

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

HOUSE CS FOR CS FOR SENATE BILL NO. 171(2d JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/13/14

Referred: Rules

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

REPRESENTATIVES Lynn, Millett, Josephson, Tarr

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4 *** Section 1.** AS 47.14.300(a) is repealed and reenacted to read: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, a state or municipal agency with expertise in child abuse
6 or neglect, or a tribe recognized by the United States Secretary of the Interior to exist
7 as an Indian tribe under 25 U.S.C. 479a (Federally Recognized Indian Tribe List Act
8 of 1994) with expertise in child abuse or neglect, in partnership with the department,
9 may facilitate the initial establishment of a multidisciplinary child protection team.
10 The purpose of a team is to assist in the evaluation and investigation of reports of child
11 abuse or neglect, as defined in AS 47.17.290, made under AS 47.17 or initiated by the
12 department or a law enforcement agency and to provide consultation and coordination
13 for agencies involved in child-in-need-of-aid cases under AS 47.10. The
14 multidisciplinary child protection teams shall

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

3 (2) take and recommend steps to avoid duplicative interviews of
4 children;

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

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

10 * **Sec. 2.** AS 47.14.300(b) is repealed and reenacted to read:

11 (b) A team shall be made up of

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

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

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

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

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

22 (6) a prosecutor of child abuse cases or a designee of a prosecutor of
23 child abuse cases;

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

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

27 (A) child development specialists;

28 (B) educators;

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

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

31 (E) an attorney who specializes in child protection in the

1 attorney general's office;

2 (F) a representative of an Indian tribe, as defined in 25 U.S.C.
3 1903(8) (Indian Child Welfare Act), as designated by the tribe;

4 (G) guardians ad litem; and

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

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

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

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

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

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

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

1 trained investigators, and to avoid subjecting a child to **duplicative** [MULTIPLE]
2 interviews about the abuse or neglect. It is the intent of the legislature that, as a result
3 of these reports, protective services will be made available in an effort to

4 (1) prevent further harm to the child;

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

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

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

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