

CS FOR HOUSE BILL NO. 408(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/15/06

Referred: Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the definition of 'child abuse or neglect'; and providing for an
2 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; **"child abuse or neglect" includes a**
9 **determination, at delivery, by a health care provider that a child has been**
10 **adversely affected by, or is withdrawing from exposure to, a controlled substance**
11 **or alcohol;** in this paragraph,

12 (A) **"controlled substance" has the meaning given in**
13 **AS 11.71.900, but does not include a substance lawfully taken under a**
14 **prescription from a health care professional;**

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

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