

HCS HB 259 -- DISCLOSURE OF CERTAIN FOSTER CARE LICENSURE INFORMATION

SPONSOR: Largent (Cox)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Children and Families by a vote of 11 to 0.

This substitute changes the laws regarding the disclosure of certain foster care licensure information. A public governmental body can close meetings, records, and votes if they relate to personal information obtained in the process of licensing a foster home. The Division of Family Services within the Department of Social Services must make a report available for each foster home that is licensed and for each foster home renewing an existing license which includes:

- (1) The names of all persons 18 years of age or older licensed to operate the foster home;
- (2) A description of the background investigation conducted on all persons operating or maintaining the foster home including certain specified documentation;
- (3) A description of all concerns raised during the background investigation and foster home licensure process and how those concerns were resolved;
- (4) A description of a person's ability to perform the minimum competency requirements of a foster parent; and
- (5) A list of all references provided by each person, stating the reference's name, how and when the reference was contacted, and a brief description of the reference's opinion of the person.

The report must not contain the address of any residence or any personal information not otherwise required which could be used by another to threaten, harm, harass, or embarrass any person.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROponents: Supporters say that the bill deals with the Open Meetings and Records Law, commonly known as the Sunshine Law, and the people involved in the foster care program. In the foster care application process, the Sunshine Law does not limit specifically the information that must be provided to become licensed. There is no reason an applicant should be required to provide certain personal information, but the agency needs to investigate applicants thoroughly. Some of the information

should be confidential. The character trait portion of the application may not be clear enough for a case worker to know what information is needed.

Testifying for the bill were Representative Cox; and Kelly Schultz.

OPPONENTS: Those who oppose the bill say that the public has the right to know about the qualifications of a foster parent. The language of the bill is confusing in some areas particularly whether current foster homes are covered under the bill. Secrecy does not promote accountability.

Testifying against the bill was Missouri Press Association.