

HCS HB 976 -- PROTECTION OF CHILDREN

SPONSOR: Franklin

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Children and Families by a vote of 9 to 0. Voted "Do Pass with HCS" by the Select Committee on Social Services by a vote of 10 to 0.

IMMUNIZATION OF CHILDREN (Section 210.003, RSMo.)

This bill requires all public, private, and parochial day care centers, preschools, and nursery schools to notify the parent or guardian of each child at the time of initial enrollment in or attendance at the facility that he or she may request notice of whether there are children currently enrolled in or attending the facility that have an immunization exemption on file. Upon request, the facility must notify the parent or guardian if there are children currently enrolled in or attending the facility that have an immunization exemption on file.

COURT ORDERS REGARDING CHILD ABUSE (Section 210.118)

The bill requires the court clerk to send a certified copy of any judgment or order to the Children's Division within the Department of Social Services when the court finds by a preponderance of the evidence that an individual is responsible for child abuse or neglect and in every case in which a person has pled guilty or has been found guilty of specified crimes involving murder, manslaughter, assault, or sexual offenses against children or an attempt to commit any of the crimes. Upon receipt, the division must list the individual as a perpetrator of child abuse or neglect in its central registry.

REPORTS OF CHILD ABUSE COMMITTED BY JUVENILES (Section 210.148)

The bill specifies that upon the receipt of a hotline report of child abuse or neglect where the subject of the report is any person, less than 14 years of age, who has allegedly committed sexual abuse against another younger child, the Children's Division within the Department of Social Services must immediately communicate the report to the appropriate local office along with any relevant information as may be contained in the information system. Upon receipt of the report and information, the local office must use a family assessment and services approach to respond to the allegation contained in the report.

These provisions cannot prohibit the local office from commencing an investigation if it, at any point in using the family assessment

and services approach, determines that an investigation is required. The investigation must comply with specified provisions and may include requesting assistance from the appropriate law enforcement agency.

SAFE SLEEP PRACTICES (Sections 210.221 and 210.223)

The bill authorizes the Department of Health and Senior Services to approve training concerning the safe sleep recommendations of the American Academy of Pediatrics.

The bill requires all licensed child care facilities that provide care for children less than one year of age to implement and maintain a written safe sleep policy in accordance with the most recent safe sleep recommendations of the academy.

When an infant requires alternative sleep positions or special sleeping arrangements, the facility must be provided with written instructions, signed by the infant's licensed health care provider, detailing the alternative sleep positions or special sleeping arrangements for the infant. The facility must put the infant to sleep in accordance with the written instructions.

All employees of licensed child care facilities who care for infants less than one year of age are required to successfully complete department-approved training on the most recent safe sleep recommendations of the academy every three years.

The department must establish rules that include:

- (1) Amending any current rules which are not in compliance with the most recent recommendations of the academy, including the rule that permits the use of bumper pads in cribs or playpens;
- (2) Keeping soft or loose bedding away from sleeping infants and out of safe sleep environments; and
- (3) Prohibiting blankets or other soft or loose bedding from being hung on the sides of cribs.

The department may adopt emergency rules to implement these requirements.

COMMUNITY CHILDREN'S SERVICES FUNDS (Section 210.861)

Currently, before taking office an individual elected treasurer by a community children's services fund must furnish a surety bond that meets specified requirements. The bill adds the option of furnishing comparable insurance coverage for theft,

misappropriation, mismanagement, or other acts that otherwise meet the specified requirements for a surety bond under these provisions. The bill prohibits the state legislature from mandating the board to expend funds without a majority vote of the county or city not within a county. The bill prohibits any county or city not within a county where voters have approved the levy of a tax under these provisions from adding services in addition to those currently permitted by the provisions of the bill at the time the levy is approved by voters unless the voters approve the additional services.

These provisions contain an emergency clause.

PROPONENTS: Supporters say that parents were asking about whether children at their kid's child care facility have filed immunization exemptions and child care centers were not sure if they could provide an answer. This bill clarifies the issue and specifically allows notice that another child has an immunization exemption on file if a parent desires the notice. Ultimately, it is a safety issue for any child who is under one year of age and who cannot be fully vaccinated. The bill provides parents the ability to make an informed decision that is in the best interest of their child.

Testifying for the bill were Representative Franklin; Brad Bates; Missouri Children's Leadership Council; Lutheran Family & Children's Services; and Regina Weir, Mid American Immunization Coalition.

OPPONENTS: There was no opposition voiced to the committee.