

**HOUSE BILL NO. 408**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/30/06

Referred: Health, Education and Social Services, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the definition of 'child abuse and neglect' for child protection  
2 purposes; and providing for an effective date."

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

4 \* **Section 1.** AS 47.17.290(2) is amended to read:

5 (2) "child abuse or neglect" means the physical injury or neglect,  
6 mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the  
7 age of 18 by a person under circumstances that indicate that the child's health or  
8 welfare is harmed or threatened thereby; in this paragraph,

9 (A) "child" includes an infant who has been identified by a  
10 health care provider involved in the delivery or care of that infant as  
11 being affected by abuse of a controlled substance or from withdrawal  
12 from prenatal exposure to a controlled substance;

13 (B) "controlled substance" has the meaning given in  
14 AS 11.71.900, but does not include a substance lawfully taken under a

1                    **prescription from a health care professional;**

2                                       **(C)** "mental injury" means an injury to the emotional well-  
3                    being, or intellectual or psychological capacity of a child, as evidenced by an  
4                    observable and substantial impairment in the child's ability to function;

5                    \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).