

HOUSE BILL NO. 391

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KOTT

Introduced: 1/21/94

Referred: Health, Education & Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing disclosure of information to a prospective out-of-home care
2 provider about a minor who has a history of inflicting personal injury or
3 property damage or committing acts that, if committed by an adult, would have
4 been felonies."

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

6 * **Section 1.** AS 47.10.090 is amended by adding a new subsection to read:

7 (d) Notwithstanding (a) of this section, the department shall, without court
8 order, disclose information and social records of a minor to a prospective out-of-home
9 care provider for the minor that are reasonably necessary to inform the prospective out-
10 of-home care provider of the history of the minor with respect to previous property
11 damage by the minor exceeding \$100, personal injury caused by the minor, or behavior
12 of the minor that, if committed by an adult, would have been a felony. An out-of-
13 home care provider to whom information and records are disclosed under this
14 subsection may not further disclose the information or records to another person

1 outside the household or institution in which the minor is placed, or proposed to be
2 placed, without a court order. The department's disclosure under this subsection must
3 be in writing and describe the previous personal injury, property damage, or other
4 behavior with sufficient detail so that a reasonable person would be able to appreciate
5 the risk of accepting placement of the minor. In this subsection, "out-of-home care
6 provider" means an agency or a person, other than the child's legal parents, with whom
7 the child is currently placed and who is in the custody of the state under
8 AS 47.10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), including a foster
9 parent, a relative other than a parent, a person who has petitioned for adoption of the
10 child, or a residential child care facility.