

SENATE BILL NO. 171

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY SENATORS COGHILL, McGuire, Gardner, Ellis

Introduced: 2/12/14

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to multidisciplinary child protection teams; and relating to
2 investigation of child abuse or neglect."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 47.14.300(a) is repealed and reenacted to read:

5 (a) The department shall facilitate the initial establishment of multidisciplinary
6 child protection teams to assist in the evaluation and investigation of reports of child
7 abuse or neglect, as defined in AS 47.17.290, made under AS 47.17 or initiated by the
8 department or a law enforcement agency and to provide consultation and coordination
9 for agencies involved in child-in-need-of-aid cases under AS 47.10. The
10 multidisciplinary child protection teams shall

11 (1) review records pertaining to a case referred to the team by the
12 department, a law enforcement agency, or a team member;

13 (2) ensure that investigations and other matters involving child abuse
14 or neglect are coordinated and conducted by trained investigators;

(3) provide consultation to persons conducting investigations of child abuse or neglect;

(4) assist in the reduction of trauma to a child and family involved in an investigation of child abuse or neglect; and

(5) take and recommend steps to avoid duplicative interviews of children.

* **Sec. 2.** AS 47.14.300(b) is repealed and reenacted to read:

(b) A team established under (a) of this section may, to the extent feasible, be made up of

(1) an employee of the department with expertise in child abuse and neglect;

(2) a peace officer, as defined in AS 11.81.900;

(3) one or more staff members of a local child advocacy center, if a center is located in the relevant area;

(4) a medical care provider licensed under AS 08;

(5) other persons with expertise in child abuse and neglect invited to serve as needed by consensus of the team as follows:

(A) mental and physical health practitioners licensed under AS 08:

(B) child development specialists;

(C) educators;

(D) victim counselors as defined in AS 18.66.250;

(E) experts in the assessment and treatment of substance abuse;

(F) representatives of the district attorney's

attorney general's office;

(G) a representative of an Indian tribe, as defined in 25 U.S.C. 1903(8) (Indian Child Welfare Act), as designated by the tribe;

(H) guardians ad litem; and

(I) a representative of the division in the department with
over juvenile justice.

31 * Sec. 3. AS 47.14.300(c) is repealed and reenacted to read:

(c) A team may meet, review records, and conduct business in the absence of one or more members of the team. The department shall make available to the team records pertaining to the case prepared by or in the possession of the department, including confidential records, under AS 47.10.093(b). The team may make recommendations to the department on appropriate planning for the case.

* **Sec. 4.** AS 47.14.300(e) is amended to read:

(e) **A team shall meet at least monthly and may meet more often as needed.** Meetings of a team are closed to the public and are not subject to the provisions of AS 44.62.310 - 44.62.319 (Open Meetings Act).

* **Sec. 5.** AS 47.17.010 is amended to read:

Sec. 47.17.010. Purpose. To [IN ORDER TO] protect children whose health and well-being may be adversely affected through the infliction, by other than accidental means, of harm through physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment, the legislature requires the reporting of these cases by practitioners of the healing arts and others to the department. It is not the intent of the legislature that persons required to report suspected child abuse or neglect under this chapter investigate the suspected child abuse or neglect before they make the required report to the department. Reports must be made when there is a reasonable cause to suspect child abuse or neglect in order to make state investigative and social services available in a wider range of cases at an earlier point in time, to make sure that investigations regarding child abuse and neglect are conducted by trained investigators, and to avoid subjecting a child to duplicate [MULTIPLE] interviews about the abuse or neglect. It is the intent of the legislature that, as a result of these reports, protective services will be made available in an effort to

(1) prevent further harm to the child;

(2) safeguard and enhance the general well-being of children in this state; and

(3) preserve family life unless that effort is likely to result in physical or emotional damage to the child.

* **Sec. 6.** AS 47.17.033(c) is amended to read:

(c) An investigation by the department **or another investigating agency** of

1 child abuse or neglect reported under this chapter shall be conducted by a person
2 trained to conduct a child abuse and neglect investigation and without subjecting a
3 child to **duplicative interviews** [MORE THAN ONE INTERVIEW] about the abuse
4 or neglect except when new information is obtained that requires further information
5 from the child.