

SECOND REGULAR SESSION

# SENATE BILL NO. 811

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

4009S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 21.771, 191.332, 210.109, 210.112, 210.135, 210.140, 210.147, 210.762, 211.081, 566.151, and 567.030, RSMo, and to enact in lieu thereof twelve new sections relating to child protection, with penalty provisions.

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

Section A. Sections 21.771, 191.332, 210.109, 210.112,  
2 210.135, 210.140, 210.147, 210.762, 211.081, 566.151, and  
3 567.030, RSMo, are repealed and twelve new sections enacted in  
4 lieu thereof, to be known as sections 21.771, 191.332, 210.109,  
5 210.112, 210.135, 210.140, 210.147, 210.715, 210.762, 211.081,  
6 566.151, and 567.030, to read as follows:

21.771. 1. There is established a joint committee of  
2 the general assembly to be known as the "Joint Committee on  
3 Child Abuse and Neglect" to be composed of seven members of  
4 the senate and seven members of the house of  
5 representatives. The senate members of the joint committee  
6 shall be appointed by the president pro tem and minority  
7 floor leader of the senate and the house members shall be  
8 appointed by the speaker and minority floor leader of the  
9 house of representatives. The appointment of each member  
10 shall continue during the member's term of office as a  
11 member of the general assembly or until a successor has been  
12 appointed to fill the member's place. No party shall be  
13 represented by more than four members from the house of  
14 representatives nor more than four members from the senate.

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

15 A majority of the committee shall constitute a quorum, but  
16 the concurrence of a majority of the members shall be  
17 required for the determination of any matter within the  
18 committee's duties.

19 2. The joint committee shall:

20 (1) Make a continuing study and analysis of the state  
21 child abuse and neglect reporting and investigation system;

22 (2) Devise a plan for improving the structured  
23 decision making regarding the removal of a child from a home;

24 (3) Determine the additional personnel and resources  
25 necessary to adequately protect the children of this state  
26 and improve their welfare and the welfare of families;

27 (4) Address the need for additional foster care homes  
28 and to improve the quality of care provided to abused and  
29 neglected children in the custody of the state;

30 (5) Determine from its study and analysis the need for  
31 changes in statutory law;

32 (6) Make any other recommendation to the general  
33 assembly necessary to provide adequate protections for the  
34 children of our state; and

35 (7) Make recommendations on how to improve abuse and  
36 neglect proceedings including examining the role of the  
37 judge, children's division, the juvenile officer, the  
38 guardian ad litem, and the foster parents.

39 3. The joint committee shall meet within thirty days  
40 after its creation and organize by selecting a chairperson  
41 and a vice chairperson, one of whom shall be a member of the  
42 senate and the other a member of the house of  
43 representatives. The chairperson shall alternate between  
44 members of the house and senate every two years after the  
45 committee's organization.

46           4. The committee shall meet at least quarterly. The  
47 committee may meet at locations other than Jefferson City  
48 when the committee deems it necessary.

49           5. The committee shall be staffed by legislative  
50 personnel as is deemed necessary to assist the committee in  
51 the performance of its duties.

52           6. The members of the committee shall serve without  
53 compensation but shall be entitled to reimbursement for  
54 actual and necessary expenses incurred in the performance of  
55 their official duties.

56           7. It shall be the duty of the committee to compile a  
57 full report of its activities for submission to the general  
58 assembly. The report shall be submitted not later than the  
59 fifteenth of January of each year in which the general  
60 assembly convenes in regular session and shall include any  
61 recommendations which the committee may have for legislative  
62 action as well as any recommendations for administrative or  
63 procedural changes in the internal management or  
64 organization of state or local government agencies and  
65 departments. Copies of the report containing such  
66 recommendations shall be sent to the appropriate directors  
67 of state or local government agencies or departments  
68 included in the report.

69           [8. The provisions of this section shall expire on  
70 January 15, 2023.]

191.332. 1. By January 1, 2002, the department of  
2 health and senior services shall, subject to appropriations,  
3 expand the newborn screening requirements in section 191.331  
4 to include potentially treatable or manageable disorders,  
5 which may include but are not limited to cystic fibrosis,  
6 galactosemia, biotinidase deficiency, congenital adrenal  
7 hyperplasia, maple syrup urine disease (MSUD) and other

8 amino acid disorders, glucose-6-phosphate dehydrogenase  
9 deficiency (G-6-PD), MCAD and other fatty acid oxidation  
10 disorders, methylmalonic acidemia, propionic acidemia,  
11 isovaleric acidemia and glutaric acidemia Type I.

12 2. By January 1, 2017, the department of health and  
13 senior services shall, subject to appropriations, expand the  
14 newborn screening requirements in section 191.331 to include  
15 severe combined immunodeficiency (SCID), also known as  
16 bubble boy disease. The department may increase the fee  
17 authorized under subsection 6 of section 191.331 to cover  
18 any additional costs of the expanded newborn screening  
19 requirements under this subsection.

20 3. By January 1, 2019, the department of health and  
21 senior services shall, subject to appropriations, expand the  
22 newborn screening requirements in section 191.331 to include  
23 spinal muscular atrophy (SMA) and Hunter syndrome (MPS II).  
24 The department may increase the fee authorized under  
25 subsection 6 of section 191.331 to cover any additional  
26 costs of the expanded newborn screening requirements under  
27 this subsection. To help fund initial costs incurred by the  
28 state, the department shall apply for available newborn  
29 screening grant funding specific to screening for spinal  
30 muscular atrophy and Hunter syndrome. The department shall  
31 have discretion in accepting the terms of such grants.

32 4. **By January 1, 2025, the department of health and**  
33 **senior services shall, subject to appropriations, expand the**  
34 **newborn screening requirements in section 191.331 to include**  
35 **metachromatic leukodystrophy (MLD). The department may**  
36 **increase the fee authorized under subsection 6 of section**  
37 **191.331 to cover any additional costs of the expanded**  
38 **newborn screening requirements under this subsection.**

39           5. The department of health and senior services may  
40 promulgate rules to implement the provisions of this  
41 section. No rule or portion of a rule promulgated pursuant  
42 to the authority of this section shall become effective  
43 unless it has been promulgated pursuant to chapter 536.

          210.109. 1. The children's division shall establish a  
2 child protection system for the entire state.

3           2. The child protection system shall promote the  
4 safety of children and the integrity and preservation of  
5 their families by conducting investigations or family  
6 assessments and providing services in response to reports of  
7 child abuse or neglect. The system shall coordinate  
8 community resources and provide assistance or services to  
9 children and families identified to be at risk, and to  
10 prevent and remedy child abuse and neglect.

11           3. In addition to any duties specified in section  
12 210.145, in implementing the child protection system, the  
13 division shall:

14           (1) Maintain a central registry;

15           (2) Receive reports and establish and maintain an  
16 information system operating at all times, capable of  
17 receiving and maintaining reports;

18           (3) Attempt to obtain the name and address of any  
19 person making a report in all cases, after obtaining  
20 relevant information regarding the alleged abuse or neglect,  
21 although reports may be made anonymously; except that,  
22 reports by mandatory reporters under section 210.115,  
23 including employees of the children's division, juvenile  
24 officers, and school personnel shall not be made  
25 anonymously, provided that the reporter shall be informed,  
26 at the time of the report, that the reporter's name and any  
27 other personally identifiable information shall be held as

28 confidential and shall not be made public as provided under  
29 this section and section 211.319;

30 (4) Upon receipt of a report, check with the  
31 information system to determine whether previous reports  
32 have been made regarding actual or suspected abuse or  
33 neglect of the subject child, of any siblings, and the  
34 perpetrator, and relevant dispositional information  
35 regarding such previous reports;

36 (5) Provide protective or preventive services to the  
37 family and child and to others in the home to prevent abuse  
38 or neglect, to safeguard their health and welfare, and to  
39 help preserve and stabilize the family whenever possible.  
40 The juvenile court shall cooperate with the division in  
41 providing such services;

42 (6) Collaborate with the community to identify  
43 comprehensive local services and assure access to those  
44 services for children and families where there is risk of  
45 abuse or neglect;

46 (7) Maintain a record which contains the facts  
47 ascertained which support the determination as well as the  
48 facts that do not support the determination;

49 (8) Whenever available and appropriate, contract for  
50 the provision of children's services through children's  
51 services providers and agencies in the community; except  
52 that the state shall be the sole provider of child abuse and  
53 neglect hotline services, the initial child abuse and  
54 neglect investigation, and the initial family assessment.

55 **To assist in its child abuse and neglect investigation, the**  
56 **division may contract for services designed to ascertain**  
57 **child safety and provide preventative services; provided**  
58 **that a contractor providing child safety services for a**  
59 **child shall not also be a placement provider for that**

60 **child.** The division shall attempt to seek input from child  
61 welfare service providers in completing the initial family  
62 assessment. In all legal proceedings involving children in  
63 the custody of the division, the division shall be  
64 represented in court by either division personnel or persons  
65 with whom the division contracts with for such legal  
66 representation. All children's services providers and  
67 agencies shall be subject to criminal background checks  
68 pursuant to chapter 43 and shall submit names of all  
69 employees to the family care safety registry; and

70 (9) Upon receipt of a report, attempt to ascertain  
71 whether the suspected perpetrator or any person responsible  
72 for the care, custody, and control of the subject child is a  
73 member of any branch of the military, as defined under  
74 section 40.005, or is a member of the Armed Forces, as  
75 defined in section 41.030.

76 As used in this subsection, "report" includes any telephone  
77 call made pursuant to section 210.145.

210.112. 1. It is the policy of this state and its  
2 agencies to implement a foster care and child protection and  
3 welfare system focused on providing the highest quality of  
4 services and outcomes for children and their families. The  
5 department of social services shall implement such system  
6 subject to the following principles:

7 (1) The safety and welfare of children is paramount;

8 (2) All providers of direct services to children and  
9 their families will be evaluated in a uniform, transparent,  
10 objective, and consistent basis based on an evaluation tool  
11 established in this section;

12 (3) Services to children and their families shall be  
13 provided in a timely manner to maximize the opportunity for

14 successful outcomes, and such services shall be tracked and  
15 routinely evaluated through a quality assurance program;

16 (4) Any provider of direct services to children and  
17 families shall have the appropriate and relevant training,  
18 education, and expertise to provide the highest quality of  
19 services possible which shall be consistent with federal and  
20 state standards;

21 (5) Resources and efforts shall be committed to pursue  
22 the best possible opportunity for a successful outcome for  
23 each child. Successful outcomes may include preparing youth  
24 for a productive and successful life as an adult outside the  
25 foster care system, such as independent living. For those  
26 providers that work with children requiring intensive twenty-  
27 four-hour treatment services, successful outcomes shall be  
28 based on the least restrictive alternative possible based on  
29 the child's needs as well as the quality of care received;  
30 and

31 (6) All service providers shall prioritize methods of  
32 reducing or eliminating a child's need for residential  
33 treatment through community-based services and supports.

34 2. (1) In conjunction with the response and  
35 evaluation team established under subsection 3 of this  
36 section, as well as other individuals the division deems  
37 appropriate, the division shall establish an evaluation tool  
38 that complies with state and federal guidelines.

39 (2) The evaluation tool shall include metrics  
40 supporting best practices for case management and service  
41 provision including, but not limited to, the frequency of  
42 face-to-face visits with the child.

43 (3) There shall be a mechanism whereby providers may  
44 propose different evaluation metrics on a case-by-case basis  
45 if such case may have circumstances far beyond those that



would be expected. Such cases shall be evaluated by the response and evaluation team under subsection 3 of this section.

(4) Data regarding all evaluation metrics shall be collected by the division on a monthly basis, and the division shall issue a quarterly report regarding the evaluation data for each provider, both public and private, by county. The response and evaluation team shall determine how to aggregate cases for the division and large contractors so that performance and outcomes may be compared effectively while also protecting confidentiality. Such reports shall be made public and shall include information by county.

(5) The standards and metrics developed through this evaluation tool shall be used to evaluate competitive bids for future contracts established under subsection 4 of this section.

3. The division shall create a response and evaluation team. Membership of the team shall be composed of five staff members from the division with experience in foster care appointed by the director of the division; five representatives, one from each contract region for foster care case management contracts under this section, who shall be annually rotated among contractors in each region, which shall appoint the agency; two experts working in either research or higher education on issues relating to child welfare and foster care appointed by the director of the division and who shall be actively working for either an academic institution or policy foundation; one juvenile officer or a Missouri juvenile justice director to be appointed by the Missouri Juvenile Justice Association; and one juvenile or family court judge appointed by the supreme

78 court. The division shall provide the necessary staffing  
79 for the team's operations. All members shall be appointed  
80 and the team shall meet for the first time before January 1,  
81 2021. The team shall:

82 (1) Review the evaluation tool and metrics set forth  
83 in subsection 2 of this section on a semiannual basis to  
84 determine any adjustments needed or issues that could affect  
85 the quality of such tools and approve or deny on a case-by-  
86 case basis:

87 (a) Cases that a provider feels are anomalous and  
88 should not be part of developing the case management tool  
89 under subsection 2 of this section;

90 (b) Alternative evaluation metrics recommended by  
91 providers based on the best interests of the child under  
92 subsections 2 and 5 of this section; or

93 (c) Review and recommend any structure for incentives  
94 or other reimbursement strategies under subsection 6 of this  
95 section;

96 (2) Develop and execute periodic provider evaluations  
97 of cases managed by the division and children service  
98 providers contracted with the state to provide foster care  
99 case management services, in the field under the evaluation  
100 tool created under subsection 2 of this section to ensure  
101 basic requirements of the program are met, which shall  
102 include, but are not limited to, random file review to  
103 ensure documentation shows required visits and case  
104 management plan notes; and

105 (3) Develop a system for reviewing and working with  
106 providers identified under subdivision (2) of this  
107 subsection or providers who request such assistance from the  
108 division who show signs of performance weakness to ensure  
109 technical assistance and other services are offered to

110 assist the providers in achieving successful outcomes for  
111 their cases.

112 4. The children's division and any other state agency  
113 deemed necessary by the division shall, in consultation with  
114 service providers and other relevant parties, enter into and  
115 implement contracts with qualified children's services  
116 providers and agencies to provide a comprehensive and  
117 deliberate system of service delivery for children and their  
118 families. Contracts shall be awarded through a competitive  
119 process and provided by qualified public and private not-for-  
120 profit or limited liability corporations owned exclusively  
121 by not-for-profit corporations children's services providers  
122 and agencies which have:

123 (1) A proven record of providing child welfare  
124 services within the state of Missouri which shall be  
125 consistent with the federal standards, but not less than the  
126 standards and policies used by the children's division as of  
127 January 1, 2004; and

128 (2) The ability to provide a range of child welfare  
129 services including, but not limited to, case management  
130 services, family-centered services, foster and adoptive  
131 parent recruitment and retention, residential care, in-home  
132 services, foster care services, adoption services, relative  
133 care case management, planned permanent living services, and  
134 family reunification services.

135 No contracts under this section shall be issued for services  
136 related to the child abuse and neglect hotline,  
137 investigations of alleged abuse and neglect, and initial  
138 family assessments, **except for services designed to assist**  
139 **the division in ascertaining child safety and providing**  
140 **preventative services.** Any contracts entered into by the

division shall be in accordance with all federal laws and regulations, and shall seek to maximize federal funding. Children's services providers and agencies under contract with the division shall be subject to all federal, state, and local laws and regulations relating to the provision of such services, and shall be subject to oversight and inspection by appropriate state agencies to assure compliance with standards which shall be consistent with the federal standards.

5. The division shall accept as prima facie evidence of completion of the requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the following nationally recognized bodies: the Council on Accreditation of Services, Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on Accreditation of Rehabilitation Facilities.

6. Payment to the children's services providers and agencies shall be made based on the reasonable costs of services, including responsibilities necessary to execute the contract. Any reimbursement increases made through enhanced appropriations for services shall be allocated to providers regardless of whether the provider is public or private. Such increases shall be considered additive to the existing contracts. In addition to payments reflecting the cost of services, contracts shall include incentives provided in recognition of performance based on the evaluation tool created under subsection 2 of this section and the corresponding savings for the state. The response and evaluation team under subsection 3 of this section shall review a formula to distribute such payments, as recommended by the division.

173           7. The division shall consider immediate actions that  
174 are in the best interests of the children served including,  
175 but not limited to, placing the agency on a corrective plan,  
176 halting new referrals, transferring cases to other  
177 performing providers, or terminating the provider's  
178 contract. The division shall take steps necessary to  
179 evaluate the nature of the issue and act accordingly in the  
180 most timely fashion possible.

181           8. By July 1, 2021, the children's division shall  
182 promulgate and have in effect rules to implement the  
183 provisions of this section and, pursuant to this section,  
184 shall define implementation plans and dates. Any rule or  
185 portion of a rule, as that term is defined in section  
186 536.010, that is created under the authority delegated in  
187 this section shall become effective only if it complies with  
188 and is subject to all of the provisions of chapter 536 and,  
189 if applicable, section 536.028. This section and chapter  
190 536 are nonseverable and if any of the powers vested with  
191 the general assembly pursuant to chapter 536 to review, to  
192 delay the effective date, or to disapprove and annul a rule  
193 are subsequently held unconstitutional, then the grant of  
194 rulemaking authority and any rule proposed or adopted after  
195 August 28, 2004, shall be invalid and void.

210.135. 1. Any person, official, **employee of the**  
2 **department of social services**, or institution complying with  
3 the provisions of sections **[210.110] 210.109** to 210.165 in  
4 the making of a report, the taking of color photographs, or  
5 the making of radiologic examinations pursuant to sections  
6 **[210.110] 210.109** to 210.165, or both such taking of color  
7 photographs and making of radiologic examinations, or the  
8 removal or retaining a child pursuant to sections **[210.110]**  
9 **210.109** to 210.165 **and chapter 211**, or in cooperating with

10 the division, **or cooperating with a qualified individual**  
11 **pursuant to section 210.715**, or any other law enforcement  
12 agency, juvenile office, court, **state agency**, or child-  
13 protective service agency of this or any other state, in any  
14 of the activities pursuant to sections **[210.110] 210.109** to  
15 210.165 **and chapter 211**, or any other allegation of child  
16 abuse, neglect or assault, pursuant to sections 568.045 to  
17 568.060, shall have immunity from any liability, civil or  
18 criminal, that otherwise might result by reason of such  
19 actions. Provided, however, any person, official or  
20 institution intentionally filing a false report, acting in  
21 bad faith, or with ill intent, shall not have immunity from  
22 any liability, civil or criminal. Any such person,  
23 official, or institution shall have the same immunity with  
24 respect to participation in any judicial proceeding  
25 resulting from the report.

26 2. An employee, including a contracted employee, of a  
27 state-funded child assessment center, as provided for in  
28 subsection 2 of section 210.001, shall be immune from any  
29 civil liability that arises from the employee's  
30 participation in the investigation process and services by  
31 the child assessment center, unless such person acted in bad  
32 faith. This subsection shall not displace or limit any  
33 other immunity provided by law.

34 3. Any person, who is not a school district employee,  
35 who makes a report to any employee of the school district of  
36 child abuse by a school employee shall have immunity from  
37 any liability, civil or criminal, that otherwise might  
38 result because of such report. Provided, however, that any  
39 such person who makes a false report, knowing that the  
40 report is false, or who acts in bad faith or with ill intent  
41 in making such report shall not have immunity from any

liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

4. In a case involving the death or serious injury of a child after a report has been made under sections 210.109 to 210.165, the division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the circuit manager or case worker or workers to perform their duties competently is necessary. The preliminary evaluation shall examine:

(1) The hotline worker or workers who took any reports related to such case;

(2) The division case worker or workers assigned to the investigation of such report; and

(3) The circuit manager assigned to the county where the report was investigated.

Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death.

210.140. Any legally recognized privileged communication, except that between attorney and client or involving communications made to a minister or clergyperson, shall not apply to situations involving known or suspected child abuse or neglect and shall not constitute grounds for failure to report as required or permitted by sections [210.110] 210.109 to 210.165, to cooperate with the division in any of its activities pursuant to [sections 210.110 to 210.165] **this chapter, chapter 211, and chapter 453**, or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.

210.147. [1. Except as otherwise provided by law,]

2 All information provided at any family support team meeting  
3 [held in relation to the removal of a child from the child's  
4 home] is confidential; except that:

5 (1) Any parent or party may waive confidentiality for  
6 himself or herself to the extent permitted by law; and

7 (2) Any parent of the child shall have an absolute  
8 right to video and/or audio tape such team meetings to the  
9 extent permitted by law; and

10 (3) No parent or party shall be required to sign a  
11 confidentiality agreement before testifying or providing  
12 information at such team meetings. Any person, other than a  
13 parent or party, who does not agree to maintain  
14 confidentiality of the information provided at such team  
15 meetings may be excluded from all or any portion of such  
16 team meetings during which such person is not testifying or  
17 providing information.

18 [2. The division shall be responsible for developing a  
19 form to be signed at the conclusion of any team meeting held  
20 in relation to a child removed from the home and placed in  
21 the custody of the state that reflects the core commitments  
22 made by the children's division or the convenor of the team  
23 meeting and the parents of the child or any other party.  
24 The content of the form shall be consistent with service  
25 agreements or case plans required by statute, but not the  
26 specific address of the child; whether the child shall  
27 remain in current placement or be moved to a new placement;  
28 visitation schedule for the child's family; and any  
29 additional core commitments. Any dissenting views shall be  
30 recorded and attested to on such form. The parents and any  
31 other party shall be provided with a copy of the signed  
32 document.]



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

(1) "Child", any person in the legal custody of the children's division and over whom the court has maintained jurisdiction;

(2) "Qualified individual", a trained professional or licensed clinician who is not an employee of the children's division and who is not connected to, or affiliated with, any placement setting in which children are placed by the children's division. The children's division shall establish the qualifications of the qualified individual by regulation;

(3) "Qualified residential treatment program" or "QRTP", a program that has met all program requirements for designation as a QRTP, as determined by the children's division;

(4) "Residential setting", a congregate setting that provides twenty-four hour supervision to a child for the purposes of rehabilitative treatment related to emotional and psychiatric needs, learning difficulties, behavioral disorders, trauma histories, or developmental challenges that require a higher level of supervision and treatment than is available in a foster home setting. This setting shall include:

(a) A qualified residential treatment program (QRTP);

(b) A psychiatric residential treatment facility (PRTF); or

(c) A residential care facility licensed by the children's division to provide residential treatment or intensive residential services.

31 Residential settings shall not include emergency shelters,  
32 maternity homes for pregnant or parenting youth, contracted  
33 transitional living settings, and placements licensed or  
34 certified by the division of developmental disabilities  
35 within the department of mental health.

36 2. If a child is placed in a residential setting, the  
37 children's division shall arrange for a qualified individual  
38 to complete an assessment of the child within thirty days of  
39 the start of each placement in a residential setting. The  
40 assessment shall be in writing and shall:

41 (1) Assess the strengths and needs of the child using  
42 an age-appropriate, trauma-informed, evidence-based, and  
43 validated tool approved by the children's division;

44 (2) Assess whether the needs of the child can be met  
45 through placement with family members or in a foster home;

46 (3) Explain why the child's placement in a residential  
47 setting will be the most effective and appropriate level of  
48 care in the least restrictive environment, if the needs of  
49 the child cannot be met with family members or in a foster  
50 home;

51 (4) Describe how that placement is consistent with the  
52 short-term and long-term goals for the child, as specified  
53 in the child's permanency plan; and

54 (5) Develop a list of child-specific short-term and  
55 long-term mental and behavioral health goals.

56 3. The children's division shall assemble a family  
57 support team for the child in accordance with the  
58 requirements of section 210.762. The qualified individual  
59 conducting the assessment shall work in conjunction with the  
60 family of, and family support team for, the child while  
61 conducting and making the assessment.

62           4. Notwithstanding any other provision of law to the  
63 contrary, the qualified individual shall have unlimited  
64 access to any and all records and information pertaining to  
65 the child that the qualified individual determines are  
66 necessary to complete the assessment, including, but not  
67 limited to, medical records, therapy records, psychological  
68 and psychiatric evaluations, educational records, law  
69 enforcement records, and placement history, including  
70 progress reports from such placements.

71           5. The qualified individual shall provide the written  
72 assessment to the children's division. The children's  
73 division shall provide a copy of the assessment to the  
74 parties to the juvenile proceeding, the members of the  
75 family support team, and the court.

76           6. Within sixty days of the start of each placement in  
77 a QRTP, the court shall assess the appropriateness for the  
78 child remaining in the QRTP. A copy of the assessment, as  
79 redacted, shall be admitted into evidence by the court  
80 without further foundation. The court shall make specific  
81 written findings of fact on the record and:

82           (1) Consider the assessment, determination, and  
83 documentation made by the qualified individual conducting  
84 the assessment;

85           (2) Determine whether the needs of the child can be  
86 met through placement in a foster home or, if not, whether  
87 placement of the child in the QRTP provides the most  
88 effective and appropriate level of care for the child in the  
89 least restrictive environment;

90           (3) Determine whether that placement is consistent  
91 with the short-term and long-term goals for the child, as  
92 specified in the permanency plan for the child; and

93           (4) Approve or disapprove the placement.

94           7. The court shall reassess the appropriateness for  
95 the child remaining in a QRTP at every hearing subsequent to  
96 the child's placement in the QRTP and make written findings  
97 of fact as required in subsection 6 of this section until  
98 the child is no longer placed in the QRTP.

99           8. The children's division may promulgate rules,  
100 including emergency rules, to implement the provisions of  
101 this section. Any rule or portion of a rule, as that term  
102 is defined in section 536.010, that is created under the  
103 authority delegated in this section shall become effective  
104 only if it complies with and is subject to all of the  
105 provisions of chapter 536 and, if applicable, section  
106 536.028. This section and chapter 536 are nonseverable and  
107 if any of the powers vested with the general assembly  
108 pursuant to chapter 536 to review, to delay the effective  
109 date, or to disapprove and annul a rule are subsequently  
110 held unconstitutional, then the grant of rulemaking  
111 authority and any rule proposed or adopted after August 28,  
112 2024, shall be invalid and void.

210.762. 1. When a child is taken into custody by a  
2 juvenile officer, **physician**, or law enforcement official  
3 **[under]** pursuant to section 210.125 and comes under the  
4 **jurisdiction of the court pursuant to** subdivision (1) and  
5 **(2)** of subsection 1 of section 211.031 and **[initially]**  
6 placed with the division, the division may make a temporary  
7 placement and shall arrange for a family support team  
8 meeting prior to or within twenty-four hours following the  
9 protective custody hearing held under section 211.032. After  
10 a child is in the division's custody **[and a temporary**  
11 **placement has been made]**, the division shall arrange an  
12 additional family support team meeting prior to taking any  
13 action relating to the placement of such child; except that,

14 when the welfare of a child in the custody of the division  
15 requires an immediate or emergency change of placement, the  
16 division may make a temporary placement and shall schedule a  
17 family support team meeting within seventy-two hours. The  
18 requirement for a family support team meeting shall not  
19 apply when the parent has consented in writing to the  
20 termination of his or her parental rights in conjunction  
21 with a placement in a licensed child-placing agency under  
22 subsection 6 of section 453.010.

23 2. The parents, the legal counsel for the parents, the  
24 foster parents, the legal guardian or custodian of the  
25 child, the guardian ad litem for the child, and the  
26 volunteer advocate, and any designee of the parent that has  
27 written authorization shall be notified and invited to  
28 participate in all family support team meetings. The family  
29 support team meeting may include such other persons whose  
30 attendance at the meeting may assist the team in making  
31 appropriate decisions in the best interests of the child,  
32 **including biological family members and relatives, as**  
33 **appropriate, as well as professionals who are a resource to**  
34 **the family of the child, such as teachers, medical or mental**  
35 **health providers who have treated the child, or clergy. In**  
36 **the case of a child who is age fourteen or older, the family**  
37 **support team shall include the members selected by the**  
38 **child. The division may exclude an individual from a family**  
39 **support team meeting or make alternative arrangements for an**  
40 **individual to express his or her views if an individual**  
41 **becomes disruptive to the meeting.**

42 3. If the division finds that it is not in the best  
43 interest of a child to be placed with relatives, the  
44 division shall make specific findings in the division's  
45 report detailing the reasons why the best interests of the

46 child necessitate placement of the child with persons other  
47 than relatives.

48 [3. The division shall use the form created in  
49 subsection 2 of section 210.147 to be signed upon the  
50 conclusion of the meeting pursuant to subsection 1 of this  
51 section confirming that all involved parties are aware of  
52 the team's decision regarding the custody and placement of  
53 the child. Any dissenting views must be recorded and  
54 attested to on such form.]

55 4. The division shall be responsible for developing a  
56 form to be signed at the conclusion of any team meeting held  
57 in relation to a child removed from the home and placed in  
58 the custody of the state that reflects the core commitments  
59 made by the children's division or the convenor of the team  
60 meeting and the parents of the child or any other party.  
61 The content of the form shall be consistent with service  
62 agreements or case plans required by statute, but not the  
63 specific address of the child; whether the child shall  
64 remain in current placement or be moved to a new placement;  
65 visitation schedule for the child's family; and any  
66 additional core commitments. Any dissenting views shall be  
67 recorded and attested to on such form. The parents and any  
68 other party shall be provided with a copy of the signed  
69 document.

70 [4.] 5. The [case manager] division shall be  
71 responsible for including such form with the case records of  
72 the child.

211.081. 1. Whenever any person informs the juvenile  
2 officer in writing that a child appears to be within the  
3 purview of applicable provisions of section 211.031, the  
4 juvenile officer shall make or cause to be made a  
5 preliminary inquiry to determine the facts and to determine

6 whether or not the interests of the public or of the child  
7 require that further action be taken. On the basis of this  
8 inquiry, the juvenile officer may make such informal  
9 adjustment as is practicable without a petition or file a  
10 petition. Any other provision of this chapter to the  
11 contrary notwithstanding, the juvenile court shall not make  
12 any order for disposition of a child which would place or  
13 commit the child to any location outside the state of  
14 Missouri without first receiving the approval of the  
15 children's division.

16 2. Placement in any [institutional] **residential**  
17 setting, **as defined in section 210.715**, shall represent the  
18 least restrictive appropriate placement for the child and  
19 shall [be recommended based upon a psychological or  
20 psychiatric evaluation or both] **meet all requirements set**  
21 **forth in section 210.715**. Prior to entering any order for  
22 disposition of a child which would order residential  
23 treatment or other services inside the state of Missouri,  
24 the juvenile court shall enter findings which include the  
25 recommendation of the psychological or psychiatric  
26 evaluation or both; and certification from the division  
27 director or designee as to whether a provider or funds or  
28 both are available, including a projection of their future  
29 availability. If the children's division indicates that  
30 funding is not available, the division shall recommend and  
31 make available for placement by the court an alternative  
32 placement for the child. The division shall have the burden  
33 of demonstrating that they have exercised due diligence in  
34 utilizing all available services to carry out the  
35 recommendation of the evaluation team and serve the best  
36 interest of the child. The judge shall not order placement  
37 or an alternative placement with a specific provider but may

38 reasonably designate the scope and type of the services  
39 which shall be provided by the department to the child. **For**  
40 **purposes of this subsection, the word "child" shall have the**  
41 **same meaning as in section 210.715.**

42 3. Obligations of the state incurred under the  
43 provisions of section 211.181 shall not exceed, in any  
44 fiscal year, the amount appropriated for this purpose.

566.151. 1. A person twenty-one years of age or older  
2 commits the offense of enticement of a child if he or she  
3 persuades, solicits, coaxes, entices, or lures whether by  
4 words, actions or through communication via the internet or  
5 any electronic communication, any person who is less than  
6 **[fifteen] seventeen** years of age for the purpose of engaging  
7 in sexual conduct.

8 2. It is not a defense to a prosecution for a  
9 violation of this section that the other person was a peace  
10 officer masquerading as a minor.

11 3. Enticement of a child or an attempt to commit  
12 enticement of a child is a felony for which the authorized  
13 term of imprisonment shall be not less than five years and  
14 not more than thirty years. No person convicted under this  
15 section shall be eligible for parole, probation, conditional  
16 release, or suspended imposition or execution of sentence  
17 for a period of five calendar years.

567.030. 1. A person commits the offense of  
2 patronizing prostitution if he or she:

3 (1) Pursuant to a prior understanding, gives something  
4 of value to another person as compensation for having  
5 engaged in sexual conduct with any person; or

6 (2) Gives or agrees to give something of value to  
7 another person with the understanding that such person or



8 another person will engage in sexual conduct with any  
9 person; or

10 (3) Solicits or requests another person to engage in  
11 sexual conduct with any person in return for something of  
12 value.

13 2. It shall not be a defense that the person believed  
14 that the individual he or she patronized for prostitution  
15 was eighteen years of age or older.

16 3. The offense of patronizing prostitution is a class  
17 B misdemeanor, unless the individual who the person  
18 patronizes is less than eighteen years of age but older than  
19 **[fourteen] fifteen** years of age, in which case patronizing  
20 prostitution is a class E felony.

21 4. The offense of patronizing prostitution is a class  
22 **[D] B** felony if the individual who the person patronizes is  
23 **[fourteen] fifteen** years of age or younger. Nothing in this  
24 section shall preclude the prosecution of an individual for  
25 the offenses of:

26 (1) Statutory rape in the first degree pursuant to  
27 section 566.032;

28 (2) Statutory rape in the second degree pursuant to  
29 section 566.034;

30 (3) Statutory sodomy in the first degree pursuant to  
31 section 566.062; or

32 (4) Statutory sodomy in the second degree pursuant to  
33 section 566.064.

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