

SB

171

<TARGET><BILL>SB 171</BILL><SUBJECT>SB
171</SUBJECT><COMM>SJUD28</COMM></TARGET>

Alaska State Legislature

Senate Majority Leader

Judiciary Committee
Chairman
In-State Energy Committee
Co-Chair
State Affairs Committee
Joint Armed Services Committee
Legislative Council
Rules Committee



Senator John Coghill

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SPONSOR STATEMENT

SB 171 Multidisciplinary Child Protection Teams (MDT)

The Child Justice Act Task Force requested this legislation to clarify there are child abuse cases that may not involve the Office of Children's Services (OCS) and the law is gray on whether or not a multidisciplinary investigative team can function under state statute without the involvement of OCS.

An example of such an investigation would be a case in which one parent sexually abused a child and the other parent discovers the situation, reports the sexual abuse, removes the child from physical contact of the other parent, and the offending parent is arrested.

MDT's do conduct such investigations currently but there is some disagreement about whether or not this is occurring within the boundaries of the law. SB 171 takes uncertainty away.

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SECTIONAL

SB 171 Multidisciplinary Child Protection Teams (MDT)

Section 1. Current interpretation of this statute is the Office of Children's Services must establish a MDT, even though in many cases OCS is not involved with a child abuse case that involves sexual abuse. This section expands the ability to recruit a MDT to assist law enforcement in criminal investigations that involve an alleged crime against a child.

Sec. 2. This section was modified to clarify who is usually part of the MDT team and lists who can be invited to be on the MDT permanently or as needed for the particular matter in an investigation.

We have added a representative of an Indian tribe is applicable; not just someone familiar with ICWA as was the old language and have included in the list of invitees a representative from Division of Juvenile Justice.

Sec. 3. This section was modified to clarify other members of the MDT can refer cases to the MDT, not just OCS. It also updates the statute to provide that confidential records in a CINA case shall be provided to members of the MDT.

Sec. 4. Mandates monthly meetings.

Sec. 5. Cleanup language to clarify the goal is to avoid duplicative interviews.

Sec. 6. Clarifies investigations and interviews can be conducted by investigative agencies other than OCS.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 171(JUD)
Fiscal Note Number: 1
(S) Publish Date: 3/7/14

Identifier: SB171-DHSS-CSM-02-21-14
Title: MULTIDISCIPLINARY CHILD PROTECTION
TEAMS
Sponsor: COGHILL
Requester: Senate Judiciary Committee

Department: Department of Health and Social Services
Appropriation: Children's Services
Allocation: Children's Services Management
OMB Component Number: 2666

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **No**
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Christy Lawton, Director	Phone:	(907)451-2096
Division:	Office of Children's Services	Date:	02/18/2014 12:00 PM
Approved By:	Sarah Woods, Deputy Director, Finance & Management Services	Date:	02/21/14
Agency:	Health & Social Services		

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 171(JUD)

Analysis

This bill would offer the option of potential changes to the current structure of multidisciplinary child protection teams (MDTs). It suggests four core team participants and optional participants who may be invited by consensus of the core team, as needed, and adds a representative with jurisdiction over juvenile justice to the list of invitees.

The current language of 47.14.300 indicates that "persons familiar with 25 USC 1901-1963" (Indian Child Welfare Act or ICWA) may be invited to join the MDT. The new language specifically designates that this invitee will be a representative of an Indian tribe as defined under ICWA, and as designated by the tribe.

It adds that Multidisciplinary Teams can accept referrals from Law Enforcement, provide consultation to child abuse or neglect investigations, and ensure child abuse or neglect investigations are coordinated and conducted by trained investigators.

This bill would require Multidisciplinary Teams to meet at least monthly.

This bill clarifies that investigators of child abuse and neglect should avoid duplicative, rather than multiple, interviews of the child in question.

The department expects no fiscal impact from the proposed legislation.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 171(JUD)
Fiscal Note Number: 2
(S) Publish Date: 3/7/14

Identifier: SB171-LAW-CIV-02-21-14
Title: MULTIDISCIPLINARY CHILD PROTECTION
TEAMS
Sponsor: COGHILL
Requester: (S) JUDICIARY

Department: Department of Law
Appropriation: Civil Division
Allocation: Child Protection
OMB Component Number: 2961

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2015 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial version, not applicable.

Prepared By: <u>Loretta Withington, Division Operations Manager</u>	Phone: <u>(907)465-5427</u>
Division: <u>Department of Law</u>	Date: <u>02/21/2014 04:12 PM</u>
Approved By: <u>Michael C. Geraghty, Attorney General</u>	Date: <u>02/21/14</u>
Agency: <u>Department of Law</u>	

FISCAL NOTE ANALYSIS #2

**STATE OF ALASKA
2014 LEGISLATIVE SESSION**

BILL NO. CSSB 171(JUD)

Analysis

The bill as proposed would allow the designation to the extent feasible of representatives from the Attorney General's office and the District Attorney's office for monthly Multidisciplinary Team (MDT) meetings across the state. At the current time, assistant attorney generals and district attorneys participate in some MDT meetings.

We anticipate minimal fiscal impact on the Department of Law from this bill.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 171(JUD)
Fiscal Note Number: 3
(S) Publish Date: 3/7/14

Identifier: SB171-DOA-OPA-02-21-14
Title: MULTIDISCIPLINARY CHILD PROTECTION
TEAMS
Sponsor: COGHILL
Requester: Senate Judiciary

Department: Department of Administration
Appropriation: Legal and Advocacy Services
Allocation: Office of Public Advocacy
OMB Component Number: 43

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version

Prepared By: Richard Allen, Director
Division: Office of Public Advocacy
Approved By: Curtis Thayer, Commissioner
Agency: Department of Administration

Phone: (907)269-3504
Date: 02/21/2014 10:00 PM
Date: 02/21/14

FISCAL NOTE ANALYSIS #3

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 171(JUD)

Analysis

Senate Bill 171 would repeal and re-enact AS 47.14.300(a)-(e) to specify that investigations by the Department of Health and Social Services (DHSS), Office of Children's Services (OCS) into reports of child abuse or neglect shall be conducted and reviewed by a multi-disciplinary team, consisting of professionals from specified disciplines, following specified procedures.

The bill would also generally prohibit duplicative interviews by agencies of child-victims, except where the child provides new information that requires subsequent or new interviews. If enacted as passed, the bill would impact the Office of Public Advocacy (OPA) because OPA professionals represent people in child abuse cases. There would likely be only a slight fiscal impact, if any, therefore OPA submits a zero fiscal note.

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2/20/14

CS FOR SENATE BILL NO. 171()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS COGHILL, McGuire, Gardner, Ellis

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to multidisciplinary child protection teams; and relating to
2 investigation of child abuse or neglect."

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

Multidisciplinary Child Protection Teams

4 * Section 1. AS 47.14.300(a) is repealed and reenacted to read:

5 (a) The department shall facilitate the initial establishment of multidisciplinary
6 child protection teams to assist in the evaluation and investigation of reports of child
7 abuse or neglect, as defined in AS 47.17.290, made under AS 47.17 or initiated by the
8 *child protection* department or a law enforcement agency and to provide consultation and coordination
9 for agencies involved in child-in-need-of-aid cases under AS 47.10. The
10 multidisciplinary child protection teams shall

- 11 (1) ensure that investigations involving child abuse or neglect are
12 coordinated and conducted by trained investigators;
13 (2) take and recommend steps to avoid duplicative interviews of
14 children;

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(3) assist in the reduction of trauma to a child and family involved in an investigation of child abuse or neglect; and

(4) review records, provide consultation, and make recommendations to the department pertaining to a child-in-need of aid case under AS 47.10 referred to the team by a team member.

* Sec. 2. AS 47.14.300(b) is repealed and reenacted to read:

(b) A team established under (a) of this section may, to the extent feasible, be made up of

(1) an employee of the department with expertise in child abuse and neglect;

(2) a peace officer, as defined in AS 11.81.900;

(3) one or more staff members of a local child advocacy center, if a center is located in the relevant area;

(4) a medical care provider licensed under AS 08;

(5) other persons with expertise in child abuse and neglect invited to serve as needed by consensus of the team as follows:

(A) mental and physical health practitioners licensed under AS 08;

(B) child development specialists;

(C) educators;

(D) victim counselors as defined in AS 18.66.250;

(E) experts in the assessment and treatment of substance abuse;

(F) representatives of the district attorney's office and the attorney general's office;

(G) a representative of an Indian tribe, as defined in 25 U.S.C. 1903(8) (Indian Child Welfare Act), as designated by the tribe;

(H) guardians ad litem; and

(I) a representative of the division in the department with jurisdiction over juvenile justice.

* Sec. 3. AS 47.14.300(c) is repealed and reenacted to read:

(c) A team may meet, review records, and conduct business in the absence of

Make up of Team

invited by consensus

New

New

Meet in absence of other members

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1 one or more members of the team. When a case is referred to the team, the department
 2 shall make available to the team records pertaining to the case prepared by or in the
 3 possession of the department, including appropriate ⁷⁻¹¹⁻⁰² confidential records under
 4 ^{Disclosure of agency records} AS 47.10.093(b). The team may make recommendations to the department on
 5 appropriate planning for the case.

6 * Sec. 4. AS 47.14.300(e) is amended to read:

7 (e) A team shall meet at least monthly and may meet more often as
 8 needed. Meetings of a team are closed to the public and are not subject to the
 9 provisions of AS 44.62.310 - 44.62.319 (Open Meetings Act).

10 * Sec. 5. AS 47.17.010 is amended to read:

11 ^{Child Protection} Sec. 47.17.010. Purpose. To [IN ORDER TO] protect children whose health
 12 and well-being may be adversely affected through the infliction, by other than
 13 accidental means, of harm through physical injury or neglect, mental injury, sexual
 14 abuse, sexual exploitation, or maltreatment, the legislature requires the reporting of
 15 these cases by practitioners of the healing arts and others to the department. It is not
 16 the intent of the legislature that persons required to report suspected child abuse or
 17 neglect under this chapter investigate the suspected child abuse or neglect before they
 18 make the required report to the department. Reports must be made when there is a
 19 reasonable cause to suspect child abuse or neglect in order to make state investigative
 20 and social services available in a wider range of cases at an earlier point in time, to
 21 make sure that investigations regarding child abuse and neglect are conducted by
 22 trained investigators, and to avoid subjecting a child to duplicative [MULTIPLE]
 23 interviews about the abuse or neglect. It is the intent of the legislature that, as a result
 24 of these reports, protective services will be made available in an effort to

- 25 (1) prevent further harm to the child;
- 26 (2) safeguard and enhance the general well-being of children in this
- 27 state; and
- 28 (3) preserve family life unless that effort is likely to result in physical
- 29 or emotional damage to the child.

30 * Sec. 6. AS 47.17.033(c) is amended to read:

31 (c) An investigation by the department or another investigating agency of

*Make
confidential
CJW records
available*

*mandate
monthly
meetings*

*Emphasize
avoid
duplicative
interviews*

*clarifies
there can be
more than
DLS investg*

1 child abuse or neglect reported under this chapter shall be conducted by a person
2 trained to conduct a child abuse and neglect investigation and without subjecting a
3 child to duplicative interviews [MORE THAN ONE INTERVIEW] about the abuse
4 or neglect except when new information is obtained that requires further information
5 from the child.

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Alaska Administrative Code

Chapter 54 Administration

Article 1

Privacy of Client Records: Child Protection Services

7 AAC 54.020. Information to be safeguarded (a) Child protection information to be safeguarded under 7 AAC 54.010 - 7 AAC 54.150 by the department is information contained or described in the department's child protection files and includes the following:

- (1) names and addresses of applicants and recipients of child protection services from the department;
- (2) information contained in applications, reports of investigations, evaluations, protected health information, correspondence and court reports, and other information concerning the condition or circumstances of any person about whom information is obtained, whether or not this information is recorded;
- (3) department evaluations of and action taken on the information; and
- (4) the identity of a person who reports child abuse or neglect. (b) Notwithstanding (a) of this section, the department may share the name and photograph of a child under AS 47.10.090(d) to assist in the recruiting or location of a permanent placement of a child following the termination of the parental rights to the child.

Half A Nation

The Newsletter of the State & National Finding Words Courses



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Half-A-Nation State Updates

WINONA
STATE UNIVERSITY



APRI

The American Prosecutors Research Institute (APRI) provides research, training and technical assistance to the National Child Protection Training Center (NCPTC) at Winona State University (WSU). APRI is the non-profit affiliate of the National District Attorneys Association (NDAA). This publication was prepared under cooperative agreement No. 2003-JN-FX-K009 from the Office of Juvenile Justice Delinquency Prevention, U.S. Department of Justice. Points of view in this publication are those of the authors and do not necessarily represent the official position of the U.S. Department of Justice, NDAA, APRI or WSU.

Indicators of a Healthy Multidisciplinary Team

Jodi L. Tashley, MSW, LCSW¹

Multidisciplinary teams (MDT) have dramatically increased in number over the past five decades, from a known three in 1958 to more than 1000 in 1985.² In 1997, 33 states indicated that they had "statewide participation" in the multidisciplinary approach to child abuse cases and 11 other states enacted statutes allowing or encouraging multidisciplinary teams.³ The longevity of multidisciplinary teams speaks to their accepted importance. The benefits of the multidisciplinary approach include reducing trauma to children, increasing the effectiveness of interventions, reducing the duplication of services, improving the quality of evidence, and clarifying roles among the various disciplines involved in investigating, prosecuting, and treating child abuse cases.⁴

Communities invested in the team approach to handling child abuse cases know that supporting a healthy, functional, multidisciplinary team is no easy task. The truly complex and challenging nature of forming and maintaining teams becomes apparent from the outset. Soliciting and maintaining the participation of diverse disciplines is an intricate process requiring dedication and hard work. The first step to building a

successful MDT is acknowledging this complex and intricate process.

In the state of Georgia, a Multidisciplinary Review Team & Facilitator Project was undertaken in 2002.⁵ The project's objective was to investigate the nature of MDT's to learn the elements necessary to make them excel. The project began with site visits to fifteen MDT's across the state. Each team held open discussions about its functioning, dynamics, and processes. Team members shared ideas regarding their success, overcoming roadblocks, and future aspirations. Strategies for handling team issues, celebrations, and evaluation were also assessed. Pre- and post-surveys were collected from team members and a general survey was collected from the 15 team facilitators as part of this project.⁶

Through these site visits and surveys, themes for healthy team functioning began to appear. After extensive analysis of the ideas collected, sixteen themes were identified as essential to the functioning of a healthy MDT. These themes became the basis for this article and the Multidisciplinary Review Team and Facilitator Handbook.⁷ These indicators, while not necessarily present in every team, represent the most significant elements of functioning teams as identified by these front line professionals. Consider each indicator and challenge yourself and your MDT to incorporate it, as your team deems appropriate.

1) Accountability for the Team

MDT's must have a plan to ensure they are functioning within their purpose and accomplishing their goals. By holding themselves accountable, MDT's can increase their credibility and demonstrate their abilities. Whether teams need minor tweaking or major overhauling, there are always ways to excel beyond current functioning. By seeking out new ideas and soliciting feedback, MDT's can work toward necessary changes and improvements. Furthermore, some MDT's may have a responsibility to uphold the standards set forth by the National Children's Alliance,⁸ state statutes, state membership coalitions, and/or local child abuse protocols. Accountability to these and other standards can be crucial to maintain funding streams and achieve the collective missions of the partner agencies.

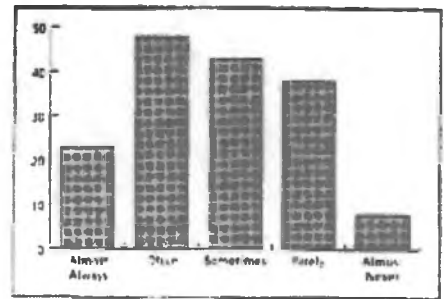
2) Accountability for Team Members

Being a member of a multidisciplinary team means one has certain responsibilities to the team. These can be as simple as attending, being prepared, completing follow-up tasks, and advancing knowledge and skills for the betterment of the MDT. As such, members are expected to uphold their duties and roles. While

individuals are responsible for themselves, unprepared or unreliable members can weaken the power of the MDT. Therefore, it becomes each member's responsibility to hold others accountable. Members must be willing to assist, teach, or even confront weak team members for the wellbeing of the MDT and for what it can accomplish for children. Significantly, almost all of this projects' pre-survey respondents reported that attending team meetings is a priority and that their team members actively participate.⁹

3) Burnout Prevention

Working in the field of child abuse is stressful and overwhelming. Being a member of an MDT can seem, in itself, even more overwhelming. MDT's can recognize the stress of this work and attempt to create an atmosphere that helps members feel connected while educating members about burnout and its prevention. MDT members can serve as supports for each other as each tries to handle the frustrations and demands of this work. While the importance of burnout prevention was noted by each team involved in this project, survey results indicate that perhaps teams should spend more time focusing on how to help team members handle this issue.



Our team serves as a source of support and / or burnout prevention (167 respondents).¹⁰

4) Celebration

With busy schedules, deadlines, meetings, and endless appointments it may seem impossible to even think about finding time to squeeze in celebration. However, celebrating accomplishments in the field of child abuse is imperative. How often have your MDT members heard "I don't know how you do it" when addressed by lay people. These people know what they are talking about - this is hard work! It is work only tackled by those strong enough and brave enough to believe they can make a difference in the life of an abused child. Celebrate this work - for each member, for the MDT, and for the children! The teams who participated in this project listed the following ideas as ways they celebrate their teams: award "Community Partner of the Month"

