

Introduced: 1/28/64
Referred: Health,
Welfare and Education

BY SENATORS BANFIELD,
HANSEN, OWEN AND BEGICH

1 IN THE SENATE

2 SENATE BILL NO. 212

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring mandatory reports by
7 physicians and hospitals of injuries to
8 children caused by parental abuse or
9 neglect."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 11 is amended by adding a new chapter to read:

12 CHAPTER 67. MANDATORY REPORTS AND RECORDS

13 ARTICLE 1. REPORTS OF INJURIES TO CHILDREN CAUSED

14 BY PARENTAL ABUSE OR NEGLECT.

15 Sec. 11.67.010. PHYSICIANS AND HOSPITALS REQUIRED TO
16 REPORT. (a) A physician who has cause to believe that a
17 child being treated by him has suffered physical injury as
18 a result of abuse or neglect by the parent or guardian shall
19 report the injury in accordance with sec. 20 of this chapter.

20 (b) If a physician observes the injury while perform-
21 ing his duties as a member of a hospital staff, he shall
22 bring the injury to the attention of the appropriate hospital
23 official who shall report the injury in accordance with sec.
24 20 of this chapter.

25 Sec. 11.67.020. REPORTS. (a) An oral report of the
26 injury shall be made immediately to the nearest law enforce-
27 ment authority, and confirmed by a written report as soon as
28 possible thereafter. In areas of the state where it is im-
29 practical to make an oral report, a written report shall be

1 made immediately.

2 (b) Oral and written reports shall contain

3 (1) the names and addresses of the child and the
4 parents or guardians, if known;

5 (2) the child's age and the nature and extent of
6 the injury; and

7 (3) information which might assist in determining
8 the cause of injury.

9 Sec. 11.67.030. DISTRIBUTION OF REPORTS. The law
10 enforcement authority receiving a report of injury shall for-
11 ward the information contained in the oral report, and a
12 copy of the written report, to the district attorney and to
13 the nearest office of the Department of Health and Welfare.

14 Sec. 11.67.040. IMMUNITY. A physician or hospital
15 official who in good faith complies with sec. 10 of this
16 chapter, or participates in judicial proceedings resulting
17 from the submission of reports required by sec. 10 of this
18 chapter, is immune from any civil or criminal liability
19 which might otherwise be incurred or imposed.

20 Sec. 11.67.050. PENALTY FOR FAILURE TO REPORT. A
21 physician or hospital official who fails to submit a report
22 required by sec. 10 of this chapter is guilty of a mis-
23 demeanor.

24 Sec. 11.67.060. DEFINITIONS. In secs. 10 - 50 of this
25 chapter

26 (1) "abuse" means the wilful infliction of unjust-
27 ifiable physical injury upon the body of a child;

28 (2) "child" means a person under 16 years of age;

29 (3) "neglect" means the wilful failure to provide

1 necessary food, care, clothing, shelter or medical attention
2 for the child;

3 (4) "physician" means a doctor of medicine
4 licensed to practice medicine in the state or an officer in
5 the regular medical service of the armed forces of the
6 United States or the United States Public Health Service
7 assigned to duty within the state;

8 (5) "law enforcement authority" means the state
9 police or the police department of a political subdivision
10 of the state.

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