

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, E. Z. TAYLOR, WILT, WASHINGTON, BROWNE AND BLAUM, FEBRUARY 10, 1999

AS REPORTED FROM COMMITTEE ON AGING AND YOUTH, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 7, 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

1 conduct child death reviews and provide written reports on any
2 child death where child abuse is suspected and where a county
3 agency has investigated child abuse or neglect reports related
4 to the child or to other children of either of the child's
5 parents or has provided protective or general protective
6 services involving the child or other children of either of the
7 child's parents. Agency performance, including, but not limited
8 to, the investigation of prior child abuse or neglect reports,
9 assessment of risk, acceptance of the family for services,
10 provision of services, case closure and compliance with this
11 chapter and related regulations, must be analyzed in each review
12 and report. An explanation regarding the nature and extent of
13 the review shall be provided in each report. This ON AND AFTER <—
14 JULY 1, 2000, THIS CHILD DEATH review and report shall be
15 completed no later than three months following the date of the
16 child's death, and a copy of each ORAL REPORT OF SUSPECTED CHILD <—
17 ABUSE TO THE DEPARTMENT. A COPY OF EACH CHILD DEATH report shall
18 be housed in the appropriate Harrisburg office of the
19 department. This section does not preclude the department from
20 reviewing and providing a written report on any child death
21 where child abuse is suspected or confirmed and the agency had
22 no prior involvement with the child or the child's family.

23 § 6347. Annual reports to Governor and General Assembly.

24 * * *

25 (c) Reports on child deaths.--The department shall prepare
26 and transmit annually to the Governor and to the General
27 Assembly a report on its findings and recommendations regarding
28 its child death reviews and reports conducted under section
29 6343(c) (relating to investigating performance of county
30 agency). The annual report shall include, but not be limited to,

1 the following:

2 (1) A breakdown of child deaths reviewed versus those
3 not reviewed and a discussion explaining the lack of reviews
4 for some child deaths.

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

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

12 (4) The good practice, effective decision making and
13 regulatory compliance identified in the course of the child
14 death reviews.

15 (5) The numbers of license revocations, provisional
16 licenses and full licenses given to county agencies reviewed
17 under section 6343(c).

18 (6) Recommendations for statutory change or for
19 additional legislation to fulfill the purposes of this
20 chapter.

21 § 6367. Reports to department and coroner.

22 * * *

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

1 county agency under this chapter or by court order and shall
2 inform the department if the child was in the agency's custody
3 at the time of the child's death. The county agency shall
4 provide this information in writing on forms provided by the
5 department within 48 hours of the oral report.

6 Section 2. The Department of Public Welfare shall promulgate
7 rules and regulations implementing the amendatory provisions of
8 this act.

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