

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

1 IN THE SENATE

BY SENATORS BANFIELD,
HANSEN, OWEN AND BEGICH

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 abuse or neglect."

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

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

11 CHAPTER 67. MANDATORY REPORTS AND RECORDS

12 ARTICLE 1. REPORTS OF INJURIES TO CHILDREN CAUSED

13 BY ABUSE OR NEGLECT.

14 Sec. 11.67.010. PHYSICIANS AND HOSPITALS REQUIRED TO
15 REPORT. (a) A physician who has cause to believe that a
16 child being treated by him has suffered physical injury as
17 a result of abuse or neglect by the parent or other person
18 responsible for the child's care shall report the injury in
19 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 other person responsible for the child's care,
5 if known;

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

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

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

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

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

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

27 (1) "abuse" means the wilful infliction of unjustifiable
28 physical injury upon the body of a child;

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

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(3) "neglect" means the wilful failure to provide necessary food, care, clothing, shelter or medical attention for the child;

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

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