

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

August 13, 2018

M E M O R A N D U M

TO: CHILDREN'S DIVISION AND CONTRACTED STAFF

FROM: JULIE LESTER, INTERIM DIRECTOR

SUBJECT: ACCESS TO RESOURCE FAMILY FILES

DISCUSSION:

As passed by Senate Bill 819, beginning August 28, 2018 resource provider files are closed records under Chapter 610 RSMo.

Access to information on the suspension or revocation of a foster home license within the record is covered under [Chapter 210.498 RSMo](#). The determination of whether license suspension or revocation information may be released to any party other than a parent or legal guardian as listed below should be made by the Division of Legal Services (DLS).

Any parent or legal guardian of a child in foster care may have access to investigation records kept by the division regarding suspension or revocation of the license of a foster home in which the child was placed.

The information contained within a provider file that is protected and may not be released includes:

- Any identifying information regarding any person other than the person to whom a foster home license was denied or revoked.
- Financial information
- Medical information
- Personal information relating the resource parent provider or the provider's family, unless the division determines that the information is directly relevant to the disposition of the investigation and report
- Child Abuse/Neglect reports

- Foster child information (at the request of biological parent, the information on their child can be released but not on the other children in the foster home); and

In order for a foster child's parent or legal guardian to have access to investigation records regarding suspension or revocation of the foster home in which the child was placed, the person must make the request for the release of such information to the division director or designee. This request must be made in writing by the parent or legal guardian of the child and shall be accompanied by a signed and notarized release form from the person who does or may provide care or services to the child. The request must include the full name of the provider, date of birth and Social Security number. If they do not meet these criteria, the information may not be released.

Only information pertaining to the nature and disposition of any denial or revocation of a license to operate a foster home is provided.

Criminal History record may only be released to the individual named on the record.

- The person must make the request in writing and provide photo identification to receive a copy.
- They must also sign a statement stating they received a copy of their record. This statement should be maintained in their file.
- The Division may release records only to the person to whom it belongs.
- The Division also requires criminal history records on household members age 17 and those under 17 who have been certified as adults by the court. These records cannot be released to anyone other than the individual on whom the record was requested.
- The parent of the household may not receive copies of these individuals' records as they are considered adults.

A result of the legislative change is the Resource Parent Acknowledgement of Home Assessment & Case File Information Access, CD-128, is no longer needed. The form has been removed from Children's Division E-forms.

NECESSARY ACTION	
<ol style="list-style-type: none"> 1. Review this memorandum with all Children's Division staff. 2. Review revised Child Welfare Manual chapters as indicated below. 3. All questions should be cleared through normal supervisory channels and directed to: 	
PDS CONTACT Elizabeth Tattershall 573-522-1191 Elizabeth.Tattershall@dss.mo.gov	MANAGER CONTACT Amy Martin 573-526-8040 Amy.L.Martin@dss.mo.gov

CHILD WELFARE MANUAL REVISIONS

[Out-of-Home Care provider Records 5.2.6.1](#)

[Working with Prospective Foster/Adoptive Parents, 6.2.2](#)

[Reopening a Close Resource Provider, 6.3.6](#)

[Guide for Conducting Resource Provider Family Assessments, 6.3 A](#)

[Resource Development Worker Responsibilities, 6.13.1](#)

FORMS AND INSTRUCTIONS

N/A

REFERENCE DOCUMENTS AND RESOURCES

N/A

RELATED STATUTE

210.498