

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend \_\_\_\_\_ Senate Bill No. 850, Page 1, Section A, Line 2,

2 by inserting after all of said line the following:

3 "210.145. 1. The division shall develop protocols which  
4 give priority to:

5 (1) Ensuring the well-being and safety of the child in  
6 instances where child abuse or neglect has been alleged;

7 (2) Promoting the preservation and reunification of  
8 children and families consistent with state and federal law;

9 (3) Providing due process for those accused of child abuse  
10 or neglect; and

11 (4) Maintaining an information system operating at all  
12 times, capable of receiving and maintaining reports. This  
13 information system shall have the ability to receive reports over  
14 a single, statewide toll-free number. Such information system  
15 shall maintain the results of all investigations, family  
16 assessments and services, and other relevant information.

17 2. The division shall utilize structured decision-making  
18 protocols for classification purposes of all child abuse and  
19 neglect reports. The protocols developed by the division shall  
20 give priority to ensuring the well-being and safety of the child.  
21 All child abuse and neglect reports shall be initiated within

1 twenty-four hours and shall be classified based upon the reported  
2 risk and injury to the child. The division shall promulgate  
3 rules regarding the structured decision-making protocols to be  
4 utilized for all child abuse and neglect reports.

5 3. Upon receipt of a report, the division shall determine  
6 if the report merits investigation, including reports which if  
7 true would constitute a suspected violation of any of the  
8 following: section 565.020, 565.021, 565.023, 565.024, or  
9 565.050 if the victim is a child less than eighteen years of age,  
10 section 566.030 or 566.060 if the victim is a child less than  
11 eighteen years of age, or other crimes under chapter 566 if the  
12 victim is a child less than eighteen years of age and the  
13 perpetrator is twenty-one years of age or older, section 567.050  
14 if the victim is a child less than eighteen years of age, section  
15 568.020, 568.030, 568.045, 568.050, 568.060, 573.200, or 573.205,  
16 section 573.025, 573.035, 573.037, or 573.040, or an attempt to  
17 commit any such crimes. The division shall immediately  
18 communicate all reports that merit investigation to its  
19 appropriate local office and any relevant information as may be  
20 contained in the information system. The local division staff  
21 shall determine, through the use of protocols developed by the  
22 division, whether an investigation or the family assessment and  
23 services approach should be used to respond to the allegation.  
24 The protocols developed by the division shall give priority to  
25 ensuring the well-being and safety of the child.

26 4. The division may accept a report for investigation or  
27 family assessment if either the child or alleged perpetrator  
28 resides in Missouri, may be found in Missouri, or if the incident  
29 occurred in Missouri.

1           5. The division may accept a report if the child has  
2 recently resided in Missouri, but he or she is currently located  
3 in another state and the reported incident occurred outside of  
4 Missouri. If the report appears credible, the division shall  
5 immediately communicate such report to the appropriate agency or  
6 agencies in the state where the child is believed to be located,  
7 along with any relevant information as may be contained in the  
8 division's information system.

9           6. When the child abuse and neglect hotline receives three  
10 or more calls, within a seventy-two hour period, from one or more  
11 individuals concerning the same child, the division shall conduct  
12 a review to determine whether the calls meet the criteria and  
13 statutory definition for a child abuse and neglect report to be  
14 accepted. In conducting the review, the division shall contact  
15 the hotline caller or callers in order to collect information to  
16 determine whether the calls meet the criteria for harassment.

17           [5.] 7. The local office shall contact the appropriate law  
18 enforcement agency immediately upon receipt of a report which  
19 division personnel determine merits an investigation and provide  
20 such agency with a detailed description of the report received.  
21 In such cases the local division office shall request the  
22 assistance of the local law enforcement agency in all aspects of  
23 the investigation of the complaint. The appropriate law  
24 enforcement agency shall either assist the division in the  
25 investigation or provide the division, within twenty-four hours,  
26 an explanation in writing detailing the reasons why it is unable  
27 to assist.

28           [6.] 8. The local office of the division shall cause an  
29 investigation or family assessment and services approach to be

1 initiated in accordance with the protocols established in  
2 subsection 2 of this section, except in cases where the sole  
3 basis for the report is educational neglect. If the report  
4 indicates that educational neglect is the only complaint and  
5 there is no suspicion of other neglect or abuse, the  
6 investigation shall be initiated within seventy-two hours of  
7 receipt of the report. If the report indicates the child is in  
8 danger of serious physical harm or threat to life, an  
9 investigation shall include direct observation of the subject  
10 child within twenty-four hours of the receipt of the report.  
11 Local law enforcement shall take all necessary steps to  
12 facilitate such direct observation. Callers to the child abuse  
13 and neglect hotline shall be instructed by the division's hotline  
14 to call 911 in instances where the child may be in immediate  
15 danger. If the parents of the child are not the alleged  
16 perpetrators, a parent of the child must be notified prior to the  
17 child being interviewed by the division. No person responding to  
18 or investigating a child abuse and neglect report shall call  
19 prior to a home visit or leave any documentation of any attempted  
20 visit, such as business cards, pamphlets, or other similar  
21 identifying information if he or she has a reasonable basis to  
22 believe the following factors are present:

23 (1) (a) No person is present in the home at the time of  
24 the home visit; and

25 (b) The alleged perpetrator resides in the home or the  
26 physical safety of the child may be compromised if the alleged  
27 perpetrator becomes aware of the attempted visit;

28 (2) The alleged perpetrator will be alerted regarding the  
29 attempted visit; or

1           (3) The family has a history of domestic violence or  
2 fleeing the community.

3  
4 If the alleged perpetrator is present during a visit by the  
5 person responding to or investigating the report, such person  
6 shall provide written material to the alleged perpetrator  
7 informing him or her of his or her rights regarding such visit,  
8 including but not limited to the right to contact an attorney.  
9 The alleged perpetrator shall be given a reasonable amount of  
10 time to read such written material or have such material read to  
11 him or her by the case worker before the visit commences, but in  
12 no event shall such time exceed five minutes; except that, such  
13 requirement to provide written material and reasonable time to  
14 read such material shall not apply in cases where the child faces  
15 an immediate threat or danger, or the person responding to or  
16 investigating the report is or feels threatened or in danger of  
17 physical harm. If the abuse is alleged to have occurred in a  
18 school or child care facility the division shall not meet with  
19 the child in any school building or child-care facility building  
20 where abuse of such child is alleged to have occurred. When the  
21 child is reported absent from the residence, the location and the  
22 well-being of the child shall be verified. For purposes of this  
23 subsection, "child care facility" shall have the same meaning as  
24 such term is defined in section 210.201.

25           [7.] 9. The director of the division shall name at least  
26 one chief investigator for each local division office, who shall  
27 direct the division response on any case involving a second or  
28 subsequent incident regarding the same subject child or  
29 perpetrator. The duties of a chief investigator shall include

1 verification of direct observation of the subject child by the  
2 division and shall ensure information regarding the status of an  
3 investigation is provided to the public school district liaison.  
4 The public school district liaison shall develop protocol in  
5 conjunction with the chief investigator to ensure information  
6 regarding an investigation is shared with appropriate school  
7 personnel. The superintendent of each school district shall  
8 designate a specific person or persons to act as the public  
9 school district liaison. Should the subject child attend a  
10 nonpublic school the chief investigator shall notify the school  
11 principal of the investigation. Upon notification of an  
12 investigation, all information received by the public school  
13 district liaison or the school shall be subject to the provisions  
14 of the federal Family Educational Rights and Privacy Act (FERPA),  
15 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

16 [8.] 10. The investigation shall include but not be limited  
17 to the nature, extent, and cause of the abuse or neglect; the  
18 identity and age of the person responsible for the abuse or  
19 neglect; the names and conditions of other children in the home,  
20 if any; the home environment and the relationship of the subject  
21 child to the parents or other persons responsible for the child's  
22 care; any indication of incidents of physical violence against  
23 any other household or family member; and other pertinent data.

24 [9.] 11. When a report has been made by a person required  
25 to report under section 210.115, the division shall contact the  
26 person who made such report within forty-eight hours of the  
27 receipt of the report in order to ensure that full information  
28 has been received and to obtain any additional information or  
29 medical records, or both, that may be pertinent.

1           [10.] 12. Upon completion of the investigation, if the  
2 division suspects that the report was made maliciously or for the  
3 purpose of harassment, the division shall refer the report and  
4 any evidence of malice or harassment to the local prosecuting or  
5 circuit attorney.

6           [11.] 13. Multidisciplinary teams shall be used whenever  
7 conducting the investigation as determined by the division in  
8 conjunction with local law enforcement. Multidisciplinary teams  
9 shall be used in providing protective or preventive social  
10 services, including the services of law enforcement, a liaison of  
11 the local public school, the juvenile officer, the juvenile  
12 court, and other agencies, both public and private.

13          [12.] 14. For all family support team meetings involving an  
14 alleged victim of child abuse or neglect, the parents, legal  
15 counsel for the parents, foster parents, the legal guardian or  
16 custodian of the child, the guardian ad litem for the child, and  
17 the volunteer advocate for the child shall be provided notice and  
18 be permitted to attend all such meetings. Family members, other  
19 than alleged perpetrators, or other community informal or formal  
20 service providers that provide significant support to the child  
21 and other individuals may also be invited at the discretion of  
22 the parents of the child. In addition, the parents, the legal  
23 counsel for the parents, the legal guardian or custodian and the  
24 foster parents may request that other individuals, other than  
25 alleged perpetrators, be permitted to attend such team meetings.  
26 Once a person is provided notice of or attends such team  
27 meetings, the division or the convenor of the meeting shall  
28 provide such persons with notice of all such subsequent meetings  
29 involving the child. Families may determine whether individuals

1 invited at their discretion shall continue to be invited.

2 [13.] 15. If the appropriate local division personnel  
3 determine after an investigation has begun that completing an  
4 investigation is not appropriate, the division shall conduct a  
5 family assessment and services approach. The division shall  
6 provide written notification to local law enforcement prior to  
7 terminating any investigative process. The reason for the  
8 termination of the investigative process shall be documented in  
9 the record of the division and the written notification submitted  
10 to local law enforcement. Such notification shall not preclude  
11 nor prevent any investigation by law enforcement.

12 [14.] 16. If the appropriate local division personnel  
13 determines to use a family assessment and services approach, the  
14 division shall:

15 (1) Assess any service needs of the family. The assessment  
16 of risk and service needs shall be based on information gathered  
17 from the family and other sources;

18 (2) Provide services which are voluntary and time-limited  
19 unless it is determined by the division based on the assessment  
20 of risk that there will be a high risk of abuse or neglect if the  
21 family refuses to accept the services. The division shall  
22 identify services for families where it is determined that the  
23 child is at high risk of future abuse or neglect. The division  
24 shall thoroughly document in the record its attempt to provide  
25 voluntary services and the reasons these services are important  
26 to reduce the risk of future abuse or neglect to the child. If  
27 the family continues to refuse voluntary services or the child  
28 needs to be protected, the division may commence an  
29 investigation;



1 (3) Commence an immediate investigation if at any time  
2 during the family assessment and services approach the division  
3 determines that an investigation, as delineated in sections  
4 210.109 to 210.183, is required. The division staff who have  
5 conducted the assessment may remain involved in the provision of  
6 services to the child and family;

7 (4) Document at the time the case is closed, the outcome of  
8 the family assessment and services approach, any service provided  
9 and the removal of risk to the child, if it existed.

10 [15.] 17. (1) Within forty-five days of an oral report of  
11 abuse or neglect, the local office shall update the information  
12 in the information system. The information system shall contain,  
13 at a minimum, the determination made by the division as a result  
14 of the investigation, identifying information on the subjects of  
15 the report, those responsible for the care of the subject child  
16 and other relevant dispositional information. The division shall  
17 complete all investigations within forty-five days, unless good  
18 cause for the failure to complete the investigation is  
19 specifically documented in the information system. Good cause  
20 for failure to complete an investigation shall include, but not  
21 be limited to:

22 (a) The necessity to obtain relevant reports of medical  
23 providers, medical examiners, psychological testing, law  
24 enforcement agencies, forensic testing, and analysis of relevant  
25 evidence by third parties which has not been completed and  
26 provided to the division;

27 (b) The attorney general or the prosecuting or circuit  
28 attorney of the city or county in which a criminal investigation  
29 is pending certifies in writing to the division that there is a

1 pending criminal investigation of the incident under  
2 investigation by the division and the issuing of a decision by  
3 the division will adversely impact the progress of the  
4 investigation; or

5 (c) The child victim, the subject of the investigation or  
6 another witness with information relevant to the investigation is  
7 unable or temporarily unwilling to provide complete information  
8 within the specified time frames due to illness, injury,  
9 unavailability, mental capacity, age, developmental disability,  
10 or other cause.

11  
12 The division shall document any such reasons for failure to  
13 complete the investigation.

14 (2) If a child fatality or near-fatality is involved in a  
15 report of abuse or neglect, the investigation shall remain open  
16 until the division's investigation surrounding such death or  
17 near-fatal injury is completed.

18 (3) If the investigation is not completed within forty-five  
19 days, the information system shall be updated at regular  
20 intervals and upon the completion of the investigation, which  
21 shall be completed no later than ninety days after receipt of a  
22 report of abuse or neglect, or one hundred twenty days after  
23 receipt of a report of abuse or neglect involving sexual abuse,  
24 or until the division's investigation is complete in cases  
25 involving a child fatality or near-fatality. The information in  
26 the information system shall be updated to reflect any subsequent  
27 findings, including any changes to the findings based on an  
28 administrative or judicial hearing on the matter.

29 [16.] 18. A person required to report under section 210.115

1 to the division and any person making a report of child abuse or  
2 neglect made to the division which is not made anonymously shall  
3 be informed by the division of his or her right to obtain  
4 information concerning the disposition of his or her report.  
5 Such person shall receive, from the local office, if requested,  
6 information on the general disposition of his or her report.  
7 Such person may receive, if requested, findings and information  
8 concerning the case. Such release of information shall be at the  
9 discretion of the director based upon a review of the reporter's  
10 ability to assist in protecting the child or the potential harm  
11 to the child or other children within the family. The local  
12 office shall respond to the request within forty-five days. The  
13 findings shall be made available to the reporter within five days  
14 of the outcome of the investigation. If the report is determined  
15 to be unsubstantiated, the reporter may request that the report  
16 be referred by the division to the office of child advocate for  
17 children's protection and services established in sections 37.700  
18 to 37.730. Upon request by a reporter under this subsection, the  
19 division shall refer an unsubstantiated report of child abuse or  
20 neglect to the office of child advocate for children's protection  
21 and services.

22 [17.] 19. The division shall provide to any individual who  
23 is not satisfied with the results of an investigation information  
24 about the office of child advocate and the services it may  
25 provide under sections 37.700 to 37.730.

26 [18.] 20. In any judicial proceeding involving the custody  
27 of a child the fact that a report may have been made pursuant to  
28 sections 210.109 to 210.183 shall not be admissible. However:

29 (1) Nothing in this subsection shall prohibit the

1 introduction of evidence from independent sources to support the  
2 allegations that may have caused a report to have been made; and

3 (2) The court may on its own motion, or shall if requested  
4 by a party to the proceeding, make an inquiry not on the record  
5 with the children's division to determine if such a report has  
6 been made.

7  
8 If a report has been made, the court may stay the custody  
9 proceeding until the children's division completes its  
10 investigation.

11 [19.] 21. In any judicial proceeding involving the custody  
12 of a child where the court determines that the child is in need  
13 of services under paragraph (d) of subdivision (1) of subsection  
14 1 of section 211.031 and has taken jurisdiction, the child's  
15 parent, guardian or custodian shall not be entered into the  
16 registry.

17 22. Nothing in this section shall prohibit the children's  
18 division from co-investigating a report of child abuse or neglect  
19 or sharing records and information with child welfare, law  
20 enforcement, or judicial officers of another state, territory, or  
21 nation when the children's division determines it is appropriate  
22 to do so under the standard set forth in subsection 4 of section  
23 210.150 and when such receiving agency is exercising its  
24 authority under law.

25 [20.] 23. The children's division is hereby granted the  
26 authority to promulgate rules and regulations pursuant to the  
27 provisions of section 207.021 and chapter 536 to carry out the  
28 provisions of sections 210.109 to 210.183.

29 [21.] 24. Any rule or portion of a rule, as that term is

1 defined in section 536.010, that is created under the authority  
2 delegated in this section shall become effective only if it  
3 complies with and is subject to all of the provisions of chapter  
4 536 and, if applicable, section 536.028. This section and  
5 chapter 536 are nonseverable and if any of the powers vested with  
6 the general assembly pursuant to chapter 536 to review, to delay  
7 the effective date or to disapprove and annul a rule are  
8 subsequently held unconstitutional, then the grant of rulemaking  
9 authority and any rule proposed or adopted after August 28, 2000,  
10 shall be invalid and void.

11 210.150. 1. The children's division shall ensure the  
12 confidentiality of all reports and records made pursuant to  
13 sections 210.109 to 210.183 and maintained by the division, its  
14 local offices, the central registry, and other appropriate  
15 persons, officials, and institutions pursuant to sections 210.109  
16 to 210.183. To protect the rights of the family and the child  
17 named in the report as a victim, the children's division shall  
18 establish guidelines which will ensure that any disclosure of  
19 information concerning the abuse and neglect involving that child  
20 is made only to persons or agencies that have a right to such  
21 information. The division may require persons to make written  
22 requests for access to records maintained by the division. The  
23 division shall only release information to persons who have a  
24 right to such information. The division shall notify persons  
25 receiving information pursuant to subdivisions (2), (7), (8) and  
26 (9) of subsection 2 of this section of the purpose for which the  
27 information is released and of the penalties for unauthorized  
28 dissemination of information. Such information shall be used  
29 only for the purpose for which the information is released.

1           2. Only the following persons shall have access to  
2 investigation records contained in the central registry:

3           (1) Appropriate federal, state or local criminal justice  
4 agency personnel, or any agent of such entity, with a need for  
5 such information under the law to protect children from abuse or  
6 neglect;

7           (2) A physician or a designated agent who reasonably  
8 believes that the child being examined may be abused or  
9 neglected;

10          (3) Appropriate staff of the division and of its local  
11 offices, including interdisciplinary teams which are formed to  
12 assist the division in investigation, evaluation and treatment of  
13 child abuse and neglect cases or a multidisciplinary provider of  
14 professional treatment services for a child referred to the  
15 provider;

16          (4) Any child named in the report as a victim, or a legal  
17 representative, or the parent, if not the alleged perpetrator, or  
18 guardian of such person when such person is a minor, or is  
19 mentally ill or otherwise incompetent, but the names of reporters  
20 shall not be furnished to persons in this category. Prior to the  
21 release of any identifying information, the division shall  
22 determine if the release of such identifying information may  
23 place a person's life or safety in danger. If the division makes  
24 the determination that a person's life or safety may be in  
25 danger, the identifying information shall not be released. The  
26 division shall provide a method for confirming or certifying that  
27 a designee is acting on behalf of a subject;

28          (5) Any alleged perpetrator named in the report, but the  
29 names of reporters shall not be furnished to persons in this

1 category. Prior to the release of any identifying information,  
2 the division shall determine if the release of such identifying  
3 information may place a person's life or safety in danger. If  
4 the division makes the determination that a person's life or  
5 safety may be in danger, the identifying information shall not be  
6 released. However, the investigation reports will not be  
7 released to any alleged perpetrator with pending criminal charges  
8 arising out of the facts and circumstances named in the  
9 investigation records until an indictment is returned or an  
10 information filed;

11 (6) A grand jury, juvenile officer, prosecuting attorney,  
12 law enforcement officer involved in the investigation of child  
13 abuse or neglect, juvenile court or other court conducting abuse  
14 or neglect or child protective proceedings or child custody  
15 proceedings, and other federal, state and local government  
16 entities, or any agent of such entity, with a need for such  
17 information in order to carry out its responsibilities under the  
18 law to protect children from abuse or neglect;

19 (7) Any person engaged in a bona fide research purpose,  
20 with the permission of the director; provided, however, that no  
21 information identifying the child named in the report as a victim  
22 or the reporters shall be made available to the researcher,  
23 unless the identifying information is essential to the research  
24 or evaluation and the child named in the report as a victim or,  
25 if the child is less than eighteen years of age, through the  
26 child's parent, or guardian provides written permission;

27 (8) Any child-care facility; child-placing agency;  
28 residential-care facility, including group homes; juvenile  
29 courts; public or private elementary schools; public or private

1 secondary schools; or any other public or private agency  
2 exercising temporary supervision over a child or providing or  
3 having care or custody of a child who may request an examination  
4 of the central registry from the division for all employees and  
5 volunteers or prospective employees and volunteers, who do or  
6 will provide services or care to children. Any agency or  
7 business recognized by the division or business which provides  
8 training and places or recommends people for employment or for  
9 volunteers in positions where they will provide services or care  
10 to children may request the division to provide an examination of  
11 the central registry. Such agency or business shall provide  
12 verification of its status as a recognized agency. Requests for  
13 examinations shall be made to the division director or the  
14 director's designee in writing by the chief administrative  
15 officer of the above homes, centers, public and private  
16 elementary schools, public and private secondary schools,  
17 agencies, or courts. The division shall respond in writing to  
18 that officer. The response shall include information pertaining  
19 to the nature and disposition of any report or reports of abuse  
20 or neglect revealed by the examination of the central registry.  
21 This response shall not include any identifying information  
22 regarding any person other than the alleged perpetrator of the  
23 abuse or neglect;

24 (9) Any parent or legal guardian who inquires about a child  
25 abuse or neglect report involving a specific person or child-care  
26 facility who does or may provide services or care to a child of  
27 the person requesting the information. Request for examinations  
28 shall be made to the division director or the director's  
29 designee, in writing, by the parent or legal guardian of the



1 child and shall be accompanied with a signed and notarized  
2 release form from the person who does or may provide care or  
3 services to the child. The notarized release form shall include  
4 the full name, date of birth and Social Security number of the  
5 person who does or may provide care or services to a child. The  
6 response shall include information pertaining to the nature and  
7 disposition of any report or reports of abuse or neglect revealed  
8 by the examination of the central registry. This response shall  
9 not include any identifying information regarding any person  
10 other than the alleged perpetrator of the abuse or neglect. The  
11 response shall be given within ten working days of the time it  
12 was received by the division;

13 (10) Any person who inquires about a child abuse or neglect  
14 report involving a specific child-care facility, child-placing  
15 agency, residential-care facility, public and private elementary  
16 schools, public and private secondary schools, juvenile court or  
17 other state agency. The information available to these persons  
18 is limited to the nature and disposition of any report contained  
19 in the central registry and shall not include any identifying  
20 information pertaining to any person mentioned in the report;

21 (11) Any state agency acting pursuant to statutes regarding  
22 a license of any person, institution, or agency which provides  
23 care for or services to children;

24 (12) Any child fatality review panel established pursuant  
25 to section 210.192 or any state child fatality review panel  
26 established pursuant to section 210.195;

27 (13) Any person who is a tenure-track or full-time research  
28 faculty member at an accredited institution of higher education  
29 engaged in scholarly research, with the permission of the

1 director. Prior to the release of any identifying information,  
2 the director shall require the researcher to present a plan for  
3 maintaining the confidentiality of the identifying information.  
4 The researcher shall be prohibited from releasing the identifying  
5 information of individual cases.

6 3. Only the following persons shall have access to records  
7 maintained by the division pursuant to section 210.152 for which  
8 the division has received a report of child abuse and neglect  
9 [and which the division has determined that there is insufficient  
10 evidence] or in which the division proceeded with the family  
11 assessment and services approach:

12 (1) Appropriate staff of the division;

13 (2) Any child named in the report as a victim, or a legal  
14 representative, or the parent or guardian of such person when  
15 such person is a minor, or is mentally ill or otherwise  
16 incompetent. The names or other identifying information of  
17 reporters shall not be furnished to persons in this category.  
18 Prior to the release of any identifying information, the division  
19 shall determine if the release of such identifying information  
20 may place a person's life or safety in danger. If the division  
21 makes the determination that a person's life or safety may be in  
22 danger, the identifying information shall not be released. The  
23 division shall provide for a method for confirming or certifying  
24 that a designee is acting on behalf of a subject;

25 (3) Any alleged perpetrator named in the report, but the  
26 names of reporters shall not be furnished to persons in this  
27 category. Prior to the release of any identifying information,  
28 the division shall determine if the release of such identifying  
29 information may place a person's life or safety in danger. If

1 the division makes the determination that a person's life or  
2 safety may be in danger, the identifying information shall not be  
3 released. However, the investigation reports will not be  
4 released to any alleged perpetrator with pending criminal charges  
5 arising out of the facts and circumstances named in the  
6 investigation records until an indictment is returned or an  
7 information filed;

8 (4) Any child fatality review panel established pursuant to  
9 section 210.192 or any state child fatality review panel  
10 established pursuant to section 210.195;

11 (5) Appropriate criminal justice agency personnel or  
12 juvenile officer;

13 (6) Multidisciplinary agency or individual including a  
14 physician or physician's designee who is providing services to  
15 the child or family, with the consent of the parent or guardian  
16 of the child or legal representative of the child;

17 (7) Any person engaged in bona fide research purpose, with  
18 the permission of the director; provided, however, that no  
19 information identifying the subjects of the reports or the  
20 reporters shall be made available to the researcher, unless the  
21 identifying information is essential to the research or  
22 evaluation and the subject, or if a child, through the child's  
23 parent or guardian, provides written permission.

24 4. The division may share records, information, and  
25 findings with federal, state, or local child welfare agency  
26 personnel and law enforcement agencies, including those located  
27 outside the state of Missouri, or any agent of such entities, in  
28 the performance of their official duties, upon a reasonable  
29 belief that such information is needed to protect a child from

1 abuse or neglect, or to assist such agency in providing child  
2 welfare services. This may include, but shall not be limited to,  
3 substantiated or unsubstantiated reports of abuse or neglect,  
4 family assessments, and any other documents or information the  
5 division deems necessary for another agency to have access to in  
6 order to protect a child. Unsubstantiated reports may be shared  
7 only if the children's division reasonably believes the receiving  
8 entity will prevent the unauthorized dissemination of the  
9 information contained therein.

10 5. Any person who knowingly violates the provisions of this  
11 section, or who permits or encourages the unauthorized  
12 dissemination of information contained in the information system  
13 or the central registry and in reports and records made pursuant  
14 to sections 210.109 to 210.183, shall be guilty of a class A  
15 misdemeanor.

16 **[5.]** 6. Nothing in this section shall preclude the release  
17 of findings or information about cases which resulted in a child  
18 fatality or near fatality. Such release is at the sole  
19 discretion of the director of the department of social services,  
20 based upon a review of the potential harm to other children  
21 within the immediate family."; and

22 Further amend the title and enacting clause accordingly.