

## HCS SCS SB 341 -- PROTECTION OF VULNERABLE PERSONS

This bill changes the laws regarding the protection of vulnerable persons.

### OFFICE OF CHILD ADVOCATE (Section 37.719, RSMo)

The bill authorizes the Office of Child Advocate to conduct an independent review of any entity within a county that has experienced three or more review requests in a year, including the children's division, juvenile office, or guardian ad litem. The office must have the authority to make the necessary inquiries and review relevant information and records as it deems necessary. The office may make recommendations on changes to any entity's policies and procedures in order to improve the delivery of services or the function of the entity. Upon completion of a review, the office must submit any findings and recommendations to the Office of State Courts Administrator and the Children's Division within the Department of Social Services.

### CHILD ABUSE AND NEGLECT HOTLINE POSTERS (Section 160.975)

The bill requires each public school and charter school to post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and in Spanish that contains the toll-free child abuse and neglect hotline number established by the Children's Division. Each school must post signs containing the same information in all student restrooms in the school, to allow for private access to the information by students of either gender. The information contained on the signs must be presented on a poster at least 11 inches by 17 inches in size, contain large print, and be placed at eye level to the student for easy viewing. The hotline number must be displayed in bold print, and the signs must contain instructions to call 911 for emergencies and directions for accessing the division's website for more information on reporting abuse, neglect, and exploitation. The bill requires the division to create an acronym to help children to remember the hotline number.

### IMMUNIZATION OF CHILDREN (Section 210.003)

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.

#### 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 a person younger than 14 years of age who has allegedly committed sexual abuse against another younger child, the Children's Division 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, at any point in using the family assessment and services approach, it 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 under 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 younger than one year of age or any volunteer who may be assisting at the facility must successfully complete department-approved training on the most recent safe sleep recommendations 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, an individual elected treasurer by the board of directors of a community children's services fund must furnish a surety bond that meets specified requirements before taking office. 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, excluding St. Louis County. The bill prohibits any county, excluding St. Louis 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.

#### ORDERS OF PROTECTION (Sections 455.010 - 455.538)

Current law allows a person, including a child, who has been subject to domestic violence by a family or household member or any person who has been the victim of stalking to be granted an order of protection. The bill allows the courts to also grant an order of protection to a victim of sexual assault.

Currently, in the provisions regarding orders of protection, "sexual assault" is defined as causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress. The bill adds causing or attempting to cause another person to engage involuntarily in a sexual act without that person's consent.