

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 195**  
**99TH GENERAL ASSEMBLY**

0506H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 21.771, 210.110, 210.152, 210.565, and 475.024, RSMo, and to enact in lieu thereof eight new sections relating to child protection, with an emergency clause for certain sections.

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

Section A. Sections 21.771, 210.110, 210.152, 210.565, and 475.024, RSMo, are  
2 repealed and eight new sections enacted in lieu thereof, to be known as sections 21.771, 210.110,  
3 210.152, 210.565, 210.1109, 475.600, 475.602, and 475.604, to read as follows:

21.771. 1. There is established a joint committee of the general assembly to be known  
2 as the "Joint Committee on Child Abuse and Neglect" to be composed of seven members of the  
3 senate and seven members of the house of representatives. The senate members of the joint  
4 committee shall be appointed by the president pro tem and minority floor leader of the senate and  
5 the house members shall be appointed by the speaker and minority floor leader of the house of  
6 representatives. The appointment of each member shall continue during the member's term of  
7 office as a member of the general assembly or until a successor has been appointed to fill the  
8 member's place. No party shall be represented by more than four members from the house of  
9 representatives nor more than four members from the senate. A majority of the committee shall  
10 constitute a quorum, but the concurrence of a majority of the members shall be required for the  
11 determination of any matter within the committee's duties.

12 2. The joint committee shall:

13 (1) Make a continuing study and analysis of the state child abuse and neglect reporting  
14 and investigation system;

15 (2) Devise a plan for improving the structured decision making regarding the removal  
16 of a child from a home;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (3) Determine the additional personnel and resources necessary to adequately protect the  
18 children of this state and improve their welfare and the welfare of families;

19 (4) Address the need for additional foster care homes and to improve the quality of care  
20 provided to abused and neglected children in the custody of the state;

21 (5) Determine from its study and analysis the need for changes in statutory law;

22 (6) Make any other recommendation to the general assembly necessary to provide  
23 adequate protections for the children of our state; and

24 (7) Make recommendations on how to improve abuse and neglect proceedings including  
25 examining the role of the judge, children's division, the juvenile officer, the guardian ad litem,  
26 and the foster parents.

27 3. The joint committee shall meet within thirty days after its creation and organize by  
28 selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and  
29 the other a member of the house of representatives. The chairperson shall alternate between  
30 members of the house and senate every two years after the committee's organization.

31 4. The committee shall meet at least quarterly. The committee may meet at locations  
32 other than Jefferson City when the committee deems it necessary.

33 5. The committee shall be staffed by legislative personnel as is deemed necessary to  
34 assist the committee in the performance of its duties.

35 6. The members of the committee shall serve without compensation but shall be entitled  
36 to reimbursement for actual and necessary expenses incurred in the performance of their official  
37 duties.

38 7. It shall be the duty of the committee to compile a full report of its activities for  
39 submission to the general assembly. The report shall be submitted not later than the fifteenth of  
40 January of each year in which the general assembly convenes in regular session and shall include  
41 any recommendations which the committee may have for legislative action as well as any  
42 recommendations for administrative or procedural changes in the internal management or  
43 organization of state or local government agencies and departments. Copies of the report  
44 containing such recommendations shall be sent to the appropriate directors of state or local  
45 government agencies or departments included in the report.

46 8. The provisions of this section shall expire on ~~January 15, 2018.~~ **January 15, 2023.**  
210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the

2 following terms mean:

3 (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child  
4 other than by accidental means by those responsible for the child's care, custody, and control,  
5 except that discipline including spanking, administered in a reasonable manner, shall not be

6 construed to be abuse. **Victims of abuse shall also include any victims of sex trafficking or**  
7 **severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10);**

8 (2) "Assessment and treatment services for children under ten years old", an approach  
9 to be developed by the children's division which will recognize and treat the specific needs of  
10 at-risk and abused or neglected children under the age of ten. The developmental and medical  
11 assessment may be a broad physical, developmental, and mental health screening to be  
12 completed within thirty days of a child's entry into custody and every six months thereafter as  
13 long as the child remains in care. Screenings may be offered at a centralized location and  
14 include, at a minimum, the following:

15 (a) Complete physical to be performed by a pediatrician familiar with the effects of abuse  
16 and neglect on young children;

17 (b) Developmental, behavioral, and emotional screening in addition to early periodic  
18 screening, diagnosis, and treatment services, including a core set of standardized and recognized  
19 instruments as well as interviews with the child and appropriate caregivers. The screening  
20 battery may be performed by a licensed mental health professional familiar with the effects of  
21 abuse and neglect on young children, who will then serve as the liaison between all service  
22 providers in ensuring that needed services are provided. Such treatment services may include  
23 in-home services, out-of-home placement, intensive twenty-four-hour treatment services, family  
24 counseling, parenting training and other best practices.

25  
26 Children whose screenings indicate an area of concern may complete a comprehensive, in-depth  
27 health, psychodiagnostic, or developmental assessment within sixty days of entry into custody;

28 (3) "Central registry", a registry of persons where the division has found probable cause  
29 to believe prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004,  
30 or a court has substantiated through court adjudication that the individual has committed child  
31 abuse or neglect or the person has pled guilty or has been found guilty of a crime pursuant to  
32 section 565.020, 565.021, 565.023, 565.024, 565.050, 566.030, 566.060, or 567.050 if the victim  
33 is a child less than eighteen years of age, or any other crime pursuant to chapter 566 if the victim  
34 is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older,  
35 a crime under section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, 568.090, 573.023,  
36 573.025, 573.035, 573.037, 573.040, 573.200, or 573.205, or an attempt to commit any such  
37 crimes. Any persons placed on the registry prior to August 28, 2004, shall remain on the registry  
38 for the duration of time required by section 210.152;

39 (4) "Child", any person, regardless of physical or mental condition, under eighteen years  
40 of age;

41 (5) "Children's services providers and agencies", any public, quasi-public, or private  
42 entity with the appropriate and relevant training and expertise in delivering services to children  
43 and their families as determined by the children's division, and capable of providing direct  
44 services and other family services for children in the custody of the children's division or any  
45 such entities or agencies that are receiving state moneys for such services;

46 (6) "Director", the director of the Missouri children's division within the department of  
47 social services;

48 (7) "Division", the Missouri children's division within the department of social services;

49 (8) "Family assessment and services", an approach to be developed by the children's  
50 division which will provide for a prompt assessment of a child who has been reported to the  
51 division as a victim of abuse or neglect by a person responsible for that child's care, custody or  
52 control and of that child's family, including risk of abuse and neglect and, if necessary, the  
53 provision of community-based services to reduce the risk and support the family;

54 (9) "Family support team meeting" or "team meeting", a meeting convened by the  
55 division or children's services provider in behalf of the family and/or child for the purpose of  
56 determining service and treatment needs, determining the need for placement and developing a  
57 plan for reunification or other permanency options, determining the appropriate placement of the  
58 child, evaluating case progress, and establishing and revising the case plan;

59 (10) "Investigation", the collection of physical and verbal evidence to determine if a  
60 child has been abused or neglected;

61 (11) "Jail or detention center personnel", employees and volunteers working in any  
62 premises or institution where incarceration, evaluation, care, treatment or rehabilitation is  
63 provided to persons who are being held under custody of the law;

64 (12) "Neglect", failure to provide, by those responsible for the care, custody, and control  
65 of the child, the proper or necessary support, education as required by law, nutrition or medical,  
66 surgical, or any other care necessary for the child's well-being. **Victims of neglect shall also**  
67 **include any victims of sex trafficking or severe forms of trafficking as those terms are**  
68 **defined in 22 U.S.C. 78 Section 7102(9)-(10);**

69 (13) "Preponderance of the evidence", that degree of evidence that is of greater weight  
70 or more convincing than the evidence which is offered in opposition to it or evidence which as  
71 a whole shows the fact to be proved to be more probable than not;

72 (14) "Probable cause", available facts when viewed in the light of surrounding  
73 circumstances which would cause a reasonable person to believe a child was abused or  
74 neglected;

75 (15) "Report", the communication of an allegation of child abuse or neglect to the  
76 division pursuant to section 210.115;

77 (16) "Those responsible for the care, custody, and control of the child", ~~[those included~~  
 78 ~~but not limited to]~~ **includes, but is not limited to:**

79 (a) The parents or ~~[guardian]~~ **legal guardians** of a child~~[-]~~ ;

80 (b) Other members of the child's household~~[-or]~~ ;

81 (c) Those exercising supervision over a child for any part of a twenty-four-hour day~~[-~~  
 82 ~~Those responsible for the care, custody and control shall also include]~~ ;

83 (d) Any ~~[adult]~~ **person** who~~[-]~~ **has access to the child** based on relationship to the  
 84 parents of the child~~[-]~~ **or** members of the child's household or the family~~[-, has access to the child]~~  
 85 **; or**

86 (e) **Any person who takes control of the child by deception, force, or coercion.**

210.152. 1. All identifying information, including telephone reports reported pursuant  
 2 to section 210.145, relating to reports of abuse or neglect received by the division shall be  
 3 retained by the division and removed from the records of the division as follows:

4 (1) For investigation reports contained in the central registry, identifying information  
 5 shall be retained by the division;

6 (2) (a) For investigation reports initiated against a person required to report pursuant to  
 7 section 210.115, where insufficient evidence of abuse or neglect is found by the division and  
 8 where the division determines the allegation of abuse or neglect was made maliciously, for  
 9 purposes of harassment or in retaliation for the filing of a report by a person required to report,  
 10 identifying information shall be expunged by the division within forty-five days from the  
 11 conclusion of the investigation;

12 (b) For investigation reports, where insufficient evidence of abuse or neglect is found  
 13 by the division and where the division determines the allegation of abuse or neglect was made  
 14 maliciously, for purposes of harassment or in retaliation for the filing of a report, identifying  
 15 information shall be expunged by the division within forty-five days from the conclusion of the  
 16 investigation;

17 (c) For investigation reports initiated by a person required to report under section  
 18 210.115, where insufficient evidence of abuse or neglect is found by the division, identifying  
 19 information shall be retained for five years from the conclusion of the investigation. For all other  
 20 investigation reports where insufficient evidence of abuse or neglect is found by the division,  
 21 identifying information shall be retained for two years from the conclusion of the investigation.  
 22 Such reports shall include any exculpatory evidence known by the division, including  
 23 exculpatory evidence obtained after the closing of the case. At the end of such time period, the  
 24 identifying information shall be removed from the records of the division and destroyed;

25 (d) **For investigation reports where the identification of the specific perpetrator or**  
 26 **perpetrators cannot be substantiated and the division has specific evidence to determine**

27 **that a child was abused or neglected, the division shall retain the report and all identifying**  
28 **information but shall not place an unknown perpetrator on the central registry. The**  
29 **division shall retain all identifying information for the purpose of utilizing such**  
30 **information in subsequent investigations or family assessments of the same child, the**  
31 **child's family, or members of the child's household. The division shall retain and disclose**  
32 **information and findings in the same manner as the division retains and discloses family**  
33 **assessments. If the division made a finding of abuse or neglect against an unknown**  
34 **perpetrator prior to August 28, 2017, the division shall remove the unknown perpetrator**  
35 **from the central registry but shall retain and utilize all identifying information as**  
36 **otherwise provided in this section;**

37 (3) For reports where the division uses the family assessment and services approach,  
38 identifying information shall be retained by the division;

39 (4) For reports in which the division is unable to locate the child alleged to have been  
40 abused or neglected, identifying information shall be retained for ten years from the date of the  
41 report and then shall be removed from the records of the division.

42 2. Within ninety days, or within one hundred twenty days in cases involving sexual  
43 abuse, or until the division's investigation is complete in cases involving a child fatality or near-  
44 fatality, after receipt of a report of abuse or neglect that is investigated, the alleged perpetrator  
45 named in the report and the parents of the child named in the report, if the alleged perpetrator is  
46 not a parent, shall be notified in writing of any determination made by the division based on the  
47 investigation. The notice shall advise either:

48 (1) That the division has determined by a probable cause finding prior to August 28,  
49 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists  
50 and that the division shall retain all identifying information regarding the abuse or neglect; that  
51 such information shall remain confidential and will not be released except to law enforcement  
52 agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged  
53 perpetrator has sixty days from the date of receipt of the notice to seek reversal of the division's  
54 determination through a review by the child abuse and neglect review board as provided in  
55 subsection 4 of this section; ~~or~~

56 (2) That the division has not made a probable cause finding or determined by a  
57 preponderance of the evidence that abuse or neglect exists; **or**

58 **(3) The division has been unable to determine the identity of the perpetrator of the**  
59 **abuse or neglect. The notice shall also inform the child's parents and legal guardian that**  
60 **the division shall retain, utilize, and disclose all information and findings as provided in**  
61 **family assessment and services cases.**

62           3. The children's division may reopen a case for review ~~[at the request of the alleged~~  
63 ~~perpetrator, the alleged victim, or the office of the child advocate]~~ if new, specific, and credible  
64 evidence is obtained ~~[that the division's decision was based on fraud or misrepresentation of~~  
65 ~~material facts relevant to the division's decision and there is credible evidence that absent such~~  
66 ~~fraud or misrepresentation the division's decision would have been different. If the alleged~~  
67 ~~victim is under the age of eighteen, the request for review may be made by the alleged victim's~~  
68 ~~parent, legal custodian, or legal guardian. All requests to reopen an investigation for review shall~~  
69 ~~be made within a reasonable time and not more than one year after the children's division made~~  
70 ~~its decision. The division shall not reopen a case for review based on any information which the~~  
71 ~~person requesting the review knew, should have known, or could by the exercise of reasonable~~  
72 ~~care have known before the date of the division's final decision in the case, unless the person~~  
73 ~~requesting the review shows by a preponderance of the evidence that he or she could not have~~  
74 ~~provided such information to the division before the date of the division's final decision in the~~  
75 ~~case. Any person, other than the office of the child advocate, who makes a request to reopen a~~  
76 ~~case for review based on facts which the person knows to be false or misleading or who acts in~~  
77 ~~bad faith or with the intent to harass the alleged victim or perpetrator shall not have immunity~~  
78 ~~from any liability, civil or criminal, for providing the information and requesting that the division~~  
79 ~~reopen the investigation. Any person who makes a request to reopen an investigation based on~~  
80 ~~facts which the person knows to be false shall be guilty of a class A misdemeanor. The~~  
81 ~~children's division shall not reopen an investigation under any circumstances while the case is~~  
82 ~~pending before a court of this state nor when a court has entered a final judgment after de novo~~  
83 ~~judicial review pursuant to this section].~~

84           4. Any person named in an investigation as a perpetrator who is aggrieved by a  
85 determination of abuse or neglect by the division as provided in this section may seek an  
86 administrative review by the child abuse and neglect review board pursuant to the provisions of  
87 section 210.153. Such request for review shall be made within sixty days of notification of the  
88 division's decision under this section. In those cases where criminal charges arising out of facts  
89 of the investigation are pending, the request for review shall be made within sixty days from the  
90 court's final disposition or dismissal of the charges.

91           5. In any such action for administrative review, the child abuse and neglect review board  
92 shall sustain the division's determination if such determination was supported by evidence of  
93 probable cause prior to August 28, 2004, or is supported by a preponderance of the evidence after  
94 August 28, 2004, and is not against the weight of such evidence. The child abuse and neglect  
95 review board hearing shall be closed to all persons except the parties, their attorneys and those  
96 persons providing testimony on behalf of the parties.

97           6. If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect  
98 review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the  
99 county in which the alleged perpetrator resides and in circuits with split venue, in the venue in  
100 which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a  
101 resident of the state, proper venue shall be in Cole County. The case may be assigned to the  
102 family court division where such a division has been established. The request for a judicial  
103 review shall be made within sixty days of notification of the decision of the child abuse and  
104 neglect review board decision. In reviewing such decisions, the circuit court shall provide the  
105 alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator may  
106 subpoena any witnesses except the alleged victim or the reporter. However, the circuit court  
107 shall have the discretion to allow the parties to submit the case upon a stipulated record.

108           7. In any such action for administrative review, the child abuse and neglect review board  
109 shall notify the child or the parent, guardian or legal representative of the child that a review has  
110 been requested.

210.565. 1. Whenever a child is placed in a foster home and the court has determined  
2 pursuant to subsection 4 of this section that foster home placement with relatives is not contrary  
3 to the best interest of the child, the children's division shall give foster home placement to  
4 relatives of the child. Notwithstanding any rule of the division to the contrary, the children's  
5 division shall make diligent efforts to locate the grandparents of the child and determine whether  
6 they wish to be considered for placement of the child. Grandparents who request consideration  
7 shall be given preference and first consideration for foster home placement of the child. If more  
8 than one grandparent requests consideration, the family support team shall make  
9 recommendations to the juvenile or family court about which grandparent should be considered  
10 for placement.

11           2. As used in this section, the term "relative" means a grandparent or any other person  
12 related to another by blood or affinity [~~within the third degree~~] **or a person who is not so**  
13 **related to the child but has a close relationship with the child or the child's family.** The  
14 status of a grandparent shall not be affected by the death or the dissolution of the marriage of a  
15 son or daughter.

16           3. The following shall be the order or preference for placement of a child under this  
17 section:

18           (1) Grandparents [~~and~~] ;

19           (2) Relatives **related by blood or affinity within the third degree;**

20           [~~(2) A trusted adult that has a preexisting relationship with the child, such as a godparent,~~  
21 ~~teacher, neighbor, or fellow parishioner who voluntarily agrees to care for the child; and]~~

22           (3) **Other relatives; and**



23 (4) Any foster parent who is currently licensed and capable of accepting placement of  
24 the child.

25 4. The preference for placement and first consideration for grandparents or preference  
26 for placement with other relatives created by this section shall only apply where the court finds  
27 that placement with such grandparents or other relatives is not contrary to the best interest of the  
28 child considering all circumstances. If the court finds that it is contrary to the best interest of a  
29 child to be placed with grandparents or other relatives, the court shall make specific findings on  
30 the record detailing the reasons why the best interests of the child necessitate placement of the  
31 child with persons other than grandparents or other relatives.

32 5. Recognizing the critical nature of sibling bonds for children, the children's division  
33 shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or  
34 adoptive placement, unless doing so would be contrary to the safety or well-being of any of the  
35 siblings. If siblings are not placed together, the children's division shall make reasonable efforts  
36 to provide frequent visitation or other ongoing interaction between the siblings, unless this  
37 interaction would be contrary to a sibling's safety or well-being.

38 6. The age of the child's grandparent or other relative shall not be the only factor that the  
39 children's division takes into consideration when it makes placement decisions and  
40 recommendations to the court about placing the child with such grandparent or other relative.

41 7. For any Native American child placed in protective custody, the children's division  
42 shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.

43 8. A grandparent or other relative may, on a case-by-case basis, have standards for  
44 licensure not related to safety waived for specific children in care that would otherwise impede  
45 licensing of the grandparent's or relative's home. In addition, any person receiving a preference  
46 may be licensed in an expedited manner if a child is placed under such person's care.

47 9. The guardian ad litem shall ascertain the child's wishes and feelings about his or her  
48 placement by conducting an interview or interviews with the child, if appropriate based on the  
49 child's age and maturity level, which shall be considered as a factor in placement decisions and  
50 recommendations, but shall not supersede the preference for relative placement created by this  
51 section or be contrary to the child's best interests.

**210.1109. During any child protective investigation or assessment that does not  
2 result in an out-of-home placement, if the children's division determines that a child is at  
3 risk for possible removal and placement in out-of-home care, the division shall provide  
4 information to the parent or guardian about community service programs that provide  
5 respite care, voluntary guardianship, or other support services for families in crisis in cases  
6 where such services may address the needs of the family. The children's division is**

7 authorized to exercise its discretion in recommending community service programs  
8 provided to a parent or guardian under this section.

2 475.600. Sections 210.1109, 475.600, 475.602, and 475.604 shall be known and may  
be cited as the "Supporting and Strengthening Families Act".

2 475.602. 1. A parent or legal custodian of a child may, by a properly executed  
power of attorney as provided under section 475.604, delegate to an attorney-in-fact for a  
3 period not to exceed one year, except as provided under subsection 7 of this section, any  
4 of the powers regarding the care and custody of the child, except the power to consent to  
5 marriage or adoption of the child, the performance or inducement of an abortion on or for  
6 the child, or the termination of parental rights to the child. A delegation of powers under  
7 this section shall not be construed to change or modify any parental or legal rights,  
8 obligations, or authority established by an existing court order or deprive the parent or  
9 legal custodian of any parental or legal rights, obligations, or authority regarding the  
10 custody, visitation, or support of the child.

11 2. The parent or legal custodian of the child shall have the authority to revoke or  
12 withdraw the power of attorney authorized in subsection 1 of this section at any time.  
13 Except as provided in subsection 7 of this section, if the delegation of authority lasts longer  
14 than one year, the parent or legal custodian of the child shall execute a new power of  
15 attorney for each additional year that the delegation exists. If a parent withdraws or  
16 revokes the power of attorney, the child shall be returned to the custody of the parents as  
17 soon as reasonably possible.

18 3. Unless the authority is revoked or withdrawn by the parent, the attorney-in-fact  
19 shall exercise parental or legal authority on a continuous basis without compensation for  
20 the duration of the power of attorney authorized by subsection 1 of this section and shall  
21 not be subject to any statutes dealing with the licensing or regulation of foster care homes.

22 4. Except as otherwise provided by law, the execution of a power of attorney by a  
23 parent or legal custodian as authorized in subsection 1 of this section shall not constitute  
24 abandonment, abuse, or neglect as defined in law unless the parent or legal guardian fails  
25 to take custody of the child or execute a new power of attorney after the one-year time limit  
26 has elapsed. However, it shall be a violation of section 453.110 for a parent or legal  
27 custodian to execute a power of attorney with the intention of permanently avoiding or  
28 divesting himself or herself of parental and/or legal responsibility for the care of the child.

29 5. Under a delegation of powers as authorized by subsection 1 of this section, the  
30 child or children subject to the power of attorney shall not be considered placed in foster  
31 care as otherwise defined in law and the parties shall not be subject to any of the

32 requirements or licensing regulations for foster care or other regulations relating to  
33 community care for children.

34         **6. A community service program that offers support services for families in crisis**  
35 **under this section shall ensure that a background check is completed for the attorney-in-**  
36 **fact and any adult members of his or her household prior to the placement of the child.**  
37 **A background check performed under this section shall include:**

38             **(1) A national and state fingerprint-based criminal history check;**

39             **(2) A sex offender registry check; and**

40             **(3) A child abuse and neglect registry, as established pursuant to section 210.109,**  
41 **check.**

42         **7. A parent or legal custodian who is a member of the Armed Forces of the United**  
43 **States including any reserve component thereof, the commissioned corps of the National**  
44 **Oceanic and Atmospheric Administration, the Public Health Service of the United States**  
45 **Department of Health and Human Services detailed by proper authority for duty with the**  
46 **Armed Forces of the United States, or who is required to enter or serve in the active**  
47 **military service of the United States under a call or order of the President of the United**  
48 **States or to serve on state active duty may delegate the powers designated in subsection 1**  
49 **of this section for a period longer than one year if on active duty service. The term of**  
50 **delegation shall not exceed the term of active duty service plus thirty days.**

51         **8. Nothing in this section shall conflict or set aside the preexisting residency**  
52 **requirements under section 167.020. An attorney-in-fact to whom powers are delegated**  
53 **under a power of attorney authorized by this section shall make arrangements to ensure**  
54 **that the child attends classes at an appropriate school based upon residency or waiver of**  
55 **such residency requirements by the school.**

56         **9. As soon as reasonably possible upon execution of a power of attorney for the**  
57 **temporary care of a child as authorized under this section, the child's school shall be**  
58 **notified of the existence of the power of attorney and be provided a copy of the power of**  
59 **attorney as well as the contact information for the attorney-in-fact. While the power of**  
60 **attorney is in force, the school shall communicate with both the attorney-in-fact and any**  
61 **parent or legal custodian with parental or legal rights, obligations, or authority regarding**  
62 **the custody, visitation, or support of the child. The school shall also be notified of the**  
63 **expiration, termination, or revocation of the power of attorney as soon as reasonably**  
64 **possible following such expiration, termination, or revocation and shall no longer**  
65 **communicate with the attorney-in-fact regarding the child upon the receipt of such notice.**

66         **10. No delegation of powers under this section shall operate to modify a child's**  
67 **eligibility for benefits the child is receiving at the time of the execution of the power of**

68 attorney including, but not limited to, eligibility for free or reduced lunch, health care  
 69 costs, or other social services, except as may be inconsistent with federal or state law  
 70 governing the relevant program or benefit.

**475.604. Any form for the delegation of powers authorized under section 475.602 shall be witnessed by a notary public and contain the following information:**

3 (1) The full name of any child for whom parental and legal authority is being  
 4 delegated;

5 (2) The date of birth of any child for whom parental and legal authority is being  
 6 delegated;

7 (3) The full name and signature of the attorney-in-fact;

8 (4) The address and telephone number of the attorney-in-fact;

9 (5) The full name and signature of the parent or legal guardian;

10 (6) One of the following statements:

11 (a) "I delegate to the attorney-in-fact all of my power and authority regarding the  
 12 care, custody, and property of each minor child named above including, but not limited to,  
 13 the right to enroll the child in school, inspect and obtain copies of education and other  
 14 records concerning the child, the right to give or withhold any consent or waiver with  
 15 respect to school activities, medical and dental treatment, and any other activity, function,  
 16 or treatment that may concern the child. This delegation shall not include the power or  
 17 authority to consent to marriage or adoption of the child, the performance or inducement  
 18 of an abortion on or for the child, or the termination of parental rights to the child."; or

19 (b) "I delegate to the attorney-in-fact the following specific powers and  
 20 responsibilities (insert list). This delegation shall not include the power or authority to  
 21 consent to marriage or adoption of the child, the performance or inducement of an  
 22 abortion on or for the child, or the termination of parental rights to the child."; and

23 (7) A description of the time for which the delegation is being made and an  
 24 acknowledgment that the delegation may be revoked at any time.

~~2 [475.024. A parent of a minor, by a properly executed power of attorney,  
 3 may delegate to another individual, for a period not exceeding one year, any of  
 4 his or her powers regarding care or custody of the minor child, except his or her  
 5 power to consent to marriage or adoption of the minor child.]~~

Section B. Because immediate action is necessary to prevent any loss of federal funding  
 2 for child welfare services in Missouri, the repeal and reenactment of sections 210.110 and  
 3 210.152 of section A of this act is deemed necessary for the immediate preservation of the public  
 4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the

5 meaning of the constitution, and the repeal and reenactment of sections 210.110 and 210.152 of  
6 section A of this act shall be in full force and effect upon its passage and approval.

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