

## **2008 Missouri Legislative Wrap-Up**

The 2008 Missouri legislative session came to a frenzied close on Friday, May 16<sup>th</sup>, with many Republicans touting great success over the passage of property tax reform, illegal immigration, and economic development legislation. Meanwhile, the Democrats maintained that issues like health care and tougher penalties for those who employ illegal immigrants were not adequately addressed this year. In all the shuffle over Bombardier, Aquila and all the other names we couldn't pronounce, we at Partnership for Children often heard the question, "Is it Good for the Children?" raised in legislative debate. However, at the close of session, this #1 Question remained unanswered--unanswered in the number of bills and priorities that went unaddressed such as child care, health coverage for low-income working parents, and countless other bills that sought to improve the lives of Missouri's children. We did make small gains, for which we, as advocates, should all be proud; through hard work we also mitigated many provisions that could have been very detrimental to our children. We would like to thank the countless advocates here in Kansas City, in Jefferson City and statewide, who walked the halls, made the calls and used their voices to Speak Out for Our Children! The following is a summary of 2008 legislative actions relating to Partnership for Children's policy agenda.

### **HEALTH**

**Children's Health Care Coverage:** One of PFC's biggest victories this year was an \$11.8 million dollar appropriation (\$8.5 m federal) to expand presumptive eligibility to all community health clinics and rural health clinics. Presumptive eligibility is an outreach strategy that aims to enroll uninsured children in the state children's health insurance program by targeting health care settings where kids are most likely to be seen for primary and preventive care – community health centers and rural health clinics. There are over 400 of these clinics across the state and over 127,000 uninsured children in Missouri. An estimated two-thirds of these children are actually eligible for state health coverage but are not enrolled. Presumptive eligibility would allow uninsured children in families who make less than \$26,400 a year to immediately enroll in MO HealthNet for Kids program, based upon a declaration of income when they are seen at a community health center or rural health clinic. The family then has 30 days to complete the application process to determine ongoing coverage. In addition, the provider receives the reimbursement from the state for all services provided during the 30 day time frame.

**Promoting Healthy Mothers and Children:** Efforts to make nurse home visiting services reimbursable through MO HealthNet were not successful this legislative session. Home visiting is a long-standing, well-known prevention strategy used by states and communities to improve the health and well-being of women, children, and families, particularly those who are at risk. Early investments in home visiting programs have been shown to reduce costs due to foster care placements, hospitalizations and emergency room visits, unintended pregnancies, and other more costly interventions. Currently, states fund their home visiting programs through a number of different funding streams including Medicaid, the State Children's Health Insurance Program, The Title V Maternal and Child Health Services Block Grant, and Temporary Assistance for Needy Families (TANF). About a dozen of the nearly 30 states with home visiting programs cover this service under their Medicaid program. Rep. Jason Holsman's home-visiting legislation, HB 2324, was added onto an omnibus bill in the House Special Committee on HealthCare Transformation; however this legislation never came to the House floor. The language was successfully amended onto HB 1516 on the House floor, but it was removed in the Senate.

## EARLY CARE & EDUCATION

**Child Care Budget Savings Package:** Missouri lawmakers partially funded Governor Blunt's early care and education budget initiatives this year by reinvesting \$9.1 million of federal savings in the child care assistance program to fund three initiatives outlined below, including a transitional benefit for child care assistance, a reimbursement rate restructure for child care providers serving subsidized children, and an expansion of Early Head Start slots.

**Child Care Assistance:** After an historic increase last year in Missouri's income eligibility for child care assistance from 108% of federal poverty to 127%, the Governor and General Assembly continued to make moderate progress this year in improving the affordability of child care for Missouri's low-income working parents.

\$6.1 million in savings from the child care subsidy program last year was reinvested in 2008 to maintain eligibility for assistance at 127% FPL, or \$22,400 a year for a single parent with two children. In addition, a new transitional benefit will allow parents to receive a \$1/hr raise (up to 139% of federal poverty level) over the current income cut-off and still receive reduced assistance with child care costs. Currently, many working parents are forced to turn down raises or higher-paying jobs because any increase in income would cause them to lose their eligibility for child care assistance. Consequently, a 50 cents raise could end up costing them thousands of dollars in child care costs. Thanks to this new transitional benefit, an estimated 1,500 Missouri children will continue to access safe, nurturing, and educational child care programs while their parents can advance and be productive in the workforce. However, the Governor's proposal would have extended the transitional benefit to families up to 150% of federal poverty level, allowing parents to receive a \$2 an hour raise.

**Provider Reimbursement Rates:** \$2 million from the child care savings package will fund a restructure of reimbursement rates for child care providers serving subsidized children. Provider reimbursement rates have not significantly increased to keep pace with inflation in 10 years for infant care and in 18 years for preschool and school-age care. In many Missouri counties, the state only reimburses child care providers for 50% of the true cost of care. Either parents or providers end up paying the difference and ultimately the burden of these costs means that low-income children are less likely to have access to safe, quality care.

Some Missouri counties with population demographics that have changed dramatically since rates were originally set in 1991 will see a bigger rate increase in an attempt to level the playing field across the state. While providers in Jackson, Clay, and Platte counties will only get a .7% rate increase for infant care, Buchanan County will receive nearly a 40% increase. Though some progress was made this year, Missouri still has a long way to go to ensure that our most at-risk, low-income children can afford to access high-quality early care & education programs. Raising reimbursement rates for licensed child care providers to the recommended market rate would cost nearly \$74 million.

**Early Head Start:** \$1 million for Missouri's Early Head Start program finishes off the total \$9.1 million child care reinvestment package. The funding will serve 100 more infants and toddlers across the state, but the program currently has a waiting list of 668 children.

**Parents as Teachers:** The Governor's budget in January included a \$2 million increase for Parents as Teachers, however the General Assembly chose to flat fund the program this year at \$34.3 million.

**Child Care Quality & Affordability:** Legislation improving the quality and affordability of child care in Missouri stalled once again in the General Assembly this year.

HB1524, sponsored by Rep. Ward Franz, and SB 726, sponsored by Senator Charlie Shields, would have established a statewide voluntary Quality Rating System for early childhood and afterschool programs that evaluates quality components like staff education, annual trainings, learning environment, and

family involvement. QRS would give parents a legitimate tool for evaluating and selecting child care for their children, but would also help providers improve quality by offering technical assistance and grants through a Program Improvement Grant Fund.

SB 726 passed the Senate in late March but then stalled in the House and wasn't heard in committee until May. The Senate bill was finally placed on the House calendar on the last day of session but was not brought up for debate.

The Quality Rating System was closely linked to two other priority child care bills, SB 776, sponsored by Senator Jolie Justus, and HB 2264, sponsored by Rep. Grisamore. Both bills increased eligibility for state child care assistance and required Missouri to reimburse child care providers at the market rate. These provisions are critical to ensuring that low-income working families can afford safe, nurturing, and quality care.

The child care affordability legislation was offered as an amendment to the QRS bill in the Senate during floor debate, but failed on a tie 15-15 vote. However, a child care subsidy eligibility increase up to 160% of federal poverty was successfully added to SB 726 in the House Committee on Family Services. Since SB 726 failed to be brought up for debate and a vote in the House, Missouri's eligibility for child care subsidy will remain at 127% of federal poverty this year.

**Expanding Access to Pre-K:** The Missouri Preschool Project (MPP) has offered grants since 1998 to public schools, nonprofit agencies, and private child care centers to provide high quality pre-k programs to 3 and 4-yr-olds. Yet Missouri has not expanded on its investment in pre-k. Today, MPP only serves 4% of our state's 4-yr-olds, and Missouri ranks 32<sup>nd</sup> in access to state-funded pre-k out of the 38 total states that provide publicly funded programs.

HB 1692, sponsored by Rep. Clint Zweifel, and SB 779, sponsored by Senator Jeff Smith, would have established a Missouri Preschool Plus Grant program to expand access to high quality pre-k programs. SB 779 targeted funds towards unaccredited school districts, with the understanding that these children could strongly benefit from early education experiences that improve K-12 educational outcomes. Both bills were heard in committee but failed to advance. The Senate bill was successfully amended on to SB 726, the Quality Rating System legislation, during floor debate but the pre-k language was stripped off in committee when SB 726 moved to the House.

## **CHILD SAFETY & SECURITY**

**Child Abuse & Neglect Procedures:** Partnership for Children worked diligently with other advocates this legislative session to defeat a proposal that would put our most vulnerable children at risk. SB 1106, sponsored by Sen. Delbert Scott, would have allowed accused perpetrators to circumvent the Child Abuse and Neglect Review Board (CANRB) and go straight to circuit court. SB 1106 would also prevent perpetrators names from being placed on the child abuse Central Registry while awaiting action by the court, which in some circuits could be as long as three years. A perpetrator could continue abusing over a longer period of time while the investigation goes through a more lengthy court process. In addition, this bill would require court proceedings to be conducted under the Missouri criminal rules of evidence instead of the Missouri rules of civil procedure. When this is the standard, the emphasis seems to shift from focusing on the welfare of the child witness to the alleged perpetrators right to confront the witness. This bill was given a hearing, however, was never voted out of the Senate Committee on Seniors, Families and Public Health.

**Death Penalty for Child Rapists:** Throughout legislative session, Partnership for Children tracked two pieces of legislation in the Senate that would make child rape a capital offense punishable by the death penalty. While Partnership for Children agrees that this is one of the most heinous crimes that could happen to a child, we had several concerns regarding this legislation, including the negative consequence of suppressing children from reporting sexual abuse. The majority of children who are

sexually abused are done so by someone in their circle of care. By making this act a capital offense, it could prevent children from reporting their abuse out of fear that a family member or family friend could be put to death. In addition, those who have been given the death penalty often go through years of appeals. Putting children who have been victimized through a capital punishment case could make them relive their victimization for many years to come. Finally, if offenders believe that they will be sentenced to death if convicted for raping a child, they will have every incentive to kill their victim who is often the sole witness to the crime.

Although the bills never advanced to the Senate floor, strong support by the Governor led to an amendment being offered by House Speaker Pro-Tem Bryan Pratt onto an omnibus judiciary bill on the second to last day of session. The amendment passed by a voice vote but was stripped out of the bill in conference committee.

**Complying with Federal Law: Adoption Subsidies:** The House of Representatives “Truly Agreed To and Finally Passed” HB 1946 on Friday, May 16th. Rep. Ward Franz offered this consent bill to fix language that passed in 2005 placing a means test on families above 200% of federal poverty level in order to receive an adoption subsidy. Although, the language never went into effect due to a injunction, Missouri was required to change the language in order to continue receiving over \$95 million dollars in payments from the federal government. HB 1946 states that subsidies to cover any physical and/or mental conditions of an adopted child will no longer be subject to income restrictions on household incomes that are higher than 200% of the federal poverty level.

## **BUDGET & REVENUE**

**How Kids Faired in the FY'09 Budget:** In addition to PFC's budget victories around presumptive eligibility for children's health insurance and child care assistance, there were several other important budgetary items related to our policy agenda that saw increases this year in the FY '09 Budget:

### **Children's Health**

- ▶ **\$4.8 million** to expand health care coverage through the State Children's Health Insurance Program to children with preexisting conditions or who have exceeded their annual limit for private health coverage. The budget this year fully funded these two children's health initiatives that PFC worked to pass in 2007 as part of last year's Medicaid reform efforts.
- ▶ **\$1.5 million** for youth smoking prevention.

### **Child Protection & Safety**

- ▶ **\$750,000** to increase the foster care reimbursement rates by 3%. This equates to a \$11-\$14 increase in monthly payments to families who care for foster children. When the state places a child in foster care, that child, in essence becomes a child of the state. Therefore, the state has the responsibility of providing clothing, food, shelter and health care for that child.
- ▶ **\$1,424, 132** to increase the adoption subsidy rate by 3%. This increase equates to a \$7 -\$9 increase in monthly payments to adoptive families. Adoption subsidy is a federal/state program which provides financial assistance and medical care to special needs children who are adopted from the foster care system.
- ▶ **\$3.7 million** to attain national accreditation for the state's Child Welfare Program. The State of Missouri is in its fifth and final year of the process to attain national accreditation of our Children's Division. By attaining national accreditation, our state hopes to achieve the following outcomes: shorter stays in foster care, faster family reunification, moving children more efficiently and quickly to permanency, and more efficient use of resources.

**TABOR: Advocates Defeat a Close Call:** HJR 70, a proposal to limit revenue spending in Missouri, advanced farther this year in the General Assembly than ever before but ultimately died in the Senate. The bill is commonly known as TABOR, named after a similar proposal in Colorado, and was sponsored this year by House Budget Chair Allen Iacet. HJR 70 passed the House easily and came to the Senate with a surprise hearing 2 weeks before the close of session, enough time for passage. However, opponents packed the room with over 30 organizations expressing their opposition to the bill. During the final week, the bill was voted out of committee, but never came to the floor for debate or a vote. Partnership for Children strongly opposed this bill and urged the MO General Assembly to protect services for children and to find alternate methods for decreasing state spending – like investing in early childhood education and health initiatives that reduce future spending on special education, the criminal justice system, and treatment for advanced health problems.

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*Partnership for Children would like to thank the countless advocates here in Kansas City, in Jefferson City and statewide, who walked the halls, made the calls and used their voices to Speak Out for Our Children this year! Our victories and disappointments in 2008 bolster our resolve to continue fighting in the coming years to make Missouri a great place to be and raise a child.*



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***Partnership for Children***

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