

HOUSE BILL NO. 16

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE WILSON

Introduced: 1/21/15

Referred: Health and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the confidentiality of child protection information."**

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

3 * **Section 1.** AS 47.10.093(a) is amended to read:

4 (a) Except as permitted in AS 47.10.092 and in (b) - (g), 2 [AND] (i) - (l), **and**
5 **(p)** of this section, all information and social records pertaining to a child who is
6 subject to this chapter or AS 47.17 prepared by or in the possession of a federal, state,
7 or municipal agency or employee in the discharge of the agency's or employee's
8 official duty are privileged and may not be disclosed directly or indirectly to anyone
9 without a court order.

10 * **Sec. 2.** AS 47.10.093 is amended by adding a new subsection to read:

11 (p) In addition to the disclosure authorized under (b)(11) of this section, if a
12 parent or guardian who is the alleged perpetrator named in one or more reports of
13 harm under AS 47.17 requests information regarding a case, the department shall
14 disclose appropriate confidential information to that parent or guardian if the
15 department

1 (1) obtained the information as part of a court-ordered evaluation
2 program of the parent or guardian who is requesting the information;

3 (2) finds, based on substantial evidence, that the parent or guardian
4 needs the information for participation in court-ordered treatment and the disclosure is
5 in the best interest of the child; or

6 (3) finds, based on substantial evidence, that the parent needs the
7 information to exercise residual parental rights under AS 47.10.084(c).

8 * **Sec. 3.** AS 47.12.310(a) is amended to read:

9 (a) Except as specified in AS 47.12.315, 47.12.320, and (b) - (g), [AND] (i),
10 and (l) of this section, all information and social records pertaining to a minor who is
11 subject to this chapter or AS 47.17 prepared by or in the possession of a federal, state,
12 or municipal agency or employee in the discharge of the agency's or employee's
13 official duty, including driver's license actions under AS 28.15.185, are privileged and
14 may not be disclosed directly or indirectly to anyone without a court order.

15 * **Sec. 4.** AS 47.12.310 is amended by adding a new subsection to read:

16 (l) If a parent or guardian who is the alleged perpetrator named in one or more
17 reports of harm under AS 47.17 requests information regarding a case, the department
18 shall disclose appropriate confidential information to that parent or guardian if the
19 department

20 (1) obtained the information as part of a court-ordered evaluation
21 program of the parent or guardian who is requesting the information;

22 (2) finds, based on substantial evidence, that the parent or guardian
23 needs the information for participation in court-ordered treatment and the disclosure is
24 in the best interests of the child; or

25 (3) finds, based on substantial evidence, that the parent needs the
26 information to exercise residual parental rights under AS 47.10.084(c).