

SB 92 STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By: C. Ross, Counsel

Meeting Dates: 2/11

WHAT THE MEASURE DOES:

Extends confidentiality requirements applicable to child abuse records generated pursuant to the Juvenile Code, to include records of abuse of "children in care" that are generated pursuant to statutes governing child welfare services.

ISSUES DISCUSSED:

- Codifying current redaction practices, but not otherwise impacting release of overall records
- Concern whether deliberate policy choices around disclosure of records may be undone

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently, reports and records compiled pursuant to Juvenile Code provisions governing the reporting and investigation of suspected abuse of any child are kept confidential and may only be disclosed in specific circumstances, including, for certain investigatory purposes; in certain health care and treatment contexts; and to attorneys representing children, parents, or guardians in juvenile court proceedings; with particular treatment of records involving a child's death or serious injury due to abuse.

Senate Bill 92 applies the Juvenile Code's confidentiality and disclosure requirements to reports and records generated pursuant to child welfare statutes that govern investigations of suspected abuse of "children in care." Children in care are defined as those who are under 21, who reside in or receive services from child-caring agencies, certified foster homes, or developmental disabilities residential facilities, except those receiving care in their own home from a parent.