

SENATE BILL NO. 317

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR LITTLE

Introduced: 2/14/94
Referred: HES, JUD, FIN

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the Department of Health and Social Services to establish child
2 protection teams to review cases of child abuse and neglect; and amending Alaska
3 Rule of Civil Procedure 26(d)."

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

5 * Section 1. AS 47.17 is amended by adding a new section to read:

6 Sec. 47.17.035. REVIEW OF CASES BY CHILD PROTECTION TEAMS.

7 (a) In each area served by a regional field office of the department that receives
8 reports of harm under AS 47.17.020, the department shall establish one or more child
9 protection teams consisting of professional persons with experience and training in
10 matters relating to child abuse and neglect such as

11 (1) local and state law enforcement personnel;

12 (2) youth corrections officers;

13 (3) social services providers;

14 (4) school personnel whose duties include a daily direct working

1 relationship with students;

2 (5) local health department personnel; and

3 (6) psychiatrists, counselors, social workers, nurses, and physicians.

4 (b) Each team shall select from among themselves a chair to preside over
5 meetings of the team.

6 (c) Within 30 days after the department's field office receives a report of harm
7 under AS 47.17.020 from a person in an area for which a team has been established
8 under (a) of this section, the office shall provide the team with an oral report of the
9 case. The report must include a description of the diagnostic, assessment, and
10 treatment services being offered to the child's family.

11 (d) A team member may submit to the team information about cases of child
12 abuse or neglect.

13 (e) After receiving a report under (c) or (d) of this section, the team shall
14 review the report and shall serve in an advisory and consultative role with the
15 department as to case planning, case management, identification of needs relating to
16 child abuse and neglect, and guidance concerning resources, solutions, and protections
17 available for preventing and treating child abuse and neglect.

18 (f) The meetings of a team under this section are restricted to team members,
19 and the team's proceedings, records, and recommendations are confidential, not subject
20 to discovery, and may not be introduced as evidence in any administrative or judicial
21 proceeding. However, material that is otherwise discoverable or admissible as
22 evidence when obtained from another source is not made undiscoverable or
23 inadmissible merely because it was included in a meeting or communication of a team.

24 (g) Team members who are not state employees are not entitled to
25 compensation from the state and are not entitled to travel expenses or per diem for
26 their time spent on team matters.

27 (h) In this section, "team" means a child protection team established under (a)
28 of this section.

29 * Sec. 2. AS 47.17.040(b) is amended to read:

30 (b) Investigation reports and reports of harm filed under this chapter are
31 considered confidential and are not subject to public inspection and copying under

1 AS 09.25.110 and 09.25.120. However, in accordance with department regulations,
2 investigation reports may be used by appropriate governmental agencies with
3 child-protection functions, inside and outside the state, in connection with
4 investigations or judicial proceedings involving child abuse, neglect, or custody.
5 Investigation reports may also be used by child protection teams under
6 AS 47.17.035. A person, not acting in accordance with department regulations, who
7 with criminal negligence makes public information contained in confidential reports
8 is guilty of a class B misdemeanor.
9 * Sec. 3. COURT RULE CHANGE. AS 47.17.035(f), enacted by sec. 1 of this Act, has
10 the effect of amending Civil Rule 26 by making certain material not obtainable through
11 discovery even though it may be relevant.