

Introduced: 1/16/80
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY PARR AND MARTIN

2 HOUSE BILL NO. 545

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the child protection laws; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 47.10.010(a)(2) is amended by adding a new subparagraph
10 to read:

11 (F) the child having suffered substantial mental or
12 physical neglect as a result of conditions created by the child's
13 parent, guardian or custodian.

14 * Sec. 2. AS 47.17.010 is amended to read:

15 Sec. 47.17.010. PURPOSE. In order to protect children whose
16 health and well-being may be adversely affected through the infliction,
17 by other than accidental means, of harm through physical or mental abuse
18 or neglect [REQUIRING THE ATTENTION OF A PRACTITIONER OF THE HEALING
19 ARTS], the legislature requires the reporting of these cases by practi-
20 tioners of the healing arts and others to the appropriate public autho-
21 rities. It is the intent of the legislature that, as a result of these
22 reports, protective services will be made available in an effort to
23 prevent further harm to the child, to safeguard and enhance the general
24 well-being of the children in this state, and to preserve family life
25 whenever possible.

26 * Sec. 3. AS 47.17.020(a)(2) is amended to read:

27 (2) school teachers and school administrative staff members;

28 * Sec. 4. AS 47.17.020(a) is amended by adding a new paragraph to read:

29 (6) individuals involved in day care and foster care.

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* Sec. 5. AS 47.17.070(1) is amended to read:

(1) "child abuse or neglect" means the physical or mental injury or neglect, sexual abuse, or maltreatment of a child under the age of 18 [EIGHTEEN] by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby;

* Sec. 6. AS 47.17.070(2) is amended to read:

(2) "child" means a person under 18 [16] years of age;

* Sec. 7. AS 47.17.070 is amended by adding a new paragraph to read:

(7) "mental injury or neglect" means injury or neglect to the intellectual or psychological capacity of a child evidenced by a substantial impairment to the child's ability to function within the child's normal range of performance and behavior.

* Sec. 8. AS 47.17 is amended by adding new sections to read:

Sec. 47.17.064. PHOTOGRAPHS AND X-RAYS. A person required to report suspected physical or mental injury or neglect under this chapter may without the permission of the parents

(1) take or have taken photographs of the areas of trauma visible on the child; and

(2) if medically indicated, have a radiological examination of the child performed.

Sec. 47.17.068. PENALTY FOR FAILURE TO REPORT. A person required to file a report of abuse or neglect under AS 47.17.020 who wilfully or knowingly fails or refuses to report the harm required under AS 47.17.-020 is guilty of a class B misdemeanor.

* Sec. 9. This Act takes effect July 1, 1980.