

CS FOR SENATE BILL NO. 171(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/7/14

Referred: Rules

Sponsor(s): SENATORS COGHILL, McGuire, Gardner, Ellis, French, Giessel, Bishop, Egan, Meyer, Stedman, Stevens, Micciche, Dyson

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4 *** Section 1.** AS 47.14.300(a) is repealed and reenacted to read: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 or another investigating agency with expertise in child
6 abuse or neglect may facilitate the initial establishment of multidisciplinary child
7 protection teams to assist in the evaluation and investigation of reports of child abuse
8 or neglect, as defined in AS 47.17.290, made under AS 47.17 or initiated by the
9 department or a law enforcement agency and to provide consultation and coordination
10 for agencies involved in child-in-need-of-aid cases under AS 47.10. The
11 multidisciplinary child protection teams shall

12 (1) ensure that investigations involving child abuse or neglect are
13 coordinated and conducted by trained investigators;

14 (2) take and recommend steps to avoid duplicative interviews of

1 children;

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

4 (4) review records, provide consultation, and make recommendations
5 to the department pertaining to a child-in-need of aid case under AS 47.10 referred to
6 the team by a team member.

7 * **Sec. 2.** AS 47.14.300(b) is repealed and reenacted to read:

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

10 (1) an employee of the child protection office in the department who
11 has expertise in child abuse and neglect;

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

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

15 (4) a medical care provider licensed under AS 08 who has received
16 training in child abuse assessment;

17 (5) a counselor, social worker, psychologist, or physician who
18 specializes in mental health care, is licensed under AS 08, and has knowledge of child
19 abuse dynamics;

20 (6) a prosecutor of child abuse cases or a designee of a prosecutor of
21 child abuse cases;

22 (7) a victim advocate with knowledge of child abuse dynamics;

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

25 (A) child development specialists;

26 (B) educators;

27 (C) victim counselors as defined in AS 18.66.250;

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

29 (E) an attorney who specializes in child protection in the
30 attorney general's office;

31 (F) a representative of an Indian tribe, as defined in 25 U.S.C.

1 1903(8) (Indian Child Welfare Act), as designated by the tribe;

2 (G) guardians ad litem; and

3 (H) a representative of the division in the department with
4 jurisdiction over juvenile justice.

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

6 (c) A team may meet, review records, and conduct business in the absence of
7 one or more members of the team. When a case is referred to the team, the department
8 shall make available to the team records pertaining to the case prepared by or in the
9 possession of the department, including appropriate confidential records under
10 AS 47.10.093(b). A member of the team may use or disclose records made available
11 by the department under this subsection only as necessary for the performance of the
12 member's duties. The team may make recommendations to the department on
13 appropriate planning for the case.

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

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

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

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

1 of these reports, protective services will be made available in an effort to

2 (1) prevent further harm to the child;

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

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

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

8 (c) An investigation by the department **or another investigating agency** of
9 child abuse or neglect reported under this chapter shall be conducted by a person
10 trained to conduct a child abuse and neglect investigation and without subjecting a
11 child to **duplicative interviews** [MORE THAN ONE INTERVIEW] about the abuse
12 or neglect except when new information is obtained that requires further information
13 from the child.