

HCS HB 976 -- PROTECTION OF CHILDREN (Franklin)

COMMITTEE OF ORIGIN: Standing Committee on Children and Families

This bill changes the laws regarding the protection of children.

IMMUNIZATION OF CHILDREN (Section 210.003, RSMo)

The 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. Beginning December 1, 2015, all public, private, and parochial day care centers, preschools, and nursery schools must notify the parent or guardian of each child currently enrolled in or attending the facility that the parent or guardian may request notice of whether there are children currently enrolled in or attending the facility for whom an immunization exemption has been filed. 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, under 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 or any volunteer who may be assisting at the facility 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 board must not be mandated to expend funds by an act of state legislation without a majority vote of the county or St. Louis City. The bill prohibits any county or St. Louis City in which 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 in the same manner as the original levy was approved.

The bill contains an emergency clause.