

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 739, Page 4, Section 170.045, Line 28, by
2 inserting after said section and line the following:

3
4 "210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the
5 following terms mean:

6 (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child other
7 than by accidental means by those responsible for the child's care, custody, and control, except that
8 discipline including spanking, administered in a reasonable manner, shall not be construed to be
9 abuse. Victims of abuse shall also include any victims of sex trafficking or severe forms of
10 trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10);

11 (2) "Assessment and treatment services for children", an approach to be developed by the
12 children's division which will recognize and treat the specific needs of at-risk and abused or
13 neglected children. The developmental and medical assessment may be a broad physical,
14 developmental, and mental health screening to be completed within thirty days of a child's entry into
15 custody and in accordance with the periodicity schedule set forth by the American Academy of
16 Pediatrics thereafter as long as the child remains in care. Screenings may be offered at a centralized
17 location and include, at a minimum, the following:

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

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

28
29 Children whose screenings indicate an area of concern may complete a comprehensive, in-depth
30 health, psychodiagnostic, or developmental assessment within sixty days of entry into custody;

31 (3) "Central registry", a registry of persons where the division has found probable cause to
32 believe prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, or a
33 court has substantiated through court adjudication that the individual has committed child abuse or
34 neglect or the person has pled guilty or has been found guilty of a crime pursuant to section 565.020,
35 565.021, 565.023, 565.024, 565.050, 566.030, 566.060, or 567.050 if the victim is a child less than
36 eighteen years of age, or any other crime pursuant to chapter 566 if the victim is a child less than

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1 eight years of age and the perpetrator is twenty-one years of age or older, a crime under section
2 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, 568.090, 573.023, 573.025, 573.035,
3 573.037, 573.040, 573.200, or 573.205, or an attempt to commit any such crimes. Any persons
4 placed on the registry prior to August 28, 2004, shall remain on the registry for the duration of time
5 required by section 210.152;

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

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

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

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

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

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

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

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

31 (12) "Neglect", failure to provide, by those responsible for the care, custody, and control of
32 the child, the proper or necessary support, education as required by law, nutrition or medical,
33 surgical, or any other care necessary for the child's well-being. Victims of neglect shall also include
34 any victims of sex trafficking or severe forms of trafficking as those terms are defined in 22 U.S.C.
35 78 Section 7102(9)-(10);

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

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

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

43 (16) "Those responsible for the care, custody, and control of the child", includes, but is not
44 limited to:

45 (a) The parents or legal guardians of a child;

46 (b) Other members of the child's household;

47 (c) Those exercising supervision over a child for any part of a twenty-four-hour day;

48 (d) Any adult person who has access to the child based on relationship to the parents of the
49 child or members of the child's household or the family; [œ]

1 (e) Any person who takes control of the child by deception, force, or coercion; or
2 (f) School personnel, contractors, and volunteers, if the relationship with the child was
3 established through the school or through school related activities, even if the alleged abuse or
4 neglect occurred outside of school hours or off school grounds."; and

5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.