

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 519 Session of 1999

INTRODUCED BY TRUE, ADOLPH, ARGALL, ARMSTRONG, BARD, BARLEY, BARRAR, BATTISTO, BEBKO-JONES, BELARDI, BENNINGHOFF, BUNT, CIVERA, CLYMER, L. I. COHEN, COLAFELLA, CORNELL, CORRIGAN, COY, CURRY, DeLUCA, EGOLF, FAIRCHILD, FICHTER, FREEMAN, GEIST, GIGLIOTTI, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, HESS, JOSEPHS, KIRKLAND, KREBS, LAUGHLIN, LEDERER, LYNCH, MAITLAND, MANDERINO, MANN, MARKOSEK, MARSICO, MASLAND, McCALL, McNAUGHTON, S. MILLER, NAILOR, NICKOL, ORIE, PETRARCA, PHILLIPS, PIPPY, PISTELLA, PLATTS, PRESTON, RAMOS, READSHAW, ROBINSON, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, SEMMEL, SEYFERT, SHANER, STABACK, STEELMAN, STERN, STURLA, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, TRELLO, VANCE, WALKO, WILLIAMS, YOUNGBLOOD, ZUG, ZIMMERMAN, M. COHEN AND E. Z. TAYLOR, FEBRUARY 10, 1999

REFERRED TO COMMITTEE ON AGING AND YOUTH, FEBRUARY 10, 1999

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
 2 Consolidated Statutes, providing for reports of child death
 3 where abuse is suspected.

4 The General Assembly of the Commonwealth of Pennsylvania
 5 hereby enacts as follows:

6 Section 1. Sections 6343, 6347 and 6367 of Title 23 of the
 7 Pennsylvania Consolidated Statutes are amended by adding
 8 subsections to read:

9 § 6343. Investigating performance of county agency.

10 * * *

11 (c) Department reviews and reports.--The department shall
 12 conduct child death reviews and provide written reports on any

1 child death where child abuse is suspected and where a county
2 agency has investigated child abuse or neglect reports related
3 to the child or to other children of either of the child's
4 parents or has provided protective or general protective
5 services involving the child or other children of either of the
6 child's parents. Agency performance, including, but not limited
7 to, the investigation of prior child abuse or neglect reports,
8 assessment of risk, acceptance of the family for services,
9 provision of services, case closure and compliance with this
10 chapter and related regulations, must be analyzed in each review
11 and report. An explanation regarding the nature and extent of
12 the review shall be provided in each report. This review and
13 report shall be completed no later than three months following
14 the date of the child's death, and a copy of each report shall
15 be housed in the appropriate Harrisburg office of the
16 department. This section does not preclude the department from
17 reviewing and providing a written report on any child death
18 where child abuse is suspected or confirmed and the agency had
19 no prior involvement with the child or the child's family.

20 § 6347. Annual reports to Governor and General Assembly.

21 * * *

22 (c) Reports on child deaths.--The department shall prepare
23 and transmit annually to the Governor and to the General
24 Assembly a report on its findings and recommendations regarding
25 its child death reviews and reports conducted under section
26 6343(c) (relating to investigating performance of county
27 agency). The annual report shall include, but not be limited to,
28 the following:

29 (1) A breakdown of child deaths reviewed versus those
30 not reviewed and a discussion explaining the lack of reviews

1 for some child deaths.

2 (2) The regulatory compliance problems identified in the
3 course of the child death reviews and a discussion outlining
4 the actions taken by the department and the county agencies.

5 (3) The practice or decision-making problems identified
6 in the course of the child death reviews and a discussion
7 outlining the actions taken by the department and the county
8 agencies.

9 (4) The good practice, effective decision making and
10 regulatory compliance identified in the course of the child
11 death reviews.

12 (5) The numbers of license revocations, provisional
13 licenses and full licenses given to county agencies reviewed
14 under section 6343(c).

15 (6) Recommendations for statutory change or for
16 additional legislation to fulfill the purposes of this
17 chapter.

18 § 6367. Reports to department and coroner.

19 * * *

20 (c) Reports of child death.--In addition to the child abuse
21 report required under subsection (a), a county agency shall
22 immediately provide information to the department regarding its
23 involvement with the child and with either of the child's
24 parents when a child dies and child abuse is suspected. The
25 county agency shall inform the department of any history of
26 protective or general protective services provided to the child
27 or to other children of either of the child's parents by the
28 county agency under this chapter or by court order and shall
29 inform the department if the child was in the agency's custody
30 at the time of the child's death. The county agency shall

1 provide this information in writing on forms provided by the
2 department within 48 hours of the oral report.

3 Section 2. The Department of Public Welfare shall promulgate
4 rules and regulations implementing the amendatory provisions of
5 this act.

6 Section 3. This act shall take effect in 60 days.