

Introduced: 4/30/75  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY SULLIVAN

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 432

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child protection; and providing for  
7 an effective date."

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

9 \* Section 1. AS 47.17.010 is amended to read:

10 Sec. 47.17.010. PURPOSE. In order to protect children whose  
11 health and well-being may be adversely affected through the infliction,  
12 by other than accidental means, of harm through [PHYSICAL] abuse or  
13 neglect requiring the attention of a practitioner of the healing arts,  
14 the legislature requires the reporting of these cases by practitioners  
15 and others to the appropriate public authorities. It is the intent of  
16 the legislature that, as a result of these reports, protective services  
17 will be made available in an effort to prevent further harm to the  
18 child, to safeguard and enhance the general well-being of the children  
19 in this state, and to preserve family life whenever possible. It is  
20 also the intent of the legislature to provide child abuse counseling and  
21 information for parents who have abused their children and to help  
22 prevent future harm to children in the state.

23 \* Sec. 2. AS 47.17.030 is amended by adding a new subsection to read:

24 (e) In all actions taken by the department or a health and social  
25 services agency of a local government under this chapter, the child  
26 shall be represented by a guardian ad litem.

27 \* Sec. 3. AS 47.17.040(b) is amended to read:

28 (b) Investigation reports and reports of harm filed under this  
29 chapter are considered confidential and are not subject to public

1 inspection and copying under AS 09.25.110 and 09.25.120. However, in  
2 accordance with department regulations, investigation reports may be  
3 used by appropriate governmental agencies with child-protection func-  
4 tions, inside and outside Alaska, in connection with investigations or  
5 judicial proceedings involving child abuse, neglect, or custody. A  
6 person, not acting in accordance with department regulations, who makes  
7 public information contained in confidential reports is guilty of a  
8 misdemeanor and upon conviction is punishable by a fine of not more than  
9 \$5,000.

10 \* Sec. 4. AS 47.17 is amended by adding a new section to read:

11 Sec. 47.17.065. COUNSELING AND INFORMATION GRANTS. (a) The  
12 department shall provide funds, after consulting with the office of  
13 child advocacy, to private and public nonprofit community service  
14 agencies and hospitals in the state for professional counseling services  
15 to parents. The funds may also be used by the agencies to provide  
16 information to the community concerning the problems of child abuse and  
17 the help available in the state for abused children and their families.  
18 Funds appropriated under this section may be used as the state or local  
19 contribution for obtaining federal funds under the Child Abuse Treatment  
20 and Prevention Act (P.L. 93-247).

21 (b) The department may issue regulations, subject to the Adminis-  
22 trative Procedure Act (AS 44.62), relating to the distribution and use  
23 of funds provided for under (a) of this section.

24 \* Sec. 5. AS 47.17.070(1) is repealed and re-enacted to read:

25 (1) "child abuse or neglect" means the physical or mental  
26 injury, sexual abuse, negligent treatment, or maltreatment of a child  
27 under the age of 18 by a person who is responsible for the child's  
28 welfare under circumstances which indicate that the child's health or  
29 welfare is harmed or threatened thereby;

1 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
2 070(c).

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