

**Title 13–Department of Social Services  
Division 35–Children’s Division  
Chapter 34–Homeless, Dependent and Neglected Children**

**PROPOSED AMENDMENT**

**13 CSR 35-34.080 Children’s Income Disbursement System (KIDS).** The division is amending sections (2), (3), (5), (6), (7) and (8).

*PURPOSE: This amendment updates policy and practice regarding funds distributed into the Children’s Income Disbursement System for youth in the custody of Children’s Division.*

(2) When a child is placed in the legal custody of the Children’s Division (CD) under chapter 211, RSMo, the CD shall establish an account to receive and hold *[any]* money received by the division on behalf of the child. *[All] [m]Monies* received by a child in the custody of the CD shall be processed through the Children’s Services Income Disbursement System (KIDS). *[, also known as the Alternative Care Trust Fund.]*

(B) The funds received *[must]* **may** be applied toward the care of the child prior to authorizing payment from state or federal funds for the child’s care.

(C) These funds shall be received by the Division of *[Budget and Finance (DBF)]* **Finance and Administrative Services (DFAS)** for deposit with a financial institution and *[disbursement in the Alternative Care Trust Fund and]* accounted for in the name of the child **in the Children’s Income Disbursement System (KIDS).**

(3) *[All] [m]Money* received on behalf of the child shall be processed through *[DBF]* **the Division of Finance and Administrative Services.**

(A) The director of the Children’s Division shall **apply to be** *[designated as]* **the** payee for any independent source of benefits for children in the care and custody of CD.

(B) Once the child’s KIDS account has been established, the payer shall be instructed to send the income directly to *[DBF]* **DFAS** who will enter the funds into the KIDS account.

(C) Any **Social Security or Veteran’s Administration (VA)** monies received by the county office for deposit in a child’s KIDS account must be registered on the appropriate form and sent to *[DBF]* **DFAS** for deposit into the KIDS account. **Any child support money received in the county office for deposit must be sent to the Child Support Financial Resolutions Section prior to deposit.**

*[(D) Each Children’s Division circuit manager shall designate a three (3) person monitoring team of three (3) CD employees within the circuit to monitor the KIDS accounts for children within that circuit to assure program integrity.]*

(5)

(A) *[Any] [m]Monies* received voluntarily from any parent, guardian or other person on behalf of a child for deposit in the child’s *[KIDS]* account shall be disbursed as provided in section (4) of this rule unless the person providing the funds furnishes specific, clear written instructions at the time that the funds are provided directing how the funds shall be used. The division shall keep the instructions with the child’s records as provided in section (6) below. If the division is unable to disburse the funds in the manner provided in the written instructions, or if the written

instructions are unclear, the division shall provide written notice to the person provides the funds and request further written instructions regarding disbursement of the funds. If the division does not receive written instructions within thirty (30) days of the date that the notice is given, the division may, at the division's discretion, disburse the funds as provided in section (4) of this rule or refund the balance of monies provided to the person providing the funds.

(6) A copy of all forms, statements and information on each child's [KIDS] account shall be maintained with child's records for [six (6)] **five (5)** years after the child's case is closed.

(7) When a child leaves alternative care, the CD shall contact [the Family Support Division (FSD), Financial Management and Operational Services Section (FM and OS)] **the FACES Payment Unit**, for the determination of prior expenses which should be paid from the KIDS account. [FSD (FM and OS)] **The FACES Payment Unit** shall determine prior expenses for five (5) years prior to the date the child left alternative care pursuant to section 516.120, RSMo. [FSD (FM and OS)] **The FACES Payment Unit** will process prior expenses to be paid from the KIDS account through fund recoupments for payments made on behalf of the child.

(8) The division shall furnish an annual, itemized statement [to the child and the child's guardian ad litem] listing all transactions involving the funds which have been deposited or disbursed on the child's behalf from the **child's account to the child's guardian ad litem**. The statements and supporting documentation shall be open to inspection to the guardian ad litem and the child.

*AUTHORITY: sections 207.020 and 660.017, RSMo.\* Original rule filed Oct. 7, 2005, effective April 30, 2006. Amended: Filed October 17, 2018.*

*\*Original authority: 210.560, RSMo 1987.*

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

*PRIVATE COST: This proposed amendment 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 amendment 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.*