

**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 110—Division of Youth Services**  
**Chapter 8—Youth Finances**

**PROPOSED RULE**

**13 CSR 110-8.010 Division of Youth Services Trust Fund Program**

*PURPOSE: This rule provides a program for youth in the Division of Youth Services' (DYS') residential care to access funds, for reasonable purposes, as deemed appropriate by the division, in the DYS Trust Fund created by §219.095, RSMo. The DYS Trust Fund is a special class of trust funds to be used to account for all wages earned by residential youth and for other funds provided for the use and benefit of residential youth, excluding monies received by the DYS on behalf of youth from the Social Security Administration. This rule describes how the DYS establishes and maintains bank accounts to account for monies received for residential youth, except for monies received from the Social Security Administration.*

(1) As used in this regulation, unless the context clearly indicates otherwise, the following terms mean:

(A) "Residential Youth" means a youth who has been committed to the DYS in the manner authorized by law, and who is placed in residential care.

(B) "Trust Fund" means a bank account established by the Division of Youth Services (DYS) for the receipt and disbursement of youth monies received while in residential placement, excluding payments made to youth in DYS custody by the social security administration.

(C) "Youth" means a person under twenty-one (21) years of age committed to the custody of DYS.

(2) When a youth is placed in the legal custody of the DYS, DYS shall receive and hold all youth wages or other monies provided to residential youth, excluding monies received by the Social Security Administration, in a DYS Trust Fund for the duration of the time that the youth is in DYS residential care.

(3) A DYS Trust Fund will be established for each DYS residential facility to hold all youth wages or other monies provided to residential youth, excluding payments made to youth in DYS custody by the Social Security Administration.

(A) The DYS Trust Fund, whenever possible, shall be a non-interest bearing checking account.

(B) The Director of DYS or the Director's designee shall authorize opening of each account and shall be the opening signatory on each account.

(C) Each facility will designate two employees to be authorized to sign for the deposit and withdrawal of funds after an account is established. The director shall approve the designated employees.

(4) Each DYS Trust Fund shall have the following process for the receipt and the tracking of funds:

(A) There shall be a general fund ledger to track all deposits and all withdrawals from the trust fund.

(B) There shall be individual ledgers for each residential youth who has monies deposited into the fund.

1. Wages from the any program established under section 219.091, RSMo, will be received by DYS on behalf of the youth and will be deposited into the trust fund. Each youth will be provided a receipt showing the deposit of funds in the trust fund.

2. Residential youth will also be provided a receipt for any other monies deposited into the DYS Trust fund on their behalf while residing in the facility.

(C) Each facility shall have one receipt book to track deposits into the DYS Trust Fund. An entry detailing the date, time amount, source of funds, and identification of the youth on whose behalf the monies are deposited will be made in the receipt book every time money is received on behalf of the youth.

(5) Each trust fund shall have the following process for the withdrawal of funds:

(A) Residential youth may withdraw monies with the approval of their group leader to ensure appropriate use and alignment with the comprehensive individual treatment plan;

(B) Each facility shall have one ledger to track all withdrawals from the DYS Trust Fund. An entry detailing the date, time, amount, name of the youth, and purpose for the transaction shall be made in the ledger every time money is disbursed from the fund; and

(C) Upon release into the community, a check for the full balance shall be provided to the youth for the balance of funds on the youth's individual ledger.

(6) Reconciliation:

(A) The trust fund's receipt book and general ledger shall be reconciled on a monthly basis with the bank statement;

(B) Each individual ledger shall be reconciled on a monthly basis with the general ledger; and

(C) DYS and the Division of Finance and Administrative Services of the Department of Social Services may audit the books of each trust fund at any time.

(7) Each DYS youth involved in residential treatment services will participate in a personal finance curriculum, which will focus on wise money management.

(8) Unclaimed Trust Fund Balance. DYS shall promptly disburse any balance of monies accumulated in the youth's account in the manner required by law when the youth is released from DYS residential care or upon death of the youth.

*AUTHORITY: sections 219.036, 219.016, 219.091, and 660.017, RSMo. Original Rule filed: December 19, 2018.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Legal Services Division-Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to*

[Rules.Comment@dss.mo.gov](mailto:Rules.Comment@dss.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.