

SECOND REGULAR SESSION

SENATE BILL NO. 1045

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHUPP.

5062S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 192.005, 251.070, and 660.010, RSMo, and to enact in lieu thereof two new sections relating to the implementation of the Older Americans Act.

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

Section A. Sections 192.005, 251.070, and 660.010, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 192.005 and 660.010, to read as follows:

192.005. **1.** There is hereby created and established as a department of state government the "Department of Health and Senior Services". The department of health and senior services shall supervise and manage all public health functions and programs. The department shall be governed by the provisions of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, unless otherwise provided in sections 192.005 to 192.014. The division of health of the department of social services, chapter 191, this chapter, and others, including, but not limited to, such agencies and functions as the state health planning and development agency, the crippled children's service, chapter 201, the bureau and the program for the prevention of developmental disability, the hospital subsidy program, chapter 189, the state board of health and senior services, section 191.400, the student loan program, sections 191.500 to 191.550, the family practice residency program, the licensure and certification of hospitals, chapter 197, the Missouri chest

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 hospital, sections 199.010 to 199.070, are hereby
20 transferred to the department of health and senior services
21 by a type I transfer, and the state cancer center and cancer
22 commission, chapter 200, is hereby transferred to the
23 department of health and senior services by a type III
24 transfer as such transfers are defined in section 1 of the
25 Omnibus State Reorganization Act of 1974, Appendix B, RSMo
26 Supp. 1984. The provisions of section 1 of the Omnibus
27 State Reorganization Act of 1974, Appendix B, RSMo Supp.
28 1984, relating to the manner and procedures for transfers of
29 state agencies shall apply to the transfers provided in this
30 section. The division of health of the department of social
31 services is abolished.

32 **2. The state's responsibility under public law 73,**
33 **Older Americans Act of 1965, of the eighty-ninth Congress is**
34 **transferred by type I transfer to the department of health**
35 **and senior services. The department shall be responsible**
36 **for the implementation of the Older Americans Act in**
37 **Missouri. The department shall develop a state plan**
38 **describing a program for carrying out the Older Americans**
39 **Act and shall be the sole agency responsible for**
40 **coordinating all state programs related to the**
41 **implementation of such plan.**

660.010. 1. There is hereby created a "Department of
2 Social Services" in charge of a director appointed by the
3 governor, by and with the advice and consent of the senate.
4 All the powers, duties and functions of the director of the
5 department of public health and welfare, chapters 191 and
6 192, and others, not previously reassigned by executive
7 reorganization plan number 2 of 1973 as submitted by the
8 governor under chapter 26 except those assigned to the
9 department of mental health, are transferred by type I

10 transfer to the director of the department of social
11 services and the office of the director, department of
12 public health and welfare is abolished. The department of
13 public health and welfare is abolished. All employees of
14 the department of social services shall be covered by the
15 provisions of chapter 36 except the director of the
16 department and the director's secretary, all division
17 directors and their secretaries, and no more than three
18 additional positions in each division which may be
19 designated by the division director.

20 2. It is the intent of the general assembly in
21 establishing the department of social services, as provided
22 herein, to authorize the director of the department to
23 coordinate the state's programs devoted to those unable to
24 provide for themselves and for the rehabilitation of victims
25 of social disadvantage. The director shall use the
26 resources provided to the department to provide
27 comprehensive programs and leadership striking at the roots
28 of dependency, disability and abuse of society's rules with
29 the purpose of improving service and economical operations.
30 The department is directed to take all steps possible to
31 consolidate and coordinate the field operations of the
32 department to maximize service to the citizens of the state.

33 3. All references to the division of welfare shall
34 hereafter be construed to mean the department of social
35 services or the appropriate division within the department.

36 4. The state's responsibility under public law 452 of
37 the eighty-eighth Congress and others, pertaining to the
38 Office of Economic Opportunity, is transferred by type I
39 transfer to the department of social services.

40 5. [The state's responsibility under public law 73,
41 Older Americans Act of 1965, of the eighty-ninth Congress is

42 transferred by type I transfer to the department of social
43 services.

44 [6.] All the powers, duties and functions vested by law
45 in the curators of the University of Missouri relating to
46 crippled children's services, chapter 201, are transferred
47 by type I transfer to the department of social services.

48 [7.] 6. All the powers, duties and functions vested in
49 the state board of training schools, chapter 219 and others,
50 are transferred by type I transfer to the "Division of Youth
51 Services" hereby authorized in the department of social
52 services headed by a director appointed by the director of
53 the department. The state board of training schools shall
54 be reconstituted as an advisory board on youth services,
55 appointed by the director of the department. The advisory
56 board shall visit each facility of the division as often as
57 possible, shall file a written report with the director of
58 the department and the governor on conditions they observed
59 relating to the care and rehabilitative efforts in behalf of
60 children assigned to the facility, the security of the
61 facility and any other matters pertinent in their judgment.
62 Copies of these reports shall be filed with the legislative
63 library. Members of the advisory board shall receive
64 reimbursement for their expenses and twenty-five dollars a
65 day for each day they engage in official business relating
66 to their duties. The members of the board shall be provided
67 with identification means by the director of the division
68 permitting immediate access to all facilities enabling them
69 to make unannounced entrance to facilities they wish to
70 inspect.

2 [251.070. The department shall be
3 responsible for the implementation of the Older
4 Americans Act in Missouri. This agency shall
5 develop a state plan describing a program for
carrying out the Older Americans Act and shall

6 be the sole agency responsible for coordinating
7 all state programs related to the implementation
8 of such plan.]

