

CS FOR HOUSE BILL NO. 14(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/6/05

Referred: Judiciary

Sponsor(s): REPRESENTATIVES ROKEBERG, Lynn, McGuire

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosure of information about a child to a legislator or a member
2 of a legislator's staff; and making conforming changes."

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

4 * **Section 1.** AS 47.10.092(a) is amended to read:

5 (a) Notwithstanding AS 47.10.090 and 47.10.093,

6 (1) a parent or legal guardian of a child subject to a proceeding under
7 AS 47.10.005 - 47.10.142 may disclose confidential or privileged information about
8 the child or the child's family, including information that has been lawfully obtained
9 from agency or court files, to the governor, the lieutenant governor, a legislator, a
10 member of a legislator's staff, the ombudsman appointed under AS 24.55, the
11 attorney general, and the commissioners of health and social services, administration,
12 or public safety, or an employee of these persons, for review or use in their official
13 capacities;

14 (2) a foster parent of a child subject to a proceeding under

1 AS 47.10.005 - 47.10.142 may disclose confidential or privileged information
 2 about the child, including information that has been lawfully obtained from
 3 agency or court files, to a legislator or a member of a legislator's staff for review
 4 or use in the legislator's or staff member's official capacity; a legislator or a
 5 member of a legislator's staff may disclose appropriate information obtained
 6 from a foster parent regarding a child under this section only to a governmental
 7 agency as may be necessary to assist in obtaining services, benefits, or
 8 consultations for the child;

9 (3) the [. THE] department shall disclose additional confidential or
 10 privileged information and make copies of documents available for inspection about
 11 the child or the child's family to [THESE] state officials or employees identified in (1)
 12 and (2) of this subsection for review or use in their official capacities upon request of
 13 the official or employee and submission of satisfactory evidence that a parent, foster
 14 parent, or legal guardian of the child has requested the state official's assistance in the
 15 case as part of the official's duties; and

16 (4) a [. A] person to whom disclosure is made under this section may
 17 not disclose confidential or privileged information about the child or the child's family
 18 to a person not authorized to receive it.

19 * **Sec. 2.** AS 47.10.092(b) is amended to read:

20 (b) The disclosure right under (a) of this section is in addition to, and not in
 21 derogation of, the rights of a parent, foster parent, or legal guardian of a minor.

22 * **Sec. 3.** AS 47.12.320(a) is amended to read:

23 (a) Notwithstanding AS 47.12.300 and 47.12.310,

24 (1) a parent or legal guardian of a minor subject to a proceeding under
 25 this chapter may disclose confidential or privileged information about the minor,
 26 including information that has been lawfully obtained from agency or court files, to
 27 the governor, the lieutenant governor, a legislator, a member of a legislator's staff,
 28 the ombudsman appointed under AS 24.55, the attorney general, and the
 29 commissioners of health and social services, administration, or public safety, or an
 30 employee of these persons, for review or use in their official capacities;

31 (2) the department may disclose confidential or privileged information

1 about the minor and make available for inspection documents about the minor to the
 2 state officials or employees identified in (1) **and (3)** of this subsection for review or
 3 use in their official capacities; [AND]

4 (3) **a foster parent of a minor subject to a proceeding under this**
 5 **chapter may disclose confidential or privileged information about the minor,**
 6 **including information that has been lawfully obtained from agency or court files,**
 7 **to a legislator or a member of a legislator's staff for review or use in the**
 8 **legislator's or staff member's official capacity; and**

9 (4) a person to whom disclosure is made under (1), [OR] (2), **or (3)** of
 10 this subsection may not disclose confidential or privileged information about the
 11 minor to a person not authorized to receive it.

12 * **Sec. 4.** AS 47.12.320(b) is amended to read:

13 (b) The disclosure right under (a)(1) of this section is in addition to, and not in
 14 derogation of, the rights of a parent, **foster parent,** or legal guardian of a minor.