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# EMERGENCY RULE

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**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 35 – Children’s Division  
Chapter 60 – Licensing of Foster Family Homes**

*(\$500) in the emergency amendment is effective.*

*PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency amendment is effective.*

**EMERGENCY AMENDMENT**

**13 CSR 35-60.040 Physical and Environmental Standards.**  
The Department of Social Services is amending subsection (3) (l).

*PURPOSE: This emergency amendment corrects subsection (3) (l) of this rule which incorrectly described bed space and bed sharing requirements among children in foster family homes. The subsection should have required separate beds for children under two (2) years of age consistent with safe sleep practices and allowed bed sharing with sufficient bed space for children over two (2) years of age but currently states the opposite. Additionally, the requirement that the children’s abuse and neglect history be considered prior to allowing bed sharing was erroneously removed from the prior version of this rule. This emergency amendment restores this requirement.*

*EMERGENCY STATEMENT: This emergency amendment is necessary to protect the health, safety, and welfare of Missouri children placed in foster family homes from improper and potentially unsafe bed sharing arrangements resulting from the error currently in this subsection.*

*The emergency amendment is also necessary to preserve a compelling governmental interest that requires an early effective date in that the state of Missouri has a compelling interest in maintaining safe, licensed foster homes for children in state custody as well as a licensing process with clear evaluation standards. The error currently in this subsection creates confusion among licensing staff who evaluate foster homes and among foster parents as to the requirements relating to bed space and bed sharing. This confusion slows the evaluation process and delays the issuing of foster home licenses during a time when the need for additional foster homes remains high. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The division believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed April 21, 2025, effective May 5, 2025, and expires February 11, 2026.*

(3) Sleeping Arrangements.

(l) Each foster child ~~[under]~~ **over** the age of two (2) shall have bed space equivalent to one-half (1/2) of a full-size bed. Each foster child ~~[over]~~ **under** the age of two (2) shall have a separate bed. **The abuse and neglect history of each child should be taken into consideration before allowing a child to share a bed with another child.**

*AUTHORITY: sections 207.020, 210.506, and 660.017, RSMo 2016. Original rule filed July 18, 2006, effective Jan. 30, 2007. Amended: Filed Sept. 15, 2015, effective March 30, 2016. Amended: Filed June 22, 2020, effective Jan. 30, 2021. Rescinded and readopted: Filed Feb. 2, 2024, effective Aug. 30, 2024. Emergency amendment: Filed April 21, 2025, effective May 5, 2025, and expires February 11, 2026. An emergency amendment and a proposed amendment covering this same material will be published in the June 2, 2025, issue of the **Missouri Register**.*

*PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars*