] farmers'
33 market nutrition program vouchers or other approved methods
34 of payment from designated distribution sites in their
35 county of residence or a neighboring county. Upon the

issuance of vouchers or other approved methods of payment, participants shall be provided with a list of participating farmers[,] and farmers' markets[, roadside stands, and CSA programs. The department shall provide distribution site information at all county area agencies on aging].

4. For purposes of this section, "[senior] participant" means a person who is sixty years of age or older [by December thirty-first of the program year] at the time of application and who meets the income eligibility criteria based on guidelines published annually by the United States Department of Agriculture or a person who participates in the women, infants, and children (WIC) special supplemental nutrition program administered by the department of health and senior services.

5. The department of agriculture and any other state department, state or local government agency, or nonprofit entity participating in the Missouri farmers' market nutrition program shall cooperate as necessary including, but not limited to, entering into written agreements in order to effectively establish and maintain the United States Department of Agriculture's Senior Farmers' Market and the Women, Infants, and Children (WIC) Farmers' Market Nutrition Programs.

6. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are

69 subsequently held unconstitutional, then the grant of
70 rulemaking authority and any rule proposed or adopted after
71 August 28, 2018, shall be invalid and void.

208.1060. The department of social services shall
2 submit a state plan to the U.S. Department of Agriculture
3 for a "Farm to Food Bank Project" under 7 CFR 251.10(j) and
4 shall contract with any qualified food bank, as defined in 7
5 CFR 251.3(f), for the purpose of operating the project.

210.115. 1. When any physician, medical examiner,
2 coroner, dentist, chiropractor, optometrist, podiatrist,
3 resident, intern, nurse, hospital or clinic personnel that
4 are engaged in the examination, care, treatment or research
5 of persons, and any other health practitioner, psychologist,
6 mental health professional, social worker, day care center
7 worker or other child-care worker, juvenile officer,
8 probation or parole officer, jail or detention center
9 personnel, teacher, principal or other school official,
10 minister as provided by section 352.400, peace officer or
11 law enforcement official, volunteer or personnel of a
12 community service program that offers support services for
13 families in crisis to assist in the delegation of any powers
14 regarding the care and custody of a child by a properly
15 executed power of attorney pursuant to sections 475.600 to
16 475.604, or other person with responsibility for the care of
17 children has reasonable cause to suspect that a child has
18 been or may be subjected to abuse or neglect or observes a
19 child being subjected to conditions or circumstances which
20 would reasonably result in abuse or neglect, that person
21 shall immediately report to the division in accordance with
22 the provisions of sections 210.109 to 210.183. No internal
23 investigation shall be initiated until such a report has
24 been made. As used in this section, the term "abuse" is not
25 limited to abuse inflicted by a person responsible for the

child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. If two or more members of a medical institution who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a designated member of that medical team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter immediately make the report. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect.

3. The reporting requirements under this section are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No person making a report under this section shall be subject to any sanction, including any adverse employment action, for making such report. Every employer shall ensure that any employee required to report pursuant to subsection 1 of this section has immediate and unrestricted access to communications technology necessary to make an immediate report and is temporarily relieved of other work duties for such time as is required to make any report required under subsection 1 of this section.

4. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports

concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

5. In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

6. Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452 and shall report the findings to the child fatality review panel established pursuant to section 210.192.

91 7. Any person or individual required to report may
92 also report the suspicion of abuse or neglect to any law
93 enforcement agency or juvenile office. Such report shall
94 not, however, take the place of reporting to the division.

95 8. If an individual required to report suspected
96 instances of abuse or neglect pursuant to this section has
97 reason to believe that the victim of such abuse or neglect
98 is a resident of another state or was injured as a result of
99 an act which occurred in another state, the person required
100 to report such abuse or neglect may, in lieu of reporting to
101 the Missouri children's division, make such a report to the
102 child protection agency of the other state with the
103 authority to receive such reports pursuant to the laws of
104 such other state. If such agency accepts the report, no
105 report is required to be made, but may be made, to the
106 children's division.

107 9. For the purposes of providing supportive services
108 or verifying the status of a youth as unaccompanied or
109 homeless for the purposes of accessing supportive services,
110 the fact that a child is an unaccompanied youth as defined
111 in 42 U.S.C. Section 11434a(6) is not, in and of itself, a
112 sufficient basis for reporting child abuse or neglect,
113 unless the child is under sixteen years of age or is an
114 incapacitated person, as defined in section 475.010.
115 Nothing in this subsection shall limit a mandated reporter
116 from making a report under this section if the mandated
117 reporter knows or has reasonable cause to suspect that an
118 unaccompanied youth has been or may be a victim of abuse or
119 neglect.

210.121. 1. As used in this section, the following
2 terms mean:

3 (1) "Service provider", a public or private nonprofit
4 organization that provides age-appropriate shelter or

5 supportive services to unaccompanied youth and whose
6 director or designee is a licensed mental health
7 professional, licensed social worker, or licensed counselor;

8 (2) "Shelter", an emergency shelter, transitional
9 living program, or independent living program services;

10 (3) "Supportive services", interventions, services, or
11 resources necessary to assist an unaccompanied youth.

12 "Supportive services" shall include, but are not limited to,
13 the following:

14 (a) Food and access to an overnight shelter;

15 (b) Housing search, counseling, rental assistance,
16 financial assistance with eviction prevention, utilities,
17 security deposit, relocation, and other housing support
18 services;

19 (c) Services for families to prevent separation and
20 support reunification if safe and appropriate;

21 (d) Employment assistance, job training, and job
22 placement;

23 (e) Assistance and advocacy to ensure access to
24 federal, state, and local benefits;

25 (f) Assistance and advocacy to ensure access to
26 education;

27 (g) Services to prevent and treat violence and crime
28 victimization;

29 (h) Child care operations and vouchers;

30 (i) Legal services;

31 (j) Life skills training;

32 (k) Outpatient health, behavioral health, and
33 substance abuse treatment services;

34 (l) Transportation;

35 (m) Outreach services; and

36 (n) Homelessness prevention services;

37 (4) "Unaccompanied youth", the same meaning as such
38 term is defined in 42 U.S.C. Section 11434a(6).

39 2. An unaccompanied youth may access supportive
40 services so long as the youth is verified as an
41 unaccompanied youth as provided under subsection 3 of this
42 section.

43 3. Acceptable documentation to verify the status of an
44 unaccompanied youth shall include, but is not limited to,
45 the following:

46 (1) A statement documenting the youth as an
47 unaccompanied youth that is signed by a licensed mental
48 health professional, licensed social worker, or licensed
49 counselor of a government or nonprofit agency that receives
50 public or private funding to provide services to homeless
51 people and is currently licensed as a case management
52 service provider;

53 (2) A statement documenting the youth as an
54 unaccompanied youth that is signed by a local educational
55 agency liaison for homeless children and youth designated
56 under 42 U.S.C. Section 11432(g) (1) (J) (ii), or a school
57 social worker or counselor; or

58 (3) A statement documenting that the youth is an
59 unaccompanied youth that is signed by an attorney
60 representing the youth in any legal matter.

61 4. A person who in good faith accepts a written
62 statement under subdivision (1) of subsection 3 of this
63 section and who is without actual knowledge that the
64 statement is fraudulent or otherwise invalid may rely upon
65 the statement as if it were genuine and shall not be held
66 liable in any civil or criminal action for providing shelter
67 or supportive services without having obtained permission
68 from the minor's parent or guardian. The service provider

69 shall not be relieved from liability for negligence or
70 criminal acts on the basis of this section.

210.150. 1. The children's division shall ensure the
2 confidentiality of all reports and records made pursuant to
3 sections 210.109 to 210.183 and maintained by the division,
4 its local offices, the central registry, and other
5 appropriate persons, officials, and institutions pursuant to
6 sections 210.109 to 210.183. To protect the rights of the
7 family and the child named in the report as a victim, the
8 children's division shall establish guidelines which will
9 ensure that any disclosure of information concerning the
10 abuse and neglect involving that child is made only to
11 persons or agencies that have a right to such information.
12 The division may require persons to make written requests
13 for access to records maintained by the division. The
14 division shall only release information to persons who have
15 a right to such information. The division shall notify
16 persons receiving information pursuant to subdivisions (2),
17 (7), (8) and (9) of subsection 2 of this section of the
18 purpose for which the information is released and of the
19 penalties for unauthorized dissemination of information.
20 Such information shall be used only for the purpose for
21 which the information is released.

22 2. Only the following persons shall have access to
23 investigation records contained in the central registry:

24 (1) Appropriate federal, state or local criminal
25 justice agency personnel, or any agent of such entity, with
26 a need for such information under the law to protect
27 children from abuse or neglect;

28 (2) A physician or a designated agent who reasonably
29 believes that the child being examined may be abused or
30 neglected;

31 (3) Appropriate staff of the division and of its local
32 offices, including interdisciplinary teams which are formed
33 to assist the division in investigation, evaluation and
34 treatment of child abuse and neglect cases or a
35 multidisciplinary provider of professional treatment
36 services for a child referred to the provider;

37 (4) Any child named in the report as a victim, or a
38 legal representative, or the parent, if not the alleged
39 perpetrator, or guardian of such person when such person is
40 a minor, or is mentally ill or otherwise incompetent, but
41 the names of reporters shall not be furnished to persons in
42 this category. Prior to the release of any identifying
43 information, the division shall determine if the release of
44 such identifying information may place a person's life or
45 safety in danger. If the division makes the determination
46 that a person's life or safety may be in danger, the
47 identifying information shall not be released. The division
48 shall provide a method for confirming or certifying that a
49 designee is acting on behalf of a subject;

50 (5) Any alleged perpetrator named in the report, but
51 the names of reporters shall not be furnished to persons in
52 this category. Prior to the release of any identifying
53 information, the division shall determine if the release of
54 such identifying information may place a person's life or
55 safety in danger. If the division makes the determination
56 that a person's life or safety may be in danger, the
57 identifying information shall not be released. However, the
58 investigation reports will not be released to any alleged
59 perpetrator with pending criminal charges arising out of the
60 facts and circumstances named in the investigation records
61 until an indictment is returned or an information filed;

62 (6) A grand jury, juvenile officer, prosecuting
63 attorney, law enforcement officer involved in the

64 investigation of child abuse or neglect, juvenile court or
65 other court conducting abuse or neglect or child protective
66 proceedings or child custody proceedings, and other federal,
67 state and local government entities, or any agent of such
68 entity, with a need for such information in order to carry
69 out its responsibilities under the law to protect children
70 from abuse or neglect;

71 (7) Any person engaged in a bona fide research
72 purpose, with the permission of the director; provided,
73 however, that no information identifying the child named in
74 the report as a victim or the reporters shall be made
75 available to the researcher, unless the identifying
76 information is essential to the research or evaluation and
77 the child named in the report as a victim or, if the child
78 is less than eighteen years of age, through the child's
79 parent, or guardian provides written permission;

80 (8) Any child-care facility; child-placing agency;
81 residential-care facility, including group homes; juvenile
82 courts; public or private elementary schools; public or
83 private secondary schools; or any other public or private
84 agency exercising temporary supervision over a child or
85 providing or having care or custody of a child who may
86 request an examination of the central registry from the
87 division for all employees and volunteers or prospective
88 employees and volunteers, who do or will provide services or
89 care to children. Any agency or business recognized by the
90 division or business which provides training and places or
91 recommends people for employment or for volunteers in
92 positions where they will provide services or care to
93 children may request the division to provide an examination
94 of the central registry. Such agency or business shall
95 provide verification of its status as a recognized agency.
96 Requests for examinations shall be made to the division

97 director or the director's designee in writing by the chief
98 administrative officer of the above homes, centers, public
99 and private elementary schools, public and private secondary
100 schools, agencies, or courts. The division shall respond in
101 writing to that officer. The response shall include
102 information pertaining to the nature and disposition of any
103 report or reports of abuse or neglect revealed by the
104 examination of the central registry. This response shall
105 not include any identifying information regarding any person
106 other than the alleged perpetrator of the abuse or neglect;

107 (9) Any parent or legal guardian who inquires about a
108 child abuse or neglect report involving a specific person or
109 child-care facility who does or may provide services or care
110 to a child of the person requesting the information.
111 Request for examinations shall be made to the division
112 director or the director's designee, in writing, by the
113 parent or legal guardian of the child and shall be
114 accompanied with a signed and notarized release form from
115 the person who does or may provide care or services to the
116 child. The notarized release form shall include the full
117 name, date of birth and Social Security number of the person
118 who does or may provide care or services to a child. The
119 response shall include information pertaining to the nature
120 and disposition of any report or reports of abuse or neglect
121 revealed by the examination of the central registry. This
122 response shall not include any identifying information
123 regarding any person other than the alleged perpetrator of
124 the abuse or neglect. The response shall be given within
125 ten working days of the time it was received by the division;

126 (10) Any person who inquires about a child abuse or
127 neglect report involving a specific child-care facility,
128 child-placing agency, residential-care facility, public and
129 private elementary schools, public and private secondary

130 schools, juvenile court or other state agency. The
131 information available to these persons is limited to the
132 nature and disposition of any report contained in the
133 central registry and shall not include any identifying
134 information pertaining to any person mentioned in the report;

135 (11) Any state agency acting pursuant to statutes
136 regarding a license of any person, institution, or agency
137 which provides care for or services to children;

138 (12) Any child fatality review panel established
139 pursuant to section 210.192 or any state child fatality
140 review panel established pursuant to section 210.195;

141 (13) Any person who is a tenure-track or full-time
142 research faculty member at an accredited institution of
143 higher education engaged in scholarly research, with the
144 permission of the director. Prior to the release of any
145 identifying information, the director shall require the
146 researcher to present a plan for maintaining the
147 confidentiality of the identifying information. The
148 researcher shall be prohibited from releasing the
149 identifying information of individual cases; [and]

150 (14) Appropriate staff of the United States Department
151 of Defense including, but not limited to, authorized family
152 advocacy program staff or any other staff authorized to
153 receive and respond to reports requested under 10 U.S.C.
154 Section 1787, in cases where a report has been made and the
155 suspected perpetrator or any person responsible for the
156 care, custody, and control of the subject child is a member
157 of any branch of the military or is a member of the Armed
158 Forces, as defined in section 41.030; and

159 (15) The state registrar of vital statistics, or his
160 or her designee, but the information made available shall be
161 limited to identifying information only for the purposes of
162 providing birth record information under section 210.156.

163 3. Only the following persons shall have access to
164 records maintained by the division pursuant to section
165 210.152 for which the division has received a report of
166 child abuse and neglect and which the division has
167 determined that there is insufficient evidence or in which
168 the division proceeded with the family assessment and
169 services approach:

170 (1) Appropriate staff of the division;

171 (2) Any child named in the report as a victim, or a
172 legal representative, or the parent or guardian of such
173 person when such person is a minor, or is mentally ill or
174 otherwise incompetent. The names or other identifying
175 information of reporters shall not be furnished to persons
176 in this category. Prior to the release of any identifying
177 information, the division shall determine if the release of
178 such identifying information may place a person's life or
179 safety in danger. If the division makes the determination
180 that a person's life or safety may be in danger, the
181 identifying information shall not be released. The division
182 shall provide for a method for confirming or certifying that
183 a designee is acting on behalf of a subject;

184 (3) Any alleged perpetrator named in the report, but
185 the names of reporters shall not be furnished to persons in
186 this category. Prior to the release of any identifying
187 information, the division shall determine if the release of
188 such identifying information may place a person's life or
189 safety in danger. If the division makes the determination
190 that a person's life or safety may be in danger, the
191 identifying information shall not be released. However, the
192 investigation reports will not be released to any alleged
193 perpetrator with pending criminal charges arising out of the
194 facts and circumstances named in the investigation records
195 until an indictment is returned or an information filed;

196 (4) Any child fatality review panel established
197 pursuant to section 210.192 or any state child fatality
198 review panel established pursuant to section 210.195;

199 (5) Appropriate criminal justice agency personnel or
200 juvenile officer;

201 (6) Multidisciplinary agency or individual including a
202 physician or physician's designee who is providing services
203 to the child or family, with the consent of the parent or
204 guardian of the child or legal representative of the child;

205 (7) Any person engaged in bona fide research purpose,
206 with the permission of the director; provided, however, that
207 no information identifying the subjects of the reports or
208 the reporters shall be made available to the researcher,
209 unless the identifying information is essential to the
210 research or evaluation and the subject, or if a child,
211 through the child's parent or guardian, provides written
212 permission; and

213 (8) Appropriate staff of the United States Department
214 of Defense including, but not limited to, authorized family
215 advocacy program staff or any other staff authorized to
216 receive and respond to reports requested under 10 U.S.C.
217 Section 1787, in cases where a report has been made and the
218 suspected perpetrator or any person responsible for the
219 care, custody, and control of the subject child is a member
220 of any branch of the military or is a member of the Armed
221 Forces, as defined in section 41.030.

222 4. Any person who knowingly violates the provisions of
223 this section, or who permits or encourages the unauthorized
224 dissemination of information contained in the information
225 system or the central registry and in reports and records
226 made pursuant to sections 210.109 to 210.183, shall be
227 guilty of a class A misdemeanor.

228 5. Nothing in this section shall preclude the release
229 of findings or information about cases which resulted in a
230 child fatality or near fatality. Such release is at the
231 sole discretion of the director of the department of social
232 services, based upon a review of the potential harm to other
233 children within the immediate family.

234 6. Notwithstanding any provisions of this section or
235 chapter to the contrary, if the division receives a report
236 and ascertains that a suspected perpetrator or any person
237 responsible for the care, custody, and control of the
238 subject child is a member of any branch of the military or
239 is a member of the Armed Forces, as defined in section
240 41.030, the division shall report its findings to the most
241 relevant family advocacy program authorized by the United
242 States Department of Defense or any other relevant person
243 authorized by the United States Department of Defense to
244 receive reports under 10 U.S.C. Section 1787.

210.156. 1. The children's division shall make
2 available to the state registrar of vital statistics the
3 identifying information of the following individuals of whom
4 the division has knowledge:

5 (1) Individuals whose parental rights have been
6 terminated under section 211.447 and who are identified in
7 the central registry as having a finding by the division or
8 a court adjudication of child abuse or neglect within the
9 previous ten years; and

10 (2) Individuals identified in the central registry who
11 have pled guilty or have been found guilty, within the
12 previous ten years, of an offense under the following, if
13 the victim is a child less than eighteen years of age:
14 chapter 566 or section 565.020, 565.021, 565.023, 565.024,
15 567.050, 568.020, 568.065, 573.023, 573.025, 573.035,
16 573.037, 573.040, 573.200, or 573.205.

17 2. The state registrar shall provide to the division
18 the birth record information of children born to individuals
19 whose identifying information has been provided under
20 subsection 1 of this section. The division shall verify
21 that the parent of the child is the same individual whose
22 identifying information was provided and, if the parent's
23 identity has been verified, shall provide the appropriate
24 local office with information regarding the birth of the
25 child. Appropriate local division personnel, or local
26 providers designated by the division, shall initiate contact
27 with the family, or make a good faith effort to do so, to
28 determine if the parent or family has a need for services
29 and provide such voluntary and time-limited services as
30 appropriate. The division shall document the results of
31 such contact and services provided, if any, in the
32 information system established under section 210.109.

33 3. The children's division and the state registrar
34 shall ensure the confidentiality of all identifying
35 information and birth records provided under this section
36 and shall not disclose such information and records except
37 as needed to effectuate the provisions of this section.
38 Such information and records shall be considered closed
39 records under chapter 610.

40 4. The division may promulgate rules and regulations
41 to implement the provisions of this section. Any rule or
42 portion of a rule, as that term is defined in section
43 536.010, that is created under the authority delegated in
44 this section shall become effective only if it complies with
45 and is subject to all of the provisions of chapter 536 and,
46 if applicable, section 536.028. This section and chapter
47 536 are nonseverable and if any of the powers vested with
48 the general assembly pursuant to chapter 536 to review, to
49 delay the effective date, or to disapprove and annul a rule

50 are subsequently held unconstitutional, then the grant of
51 rulemaking authority and any rule proposed or adopted after
52 August 28, 2021, shall be invalid and void.

210.201. As used in sections 210.201 to 210.257, the
2 following terms mean:

3 (1) "Child", an individual who is under the age of
4 seventeen;

5 (2) "Child care", care of a child away from his or her
6 home for any part of the twenty-four-hour day for
7 compensation or otherwise. "Child care" is a voluntary
8 supplement to parental responsibility for the child's
9 protection, development, and supervision;

10 (3) "Child-care facility" or "child care facility", a
11 house or other place conducted or maintained by any person
12 who advertises or holds himself or herself out as providing
13 child care for any part of the twenty-four-hour day for
14 compensation or otherwise if providing child care to more
15 than:

16 (a) Six children; or

17 (b) Three children under two years of age;

18 (4) "Child care provider" or "provider", the person or
19 persons licensed or required to be licensed under section
20 210.221 to establish, conduct, or maintain a child care
21 facility;

22 (5) "Montessori school", a child care program that
23 [subscribes to Maria Montessori's educational philosophy and
24 that is accredited by the American Montessori Society or the
25 Association Montessori Internationale] is either accredited
26 by, actively seeking accreditation by, or maintains an
27 active school membership with the American Montessori
28 Society, the Association Montessori Internationale, the
29 International Montessori Counsel, or the Montessori
30 Educational Programs International;

31 (6) "Neighborhood youth development program", as
32 described in section 210.278;

33 (7) "Nursery school", a program operated by a person
34 or an organization with the primary function of providing an
35 educational program for preschool-age children for no more
36 than four hours per day per child;

37 (8) "Person", any individual, firm, corporation,
38 partnership, association, agency, or an incorporated or
39 unincorporated organization regardless of the name used;

40 (9) "Religious organization", a church, synagogue or
41 mosque; an entity that has or would qualify for federal tax-
42 exempt status as a nonprofit religious organization under
43 Section 501(c) of the Internal Revenue Code; or an entity
44 whose real estate on which the child-care facility is
45 located is exempt from taxation because it is used for
46 religious purposes;

47 (10) "School system", a program established primarily
48 for education and that meets the following criteria:

49 (a) Provides education in at least the first to the
50 sixth grade; and

51 (b) Provides evidence that the school system's records
52 will be accepted by a public or private school for the
53 transfer of any student;

54 (11) "Summer camp", a program operated from May to
55 September by a person or organization with the primary
56 function of providing a summer recreational program for
57 children five years of age or older and providing no child
58 care for children under five years of age in the same
59 building or in the same outdoor play area.

210.251. 1. By January 1, 1994, financial incentives
2 shall be provided by the department of health and senior
3 services through the child development block grant and other

4 public moneys for child-care facilities wishing to upgrade
5 their standard of care and which meet quality standards.

6 2. The department of health and senior services shall
7 make federal funds available to licensed or inspected child-
8 care centers pursuant to federal law as set forth in the
9 Child and Adult Food Program, 42 U.S.C. 1766.

10 3. Notwithstanding any other provision of law to the
11 contrary, in the administration of the program for at-risk
12 children through the Child and Adult Food Program, 42 U.S.C.
13 1766, this state shall not have requirements that are
14 stricter than federal regulations for participants in such
15 program. Child care facilities shall not be required to be
16 licensed child care providers to participate in such federal
17 program so long as minimum health and safety standards are
18 met and documented.

210.950. 1. This section shall be known and may be
2 cited as the "Safe Place for Newborns Act of 2002". The
3 purpose of this section is to protect newborn children from
4 injury and death caused by abandonment by a parent, and to
5 provide safe and secure alternatives to such abandonment.

6 2. As used in this section, the following terms mean:

7 (1) "Hospital", as defined in section 197.020;

8 (2) "Maternity home", the same meaning as such term is
9 defined in section 135.600;

10 (3) "Newborn safety incubator", a medical device used
11 to maintain an optimal environment for the care of a newborn
12 infant;

13 (4) "Nonrelinquishing parent", the biological parent
14 who does not leave a newborn infant in a newborn safety
15 incubator or with any person listed in subsection 3 of this
16 section in accordance with this section;

17 ~~[(4)]~~ (5) "Pregnancy resource center", the same
18 meaning as such term is defined in section 135.630;

19 ~~[(5)]~~ (6) "Relinquishing parent", the biological
20 parent or person acting on such parent's behalf who leaves a
21 newborn infant in a newborn safety incubator or with any
22 person listed in subsection 3 of this section in accordance
23 with this section.

24 3. A parent shall not be prosecuted for a violation of
25 section 568.030, 568.032, 568.045 or 568.050 for actions
26 related to the voluntary relinquishment of a child up to
27 forty-five days old pursuant to this section if:

28 (1) Expressing intent not to return for the child, the
29 parent voluntarily delivered the child safely to a newborn
30 safety incubator or to the physical custody of any of the
31 following persons:

32 (a) An employee, agent, or member of the staff of any
33 hospital, maternity home, or pregnancy resource center in a
34 health care provider position or on duty in a nonmedical
35 paid or volunteer position;

36 (b) A firefighter or emergency medical technician on
37 duty in a paid position or on duty in a volunteer position;
38 or

39 (c) A law enforcement officer;

40 (2) The child was no more than forty-five days old
41 when delivered by the parent to the newborn safety incubator
42 or to any person listed in subdivision (1) of this
43 subsection; and

44 (3) The child has not been abused or neglected by the
45 parent prior to such voluntary delivery.

46 4. A parent voluntarily relinquishing a child under
47 this section shall not be required to provide any
48 identifying information about the child or the parent. No
49 person shall induce or coerce, or attempt to induce or
50 coerce, a parent into revealing his or her identity. No
51 officer, employee, or agent of this state or any political

subdivision of this state shall attempt to locate or determine the identity of such parent. In addition, any person who obtains information on the relinquishing parent shall not disclose such information except to the following:

(1) A birth parent who has waived anonymity or the child's adoptive parent;

(2) The staff of the department of health and senior services, the department of social services, or any county health or social services agency or licensed child welfare agency that provides services to the child;

(3) A person performing juvenile court intake or dispositional services;

(4) The attending physician;

(5) The child's foster parent or any other person who has physical custody of the child;

(6) A juvenile court or other court of competent jurisdiction conducting proceedings relating to the child;

(7) The attorney representing the interests of the public in proceedings relating to the child; and

(8) The attorney representing the interests of the child.

5. A person listed in subdivision (1) of subsection 3 of this section shall, without a court order, take physical custody of a child the person reasonably believes to be no more than forty-five days old and is delivered in accordance with this section by a person purporting to be the child's parent or is delivered in accordance with this section to a newborn safety incubator. If delivery of a newborn is made pursuant to this section in any place other than a hospital, the person taking physical custody of the child shall arrange for the immediate transportation of the child to the nearest hospital licensed pursuant to chapter 197.

84 6. The hospital, its employees, agents and medical
85 staff shall perform treatment in accordance with the
86 prevailing standard of care as necessary to protect the
87 physical health or safety of the child. The hospital shall
88 notify the children's division and the local juvenile
89 officer upon receipt of a child pursuant to this section.
90 The local juvenile officer shall immediately begin
91 protective custody proceedings and request the child be made
92 a ward of the court during the child's stay in the medical
93 facility. Upon discharge of the child from the medical
94 facility and pursuant to a protective custody order ordering
95 custody of the child to the division, the children's
96 division shall take physical custody of the child. The
97 parent's voluntary delivery of the child in accordance with
98 this section shall constitute the parent's implied consent
99 to any such act and a voluntary relinquishment of such
100 parent's parental rights.

101 7. In any termination of parental rights proceeding
102 initiated after the relinquishment of a child pursuant to
103 this section, the juvenile officer shall make public notice
104 that a child has been relinquished, including the sex of the
105 child, and the date and location of such relinquishment.
106 Within thirty days of such public notice, the parent wishing
107 to establish parental rights shall identify himself or
108 herself to the court and state his or her intentions
109 regarding the child. The court shall initiate proceedings
110 to establish paternity, or if no person identifies himself
111 as the father within thirty days, maternity. The juvenile
112 officer shall make examination of the putative father
113 registry established in section 192.016 to determine whether
114 attempts have previously been made to preserve parental
115 rights to the child. If such attempts have been made, the
116 juvenile officer shall make reasonable efforts to provide

117 notice of the abandonment of the child to such putative
118 father.

119 8. (1) If a relinquishing parent of a child
120 relinquishes custody of the child to a newborn safety
121 incubator or to any person listed in subsection 3 of this
122 section in accordance with this section and to preserve the
123 parental rights of the nonrelinquishing parent, the
124 nonrelinquishing parent shall take such steps necessary to
125 establish parentage within thirty days after the public
126 notice or specific notice provided in subsection 7 of this
127 section.

128 (2) If either parent fails to take steps to establish
129 parentage within the thirty-day period specified in
130 subdivision (1) of this subsection, either parent may have
131 all of his or her rights terminated with respect to the
132 child.

133 (3) When either parent inquires at a hospital
134 regarding a child whose custody was relinquished pursuant to
135 this section, such facility shall refer such parent to the
136 children's division and the juvenile court exercising
137 jurisdiction over the child.

138 9. The persons listed in subdivision (1) of subsection
139 3 of this section shall be immune from civil, criminal, and
140 administrative liability for accepting physical custody of a
141 child pursuant to this section if such persons accept
142 custody in good faith. Such immunity shall not extend to
143 any acts or omissions, including negligent or intentional
144 acts or omissions, occurring after the acceptance of such
145 child.

146 10. The children's division shall:

147 (1) Provide information and answer questions about the
148 process established by this section on the statewide, toll-
149 free telephone number maintained pursuant to section 210.145;

(2) Provide information to the public by way of pamphlets, brochures, or by other ways to deliver information about the process established by this section.

11. It shall be an affirmative defense to prosecution for a violation of sections 568.030, 568.032, 568.045, and 568.050 that a parent who is a defendant voluntarily relinquished a child no more than one year old under this section.

12. Nothing in this section shall be construed as conflicting with section 210.125.

13. The director of the department of health and senior services may promulgate all necessary rules and regulations for the administration of this section, including rules governing the specifications, installation, maintenance, and oversight of newborn safety incubators. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

210.1225. 1. If a child who is in the legal custody of the children's division is hospitalized but is no longer in need of medical care at the hospital, the division shall take physical custody of the child. If the division fails to take physical custody of the child, then the division shall reimburse the hospital at the same rate the hospital would receive per day for an inpatient admission.

8 2. If the division requests transportation of a child
9 to an emergency room, the hospital to which the child is
10 transported or any subsequent psychiatric hospital to which
11 the child is transferred shall be allowed to administer
12 appropriate emergency psychiatric treatment.

261.450. 1. There is hereby established the "Missouri
2 Food Security Task Force".

3 2. The task force shall be comprised of the following
4 members:

5 (1) Two members of the house of representatives, with
6 one member to be appointed by the speaker of the house of
7 representatives and one member to be appointed by the
8 minority floor leader of the house of representatives;

9 (2) Two members of the senate, with one member to be
10 appointed by the president pro tempore of the senate and one
11 member to be appointed by the minority floor leader of the
12 senate;

13 (3) The director of the department of agriculture, or
14 the director's designee;

15 (4) The director of the department of economic
16 development, or the director's designee;

17 (5) The director of the department of health and
18 senior services, or the director's designee;

19 (6) The director of the department of social services,
20 or the director's designee;

21 (7) One registered dietician, appointed by the
22 Missouri Academy of Nutrition and Dietetics;

23 (8) The commissioner of the department of elementary
24 and secondary education, or the commissioner's designee;

25 (9) Two representatives from institutions of higher
26 education located in Missouri, with knowledge or experience
27 with hunger on college campuses, with one representative

28 from a four-year college or university and one
29 representative from a two-year college;

30 (10) One member representing a statewide association
31 providing direct services to low-income Missourians
32 experiences food insecurity;

33 (11) Two members representing advocacy organizations
34 focused on addressing child hunger and family food
35 insecurity;

36 (12) One member representing food banks located in
37 Missouri;

38 (13) One member representing a business specializing
39 in retail or direct food sales;

40 (14) Two members representing a community development
41 financial institution, one with experience in food retail
42 financing and one with experience in consumers experiencing
43 food insecurity;

44 (15) Two members representing local food producers,
45 with one representing an urban area and one representing a
46 rural area;

47 (16) Two members representing statewide farmer-led or
48 farmer-based organizations;

49 (17) One member representing a faith-based
50 organization offering food security services; and

51 (18) One member representing a nonprofit organization
52 working in food systems to address food insecurity concerns.

53 3. Members of the task force, other than the
54 legislative members and directors of state agencies, shall
55 be appointed by the director of the department of
56 agriculture.

57 4. The director of the department of agriculture shall
58 ensure that the membership of the task force reflects the
59 diversity of the state, with members on the task force

60 representing urban and rural areas and various geographic
61 regions of the state.

62 5. The department of agriculture shall provide
63 technical and administrative support as required by the task
64 force to fulfill its duties.

65 6. State departments shall provide relevant data as
66 requested by the task force to fulfill its duties.

67 7. Members of the task force shall serve without
68 compensation but shall receive reimbursement for actual and
69 necessary expenses incurred in attending meetings of the
70 task force or any subcommittee thereof.

71 8. The task force shall hold its first meeting within
72 two months after the effective date of this section and
73 organize by selecting a chair and a vice chair.

74 9. The mission of the task force shall be to:

75 (1) Determine the ability of individuals located in
76 urban and rural areas throughout the state to access healthy
77 food and identify populations and areas in which access to
78 food is limited or uncertain;

79 (2) Identify ways in which the state could connect
80 resources and individuals in an effort to ensure food
81 security for all Missourians;

82 (3) Evaluate the impact of tax increment financing
83 projects and restrictive deed covenants imposed by grocery
84 retailers on creating food deserts or prolonging existing
85 food deserts;

86 (4) Evaluate the potential impacts of online food
87 retail on food insecurity throughout the state; and

88 (5) Evaluate potential strategies to improve
89 collaborations and efficiencies in federal and state
90 nutrition safety net programming.

91 10. The task force shall report a summary of its
92 findings and recommendations to the governor's office and
93 the general assembly by August twenty-eighth of each year.

94 11. The task force shall be dissolved on December 31,
95 2023, unless extended until December 31, 2025, as determined
96 necessary by the department of agriculture.

285.625. As used in sections 285.625 to 285.670, the
2 following terms mean:

3 (1) "Abuse", the same meaning as in section 210.110;

4 (2) "Director", the director of the department of
5 labor and industrial relations;

6 (3) "Domestic violence", the same meaning as in
7 section 455.010;

8 (4) "Employ", the act of employing or state of being
9 employed, engaged, or hired to perform work or services of
10 any kind or character within the state of Missouri;

11 (5) "Employee", any person performing work or service
12 of any kind or character for hire within the state of
13 Missouri;

14 (6) "Employer", the state or any agency of the state,
15 political subdivision of the state, or any person that
16 employs at least twenty employees;

17 (7) "Employee benefit plan" or "plan", an employee
18 welfare benefit plan or an employee pension benefit plan or
19 a plan that is both an employee welfare benefit plan and an
20 employee pension benefit plan;

21 (8) "Employment benefits", all benefits provided or
22 made available to employees by an employer, including life
23 insurance, health insurance, disability insurance, sick
24 leave, annual leave, educational benefits, pensions, and
25 profit-sharing, regardless of whether such benefits are
26 provided by a practice or written policy of an employer or
27 through an "employee benefit plan";

28 (9) "Family or household member", for employees with a
29 family or household member who is a victim of domestic or
30 sexual violence, a spouse, parent, son, daughter, other
31 person related by blood or by present or prior marriage,
32 other person who shares a relationship through a son or
33 daughter, and persons jointly residing in the same household;

34 (10) "Parent", the biological parent of an employee or
35 an individual who stood in loco parentis to an employee when
36 the employee was a son or daughter who is a victim of
37 domestic or sexual violence;

38 (11) "Person", an individual, partnership,
39 association, corporation, business trust, legal
40 representative, or any organized group of persons;

41 (12) "Public agency", the government of the state or
42 of any political subdivision thereof, any agency of the
43 state or of any political subdivision of the state, or any
44 other governmental agency;

45 (13) "Public assistance", includes cash, food stamps,
46 medical assistance, housing assistance, and other benefits
47 provided on the basis of income by a public agency or public
48 employer;

49 (14) "Qualified individual", in the case of:

50 (a) An applicant or employee of an employer, an
51 individual who, but for being a victim of domestic or sexual
52 violence or with a family or household member who is a
53 victim of domestic or sexual violence, can perform the
54 essential functions of the employment position that such
55 individual holds or desires; or

56 (b) An applicant for or recipient of public assistance
57 from a public agency, an individual who, but for being a
58 victim of domestic or sexual violence or with a family or
59 household member who is a victim of domestic or sexual
60 violence, can satisfy the essential requirements of the

61 program providing the public assistance that the individual
62 receives or desires;

63 (15) "Reasonable safety accommodation", an adjustment
64 to a job structure, workplace facility, or work requirement,
65 including a transfer, reassignment, modified schedule,
66 leave, a changed telephone number or seating assignment,
67 installation of a lock, implementation of a safety
68 procedure, or assistance in documenting domestic violence
69 that occurs at the workplace or in work-related settings, in
70 response to actual or threatened domestic violence. Any
71 exigent circumstances or danger facing the employee or his
72 or her family or household member shall be considered in
73 determining whether the accommodation is reasonable;

74 (16) "Reduced work schedule", a work schedule that
75 reduces the usual number of hours per workweek, or hours per
76 workday, of an employee;

77 (17) "Sexual violence", a sexual assault, as defined
78 in section 455.010, and trafficking for the purposes of
79 sexual exploitation as described in section 566.209;

80 (18) "Son or daughter", a biological, adopted, or
81 foster child, a stepchild, a legal ward, or a child of a
82 person standing in loco parentis, who is under eighteen
83 years of age, or is eighteen years of age or older and
84 incapable of self-care because of a mental or physical
85 disability and is a victim of domestic or sexual violence;

86 (19) "Undue hardship", significant difficulty or
87 expense, when considered in light of the nature and cost of
88 the reasonable safety accommodation;

89 (20) "Victim of domestic or sexual violence", an
90 individual who has been subjected to domestic violence,
91 sexual violence, or abuse;

92 (21) "Victim services organization", a nonprofit,
93 nongovernmental organization that provides assistance to

94 victims of domestic violence or to advocates for such
95 victims, including a rape crisis center, a child advocacy
96 center, an organization carrying out a domestic violence
97 program, an organization operating a shelter or providing
98 counseling services, or a legal services organization or
99 other organization providing assistance through the legal
100 process;

101 (22) "Work", any job, task, labor, services, or any
102 other activity for which compensation is provided, expected,
103 or due.

285.630. 1. An employee who is a victim of domestic
2 or sexual violence or a family or household member who is a
3 victim of domestic or sexual violence whose interests are
4 not adverse to the employee as it relates to the domestic or
5 sexual violence may take unpaid leave from work to address
6 such violence by:

7 (1) Seeking medical attention for, or recovering from,
8 physical or psychological injuries caused by domestic or
9 sexual violence to the employee or the employee's family or
10 household member;

11 (2) Obtaining services from a victim services
12 organization for the employee or the employee's family or
13 household member;

14 (3) Obtaining psychological or other counseling for
15 the employee or the employee's family or household member;

16 (4) Participating in safety planning, temporarily or
17 permanently relocating, or taking other actions to increase
18 the safety of the employee or the employee's family or
19 household member from future domestic or sexual violence or
20 to ensure economic security; or

21 (5) Seeking legal assistance or remedies to ensure the
22 health and safety of the employee or the employee's family
23 or household member, including preparing for or

24 participating in any civil or criminal legal proceeding
25 related to or derived from domestic or sexual violence.

26 2. Subject to subsection 5 of this section, an
27 employee working for an employer that employs at least fifty
28 employees shall be entitled to a total of two workweeks of
29 leave under subsection 1 of this section during any twelve-
30 month period. An employee working for an employer that
31 employs at least twenty but not more than forty-nine
32 employees shall be entitled to a total of one workweek of
33 leave under subsection 1 of this section during any twelve-
34 month period. For purposes of this subsection "workweek"
35 shall mean an individual employee's standard workweek. The
36 total number of workweeks to which an employee is entitled
37 shall not decrease during the relevant twelve-month period.
38 Sections 285.625 to 285.670 shall not create a right for an
39 employee to take unpaid leave that exceeds the amount of
40 unpaid leave time allowed under the federal Family and
41 Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

42 3. Leave described in subsection 2 of this section may
43 be taken intermittently or on a reduced work schedule.

44 4. The employee shall provide the employer with at
45 least forty-eight hours' advance notice of the employee's
46 intention to take leave under subsection 1 of this section,
47 unless providing such notice is not practicable. When an
48 unscheduled absence occurs, the employer may not take any
49 action against the employee if the employee, upon request of
50 the employer and within a reasonable period after the
51 absence, provides certification under subsection 5 of this
52 section.

53 5. The employer may require the employee to provide
54 certification to the employer that the employee or the
55 employee's family or household member is a victim of
56 domestic or sexual violence and that the leave is for one of

the purposes enumerated in subsection 1 of this section.
The employee shall provide such certification to the
employer within a reasonable period after the employer
requests certification.

6. An employee may satisfy the certification
requirement of subsection 5 of this section by providing to
the employer a sworn statement of the employee and the
following:

(1) Documentation from an employee, agent, or
volunteer of a victim services organization, an attorney, a
member of the clergy, or a medical or other professional
from whom the employee or the employee's family or household
member has sought assistance in addressing domestic violence
or sexual violence and the effects of such violence;

(2) A police or court record; or

(3) Other corroborating evidence.

7. All information provided to the employer pursuant
to subsection 6 of this section including a statement of the
employee or any other documentation, record, or
corroborating evidence, and the fact that the employee has
requested or obtained leave pursuant to this section, shall
be retained in the strictest confidence by the employer,
except to the extent that disclosure is requested or
consented to in writing by the employee or otherwise
required by applicable federal or state law.

8. Any employee who takes leave under this section
shall be entitled, on return from such leave, to be restored
by the employer to the position of employment held by the
employee when the leave commenced or an equivalent position
with equivalent employment benefits, pay, and other terms
and conditions of employment.

9. The taking of leave under this section shall not
result in the loss of any employment benefit accrued prior

90 to the date on which the leave commenced. Nothing in this
91 section shall be construed to entitle any restored employee
92 to the accrual of any seniority or employment benefits
93 during any period of leave or any right, benefit, or
94 position of employment other than any right, benefit, or
95 position to which the employee would have been entitled had
96 the employee not taken the leave. Nothing in this section
97 shall be construed to prohibit an employer from requiring an
98 employee on leave under this section to report periodically
99 to the employer on the status and intention of the employee
100 to return to work.

101 10. Upon the request of an employer, an employee
102 requesting a reasonable safety accommodation pursuant to
103 sections 285.625 to 285.670, shall provide the employer a
104 written statement signed by the employee or an individual
105 acting on the employee's behalf, certifying that the
106 reasonable safety accommodation is for a purpose authorized
107 under sections 285.625 to 285.670.

285.635. 1. During any period that an employee takes
2 leave under section 285.630, the employer shall maintain
3 coverage for the employee and any family or household member
4 under any group health plan for the duration of such leave
5 at the level and under the conditions coverage would have
6 been provided if the employee had continued in employment
7 continuously for the duration of such leave.

2. The employer may recover from the employee the
9 premium that the employer paid for maintaining coverage for
10 the employee and the employee's family or household member
11 under such group health plan during any period of leave
12 under this section if the employee fails to return from
13 leave after the period of leave to which the employee is
14 entitled has expired for a reason other than the
15 continuation, recurrence, or onset of domestic violence,

16 sexual violence, abuse, a sexual assault, or human
17 trafficking that entitled the employee to leave under
18 section 285.630, or other circumstances beyond the control
19 of the employee.

20 3. An employer may require an employee who claims that
21 the employee is unable to return to work because of a reason
22 described in subsection 2 of this section to provide, within
23 a reasonable period after making the claim, certification to
24 the employer that the employee is unable to return to work
25 because of that reason by providing the employer with:

26 (1) A sworn statement of the employee;

27 (2) Documentation from an employee, agent, or
28 volunteer of a victim services organization, an attorney, a
29 member of the clergy, or a medical or other professional
30 from whom the employee has sought assistance in addressing
31 domestic or sexual violence and the effects of such violence;

32 (3) A police or court record; or

33 (4) Other corroborating evidence.

34 4. All information provided to the employer pursuant
35 to subsection 3 of this section including a statement of the
36 employee or any other documentation, record, or
37 corroborating evidence, and the fact that the employee is
38 not returning to work because of a reason described in
39 subsection 2 of this section shall be retained in the
40 strictest confidence by the employer, except to the extent
41 that disclosure is requested or consented to in writing by
42 the employee, or otherwise required by applicable federal or
43 state law.

285.650. 1. Employers and public agencies shall make
2 reasonable safety accommodations, in a timely manner, to the
3 known limitations resulting from circumstances relating to
4 being a victim of domestic or sexual violence or a family or

5 household member being a victim of domestic or sexual
6 violence of an otherwise qualified individual:

7 (1) Who is:

8 (a) An employee of the employer; or

9 (b) An applicant for or recipient of public assistance
10 from a public agency; and

11 (2) Who is:

12 (a) A victim of domestic or sexual violence; or

13 (b) With a family or household member who is a victim
14 of domestic or sexual violence whose interests are not
15 adverse to the individual in this subdivision as it relates
16 to the domestic violence, sexual violence, or abuse;

17 2. Subsection 1 of this section shall not apply if the
18 employer or public agency can demonstrate that the
19 accommodation would impose an undue hardship on the
20 operation of the employer or public agency.

285.665. Every employer subject to sections 285.625 to
2 285.670 shall deliver a notice, to be prepared or approved
3 by the director, summarizing the requirements of sections
4 285.625 to 285.670. Such notice may be in electronic form
5 and shall be delivered to each person employed by the
6 employer no later than October 27, 2021, and for each person
7 hired after October 27, 2021, such notice shall be delivered
8 upon the commencement of employment. The director shall
9 furnish copies of summaries and rules to employers upon
10 request without charge.

285.670. 1. Nothing in sections 285.625 to 285.670
2 shall be construed to supersede any provision of any
3 federal, state, or local law, collective bargaining
4 agreement, or employment benefits program or plan that
5 provides:

6 (1) Greater leave benefits for victims of domestic or
7 sexual violence than the rights established under sections
8 285.625 to 285.670; or

9 (2) Leave benefits for a larger population of victims
10 of domestic or sexual violence, as defined in such law,
11 agreement, program, or plan, than the victims of domestic or
12 sexual violence covered under sections 285.625 to 285.670.

13 2. The rights and remedies established for applicants
14 and employees who are victims of domestic or sexual violence
15 and applicants and employees with a family or household
16 member who is a victim of domestic or sexual violence under
17 sections 285.625 to 285.670 shall not be diminished by any
18 federal, state, or local law, collective bargaining
19 agreement, or employment benefits program or plan.

376.1228. 1. For purposes of this section, the terms
2 "health carrier" and "health benefit plan" shall have the
3 same meanings given to the terms under section 376.1350, and
4 the term "hearing aid" shall have the same meaning given to
5 the term under section 345.015.

6 2. Each health carrier or health benefit plan that
7 offers or issues health benefit plans that are delivered,
8 issued for delivery, continued, or renewed in this state on
9 or after January 1, 2022, shall, at a minimum, provide
10 coverage to children under eighteen years of age for all
11 hearing aids covered for children who receive MO HealthNet
12 benefits under section 208.151.

13 3. The provisions of this section shall not apply to a
14 supplemental insurance policy, including a life care
15 contract, accident-only policy, specified disease policy,
16 hospital policy providing a fixed daily benefit only,
17 Medicare supplement policy, long-term care policy, short-
18 term major medical policies of six months' or less duration,

19 or any other supplemental policy as determined by the
20 director of the department of commerce and insurance.

21 4. Any additional costs to the state created under the
22 provisions of this section shall be subject to
23 appropriation. If any agency of the federal government
24 determines that this section violates 42 U.S.C. Section
25 18116 relating to nondiscrimination, the provisions of this
26 section shall be null and void.

452.410. 1. Except as provided in subsection 2 of
2 this section, the court shall not modify a prior custody
3 decree unless it has jurisdiction under the provisions of
4 section [452.450] 452.745 and it finds, upon the basis of
5 facts that have arisen since the prior decree or that were
6 unknown to the court at the time of the prior decree, that a
7 change has occurred in the circumstances of the child or his
8 custodian and that the modification is necessary to serve
9 the best interests of the child. Notwithstanding any other
10 provision of this section or sections 452.375 and 452.400 to
11 the contrary, any custody order entered by any court in this
12 state or any other state [prior to August 13, 1984,] may,
13 subject to jurisdictional requirements, be modified to allow
14 for joint custody or visitation only in accordance with
15 section 452.375, [without any further showing] 452.400,
16 452.402, or 452.403.

17 2. If either parent files a motion to modify an award
18 of joint legal custody or joint physical custody, each party
19 shall be entitled to a change of judge as provided by
20 supreme court rule.

Section B. Because of the need to preserve safe and
2 adequate access to educational opportunities for Missouri
3 children the repeal and reenactment of section 210.201 of
4 this act is deemed necessary for the immediate preservation
5 of the public health, welfare, peace, and safety, and is

6 hereby declared to be an emergency act within the meaning of
7 the constitution, and the repeal and reenactment of section
8 210.201 of this act shall be in full force and effect upon
9 its passage and approval.