

HOUSE HEALTH & SOCIAL SERVICES  
COMMITTEE BILL HB 305

MANDATORY REPORTERS OF CHILD ABUSE AND NEGLECT

MARCH 12, 2020





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# SECTION 1. REPORTING OF IMMINENT THREAT TO CHILD

**Section 1.** AS 22.35 is amended by adding a new section to read:

**Sec. 22.35.040. Reporting of imminent threat to child.** “A judge of the superior court or district court shall immediately report to the nearest office of a law enforcement agency of the state a threat of imminent harm to a child if the judge has reasonable cause to suspect that there is a threat that imminent harm will occur to a child between the time the judge issues a protective order under AS 18.65.850 – 18.65.870 or AS 18.66.100-18.66.180 and the time the protective order is served.”

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This section may be problematic (redundant) as the issuance of a protective order is, in and of itself, a report to law enforcement that there exists a threat of harm.

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There have been recent conversations between representatives of the Alaska Court System, law enforcement, and OCS regarding possible administrative fixes to address gaps related to domestic violence protective orders.

AS 47.17.020 CHILD PROTECTION/  
PERSONS REQUIRED TO REPORT


PERSONS WHO, IN THE PERFORMANCE OF THEIR OCCUPATIONAL OR APPOINTED DUTIES, WHO HAVE REASONABLE CAUSE TO SUSPECT THAT A CHILD HAS SUFFERED HARM AS A RESULT OF CHILD ABUSE OR NEGLECT, SHALL IMMEDIATELY REPORT THE HARM TO THE OFFICE OF CHILD SERVICES.

HB 305 AMENDS **SECTION 2** TO REPLACE THE LANGUAGE “OCCUPATIONAL DUTIES” AND “APPOINTED DUTIES” TO READ: (A) THE FOLLOWING PERSONS WHO, IN THE PERFORMANCE OF **THE DUTIES ASSOCIATED WITH A POSITION LISTED IN THIS SUBSECTION...**



## CURRENT LIST OF MANDATORY REPORTERS

- (1) practitioners of the healing arts
- (2) school teachers and school administrative staff members of public and private schools
- (3) peace officers and officers of the Department of Corrections
- (4) administrative officers of institutions
- (5) childcare providers
- (6) paid employees of domestic violence and sexual assault programs, and crisis intervention and prevention programs
- (7) paid employees of an organization that provides counseling or treatment to individuals seeking to control their use of drugs or alcohol
- (8) members of a child fatality review team established under AS [12.65.015](#)(e) or [12.65.120](#) or the multidisciplinary child protection team created under AS [47.14.300](#)
- (9) volunteers who interact with children in a public or private school 20 for more than four hours a week



## SECTION 2 PROPOSED ADDITIONS TO MANDATORY REPORTERS

- (10) priests, ministers, and other individuals who are ordained, anointed, or appointed to perform religious duties
- (11) individuals who work at public and private animal shelters, whether as paid employees or volunteers
- (12) individuals who are employees of or volunteers with a fire department of a municipality, including firefighters and emergency medical technicians
- (13) individuals appointed by a court to act as guardians ad litem for children.

# POTENTIAL ALIGNMENT/LANGUAGE CLEAN-UP WITH MANDATORY REPORTERS OF VULNERABLE ADULT ABUSE

## VULNERABLE ADULTS (AS 47.24.010)

- (1) a physician or other licensed health care provider
- (2) a mental health professional as defined in AS 47.30.915 and including a marital and family therapist licensed
- (5) a guardian or conservator
- (6) a police officer
- (7) a village public safety officer
- (8) a village health aid
- (9) a social worker
- (10) a member of the clergy
- (11) a staff employee of a project funded by the Department of Administration for the provision of services to older Alaskans, the Department of Health and Social Services, or the Council on Domestic Violence and Sexual Assault
- (13) an emergency medical technician or a mobile intensive care paramedic

VS

## CHILDREN (AS 47.17.020)

- (1) practitioners of the healing arts;
- (3) peace officers and officers of the Department of Corrections
- (4) administrative officers of institutions
- (6) paid employees of domestic violence and sexual assault programs, and crisis intervention and prevention programs as defined in AS 18.66.990
- (7) paid employees of an organization that provides counseling or treatment to individuals seeking to control their use of drugs or alcohol

*HB 305 proposed additions:*

- (10) priests, ministers, and other individuals who are ordained, anointed, or appointed to perform religious duties
- (11) individuals who work at public and private animal shelters, whether as paid employees or volunteers
- (12) individuals who are employees of or volunteers with a fire department of a municipality, including firefighters and emergency medical technicians

# ADDITIONAL LANGUAGE FIXES & CLASSES

## CLERGY

## ANIMAL SHELTER WORKERS/ VETERINARIANS

(10) priests, ministers, and other individuals who are ordained, anointed, or appointed to perform religious duties

(11) individuals who work at public and private animal shelters, whether as paid employees or volunteers

replace with:

replace with:

(10) Clergy members, including priests; rabbis; duly ordained, commissioned, or licensed ministers of a church; members of religious orders; or recognized leaders of any religious bodies

(11) individuals who work at public and private animal shelters **and veterinarian clinics**, whether as paid employees or volunteers

Language is more inclusive of all types of clergy.

To include veterinary workers that may also see abused animals

Potential additional classes for consideration:

- Probation & parole officers are not included in the definition of “peace officer”
- Unpaid childcare volunteers
- Seek clarity regarding substitute teachers

Questions?

