

# SENATE BILL NO. 311

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR FITZWATER.

1272S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to the provision of services to youth in the custody of the department of social services.

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

Section A. Chapter 210, RSMo, is amended by adding thereto  
2 one new section, to be known as section 210.119, to read as  
3 follows:

210.119. 1. The department of social services shall  
2 establish a program to provide a comprehensive system of  
3 service delivery, education, and residential care for youth  
4 with severe behavioral challenges or severe developmental  
5 disabilities. In order to be eligible for services under  
6 this program, youth shall:

7 (1) Be in the custody of the children's division;

8 (2) Be under twenty-one years of age; and

9 (3) Be determined by a team of specialized

10 professionals within the department to have needs that  
11 cannot be met by existing state programs. Such  
12 determination shall include any assessment necessary to  
13 maximize resources for the youth.

14 Youth under twenty-one years of age who are subject to a  
15 voluntary placement agreement may access this program if  
16 they meet the qualifications of this subsection and  
17 resources are available to provide services for such youth.

18           2. The department shall be authorized to enter into  
19 any contracts necessary to implement this program, including  
20 contracts for program operations with a qualified service  
21 provider or consortium of qualified service providers.  
22 Qualified service providers shall be licensed or accredited  
23 in their respective fields of service, based in this state,  
24 and not-for-profit entities with a record of success in the  
25 areas for which they shall provide services, as well as meet  
26 any additional requirements set by the department designed  
27 to meet the best interests of the children they serve.

28           3. The department shall be authorized to enter into  
29 memoranda of understanding with any facility or campus under  
30 state ownership that is appropriate for the program and the  
31 youth being served. Such facilities shall include, but  
32 shall not be limited to, facilities owned and operated by  
33 the division of youth services or the department of mental  
34 health. The division of youth services and the department  
35 of mental health shall make available such facilities to the  
36 department of social services when such facilities are  
37 appropriate, under-utilized, or vacant.

38           4. The provisions of section 210.114 shall apply to  
39 qualified service providers providing services to youth  
40 under this section.

41           5. The department may promulgate such rules and  
42 regulations as are necessary to implement the provisions of  
43 this section. Any rule or portion of a rule, as that term  
44 is defined in section 536.010, that is created under the  
45 authority delegated in this section shall become effective  
46 only if it complies with and is subject to all of the  
47 provisions of chapter 536 and, if applicable, section  
48 536.028. This section and chapter 536 are nonseverable and  
49 if any of the powers vested with the general assembly

50 pursuant to chapter 536 to review, to delay the effective  
51 date, or to disapprove and annul a rule are subsequently  
52 held unconstitutional, then the grant of rulemaking  
53 authority and any rule proposed or adopted after August 28,  
54 2025, shall be invalid and void.

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