

## SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 525

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to child protections required for certain children's homes.

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

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.497, to read as follows:

210.497. 1. (1) In lieu of a license required under this chapter, a child care facility or organization that meets the requirements set forth by a qualified association may register with a qualified association that:

(a) Is a well-established child care organization that has been in place for a minimum of twenty years;

(b) Publishes and requires compliance with the association's written policies and standards for the care of children;

(c) Files copies of the policies and standards with the children's division as required under this section; and

(d) Has a board of directors able to conduct oversight of member organizations.

(2) Registration with a qualified association shall consist of annually filing with the qualified association, on forms provided by the qualified association, the name and address of the facility or organization; the capacity of, and the number of children being cared for in, the facility or organization; the names and addresses of the officers and the board of directors or other governing body of the facility or organization, if applicable; the name of the

owner, operator, director, or person in charge of the facility or organization; and proof that the facility or organization is in compliance with the standards required by applicable state law or local ordinance for fire, safety, health, and sanitary standards and for screening of personnel. A separate registration form shall be filed for each such facility or organization.

(3) A registered facility or organization that meets the requirements set forth by the qualified association may apply to the children's division for eligibility to accept foster children from the division. Each registered facility or organization that accepts foster children shall annually provide to the division the names, ages, and permanent addresses of foster children who are cared for in or by the facility or organization and the children who have been cared for in or by the facility or organization during the past calendar year; the length of child's stay and the nature of child's placement; the names of all personnel; and proof that the facility or organization is in compliance with all applicable regulations promulgated by the division and published minimum standards that are filed with the division. Each facility or organization shall have the responsibility to maintain the relevant information described in this subdivision for privately placed children and to confirm that such facility or organization has done so on the registration application, as well as to confirm that state law shall be followed in the event of an allegation of abuse or neglect.

(4) Upon verification that all requirements for registration have been met, the qualified association shall issue without charge a certificate of registration to the facility or organization. The certificate of registration shall be valid for two years.

2. The standards developed by the qualified association shall ensure child welfare and include clear guidelines for safety, investigational procedures, complaints, allegations of abuse or neglect, local health and safety requirements and written policies, as well as policies on regular background checks for screening employees of participating facilities in addition to any such requirements under state and federal law.

3. Each child served by a facility or organization that registers under this section shall be covered by a written contract executed at the time of admission into the facility or organization or prior to admission between the facility or organization and the parent, legal guardian, or agency having legal custody of the child. The parent, legal guardian, or agency having legal custody of the child shall be given a copy of the contract at the time of its execution, and the facility or organization shall retain the original contract. Each contract shall:

(1) Enumerate the provision of services and accommodations provided by the facility or organization;

(2) State that the facility or organization is registered under the provisions of this section;

(3) Contain the address and telephone number of the qualified association;

(4) Specify the financial charges, if any, to the parent, legal guardian, or agency having legal custody of the child;

(5) Contain a clear statement regarding disciplinary procedures; and

(6) Authorize the owner, operator, director, or person in charge, or his or her designee, of the facility or organization to consent to routine and emergency medical care on behalf of the parent, legal guardian, or agency

having legal custody of the child, provided the owner, operator, director, or person in charge, or his or her designee, of the facility or organization shall immediately notify the parent, legal guardian, or agency having legal custody of the child of medical care being provided on his or her behalf, and provided that the facility or organization shall obtain specific consent for nonemergency medical care from any agency having legal custody of the child when feasible.

A copy of the contract signed by the parent or guardian shall be filed with the qualified association within ten days after the child enters the facility or organization. All contracts between the facility or organization and an agency with legal custody shall be individualized contracts based on assessments of the best interests of each child.

4. (1) There is hereby established the "Child Protection Board" within the department of social services to provide oversight of facilities and organizations registered with qualified associations under this section and to report to the director of the department as needed. The board shall consist of thirteen members. The board shall consist of eleven members appointed by the governor with the advice and consent of the senate, without regard to political affiliation. Two members shall be members of the house of representatives, one from each party appointed by the speaker of the house of representatives. The members of the board shall serve for a term of four years.

(2) The board shall be composed of:

(a) Two foster parents;

(b) A member in a leadership position of a faith-based child care agency, provided that such agency has been in existence at least twenty years;

(c) Five members of faith-based child care agencies;

(d) A member with expertise in nutrition;

(e) A teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education; and

(f) A guardian ad litem.

Faith-based child care agencies, foster care agencies, child welfare associations, mental health organizations, and similar entities may recommend members for appointment.

(3) The board shall hold an annual meeting at which it shall elect from its membership a chair and secretary. The chair may call for additional meetings as may be required, provided that notice of every meeting shall be given to each member at least ten days prior to the date of the meeting.

(4) The board shall establish procedures, provide written opinions and recommendations as to any changes to the standards to the children's division, and provide policy suggestions for improvement to the department of social services and to facilities or organizations.

(5) For any complaint or allegation of child abuse or neglect at a facility or organization in which a facility or organization registered under this section could be aggrieved by the substantiated finding or abuse or neglect by the children's division, the board shall independently review the decision and make recommendations to the division regarding whether any action should be taken affecting the registration of the facility or organization. Nothing in this subdivision shall be construed to deny the state the authority to investigate any allegations of child abuse or neglect.

(6) The board may recommend to the director of the children's division that the director place a participating facility or organization on a corrective action plan or

deny, suspend, or revoke the registration of a participating facility or organization that fails to comply with the standards established by the qualified association or regulations promulgated to implement the provisions of this section.

(7) The director of the children's division may place a participating facility or organization on a corrective action plan or revoke, suspend, or deny a registration of a participating or prospective facility or organization upon the finding that the facility or organization knowingly allowed personnel or other persons subject to background checks under section 210.493 to work, volunteer, or engage in any prohibited activity at the facility or organization without eligibility determinations; violations of the regulations promulgated to implement the provisions of this section; or findings of abuse or neglect occurring within the facility or organization. The director shall retain the decision-making authority to supersede any other recommendation. The director shall not arbitrarily or capriciously revoke, suspend, or deny a registration of a participating or prospective facility or organization. The participating or prospective facility or organization shall retain the right to appeal to the administrative hearing commission for a final determination under chapter 621.

(8) The children's division shall notify the board and the qualified association within ten days of the suspension or revocation of the registration.

(9) The board shall make any other recommendations to participating facilities or organizations and to the children's division as the board deems appropriate.

5. Any facility or organization that meets the requirements of the qualified association may apply for a license under this chapter. A facility or organization that

has applied for and received a license is no longer eligible to operate under the provisions of this section.

6. After a facility or organization obtains a registration under this section, a child shall be allowed to be placed by the children's division within the facility or organization provided the facility or organization complies with the regulations promulgated to implement the provisions of this section.

7. All personnel, whether paid or unpaid, of any facility or organization registered under this section shall undergo background checks as provided under section 210.493.

8. Nothing in this section shall be construed to negate the necessity of facilities that have registered with the qualified association from following applicable state law and local ordinance pertaining to health, safety, and sanitary standards, and for the screening of both paid and unpaid personnel.

9. The children's division shall promulgate regulations to implement the provisions of this section. This section shall not be effective until the regulations are promulgated. These rules shall be promulgated by August 28, 2026.

10. 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,  
2025, shall be invalid and void.