

HCS SB 195 -- SUPPORTING AND STRENGTHENING FAMILIES ACT

SPONSOR: Koenig

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 8 to 3.

This bill may be known as the "Supporting and Strengthening Families Act." It provides that during a child protective investigation if the child is at risk for possible removal, the Children's Division shall provide information to the parent about community service programs that provide support services for families in crisis.

Additionally, a parent or legal custodian of a child may delegate to an attorney-in-fact, without compensation, any powers regarding the care and custody of a child for a period not to exceed one year, unless an exception applies as specified in the bill. Such delegation does not change parental or legal rights established by a court order or deprive the parent or legal custodian of any rights regarding child custody, visitation, or support.

A parent who intentionally uses a power of attorney to permanently avoid legal responsibility for the care of the child is guilty of violating current law on transferring child custody without a court order. A child subject to the power of attorney shall not be considered placed in foster care and the parties shall not be subject to any licensing regulations for foster care or community care for children.

Community service programs for families in crisis must conduct a background check of an attorney-in-fact and any adult members of his or her household prior to the placement of the child.

An attorney-in-fact must make arrangements to ensure that the child attends classes at an appropriate school based upon the residency requirements of the school, and the child's school shall be notified of the existence of the power of attorney and be provided a copy of the power of attorney. The delegation of care under the bill shall not modify a child's eligibility for the benefits, such as free or reduced lunch, that the child is receiving at the time of the execution of the power of attorney.

Finally, this bill specifies the information to be included on a form delegating any powers regarding the care and custody of a child under this bill.

This bill is similar to SB 801, HB 1433 (2016), and HB 684 (2015).

PROPONENTS: Supporters say that the bill will help families in a crisis situation by allowing them to give a volunteer host family temporary custody of their children until the crisis is resolved. This can help keep the children from a potentially neglectful situation. Other states have enacted similar legislation and in such states, the number of children entering foster care has been reduced. On average, a child stays with the host family for 44 days. Host families must undergo background checks.

Testifying for the bill was Senator Koenig.

OPPONENTS: Those who oppose the bill say that the host families need more training than is required in the bill. The bill would not allow oversight of families who request a host family, and it may not always be in the best interest of the child to return to their family. The Missouri Kinship Relative Program is similar to this bill, but is much better at keeping children safe.

Testifying against the bill was DeAnna Alenso, Central Missouri Foster Care.