

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 24

Session of 2013

INTRODUCED BY VULAKOVICH, FARNESE, SCARNATI, PILEGGI, BAKER, BOSCOLA, BROWNE, ERICKSON, FONTANA, KASUNIC, MENSCH, RAFFERTY, SOLOBAY, STACK, TARTAGLIONE, TEPLITZ, TOMLINSON, WARD, WASHINGTON, WAUGH, WILLIAMS, YUDICHAK, HUGHES, COSTA, BRUBAKER, FERLO AND SCHWANK, MARCH 15, 2013

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, OCTOBER 15, 2013

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in child protective services, further
3 providing for definitions; providing for electronic
4 reporting; further providing for mandatory reporting and post
5 mortem investigation of deaths; providing for responsibility
6 for investigation, for access to reports, for disposition of
7 initial reports, for disposition of reports, for cooperation
8 with county agency and for access to information in Statewide
9 database; further providing for information in Statewide
10 central register, for confidentiality of reports and for
11 release of information in confidential reports; and providing
12 for background checks.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 6303(a) of Title 23 of the Pennsylvania
16 Consolidated Statutes is amended by adding definitions to read:
17 § 6303. Definitions.

18 (a) General rule.--The following words and phrases when used
19 in this chapter shall have the meanings given to them in this
20 section unless the context clearly indicates otherwise:

21 * * *

1 "Electronic technologies." The transfer of information in
2 whole or in part by technology having electrical, digital,
3 magnetic, wireless, optical, electromagnetic, photo-electronic
4 or photo-optical systems, or similar capabilities. The term
5 includes e-mail, Internet communication or other means of
6 electronic transmission.

7 * * *

8 "Law enforcement official." The term includes the following:

9 ~~(1) A Pennsylvania district attorney.~~ <--

10 ~~(2) A Pennsylvania State Police officer.~~

11 ~~(3) A municipal police officer.~~

12 (1) THE ATTORNEY GENERAL. <--

13 (2) A COUNTY DISTRICT ATTORNEY.

14 (3) A PENNSYLVANIA STATE POLICE OFFICER.

15 (4) A COUNTY SHERIFF.

16 (5) A COUNTY POLICE OFFICER.

17 (6) A COUNTY DETECTIVE.

18 (7) A LOCAL OR MUNICIPAL POLICE OFFICER.

19 * * *

20 Section 2. Title 23 is amended by adding a section to read:

21 § 6304. Electronic reporting.

22 (a) Departmental procedures.--The department shall establish
23 procedures for the secure use of electronic technologies to
24 transmit information under this chapter.

25 (b) Confirmation of reports.--A confirmation by the
26 department of the receipt of a report of suspected child abuse
27 submitted electronically shall relieve the person making the
28 report of making an additional oral or written report of
29 suspected child abuse, subject to section 6313 (relating to
30 reporting procedure).

1 (c) Effect on other law.--Nothing in this chapter shall be
2 construed to supersede the act of December 16, 1999 (P.L.971,
3 No.69), known as the Electronic Transactions Act.

4 Section 3. Section 6317 of Title 23 is amended to read:
5 § 6317. Mandatory reporting and postmortem investigation of
6 deaths.

7 A person or official required to report cases of suspected
8 child abuse, including employees of a county agency, who has
9 reasonable cause to suspect that a child died as a result of
10 child abuse shall report that suspicion to the appropriate
11 coroner or medical examiner. The coroner or medical examiner
12 shall accept the report for investigation and shall report his
13 finding to the police, the district attorney, the appropriate
14 county agency and, if the report is made by a hospital, the
15 hospital.

16 Section 4. Chapter 63 of Title 23 is amended by adding a
17 subchapter to read:

18 SUBCHAPTER B.1

19 INVESTIGATION AND REPORTING

20 Sec.

21 6321. ~~Responsibility for investigation~~ ACCESS TO REPORTS. <--

22 6322. ~~Access to reports~~ RESPONSIBILITY FOR INVESTIGATION. <--

23 6323. Disposition of initial reports.

24 6324. Disposition of reports.

25 6325. (Reserved).

26 6326. (Reserved).

27 6327. Cooperation.

28 § 6321. ACCESS TO REPORTS. <--

29 (A) CONTINUOUS ACCESS.--THE DEPARTMENT SHALL BE CAPABLE OF
30 THE FOLLOWING ON A 24-HOUR, SEVEN-DAY-A-WEEK BASIS:

1 (1) RECEIVING REPORTS AND REFERRALS OF SUSPECTED CHILD
2 ABUSE AND CHILDREN IN NEED OF PROTECTIVE SERVICES.

3 (2) RESPONDING TO REQUESTS FOR INFORMATION FROM COUNTY
4 AGENCIES AND LAW ENFORCEMENT OFFICIALS UNDER SECTION 6335.1
5 (RELATING TO ACCESS TO INFORMATION IN STATEWIDE DATABASE).

6 (3) MONITORING THE PROVISION OF PROTECTIVE SERVICES.

7 (B) CONTINUOUS AVAILABILITY.--EACH COUNTY AGENCY SHALL, ON A
8 24-HOUR, SEVEN-DAY-A-WEEK BASIS, RECEIVE REPORTS OF SUSPECTED
9 CHILD ABUSE FROM THE DEPARTMENT UNDER SECTION 6323(B) (RELATING
10 TO DISPOSITION OF INITIAL REPORTS) OR THE GENERAL PUBLIC IN
11 ACCORDANCE WITH THE COUNTY AGENCY CHILD PROTECTIVE SERVICES
12 PLAN.

13 (C) VERIFICATION OF NEED.--INFORMATION MAY BE RELEASED UNDER
14 SECTION 6335.1 IF A REQUEST FOR INFORMATION IS MADE ORALLY OR IN
15 WRITING AND THE DEPARTMENT HAS DONE ALL OF THE FOLLOWING:

16 (1) IDENTIFIED THE REQUESTER, INCLUDING ELECTRONIC
17 VERIFICATION OF THE REQUESTER'S IDENTITY.

18 (2) DETERMINED WHETHER THE REQUESTER IS AUTHORIZED TO
19 OBTAIN THE INFORMATION UNDER SECTION 6335.1.

20 (3) PROVIDED NOTICE TO THE REQUESTER THAT ACCESS AND
21 DISSEMINATION OF THE INFORMATION IS RESTRICTED AS PROVIDED BY
22 THIS CHAPTER.

23 ~~§ 6321~~ 6322. Responsibility for investigation.

<--

24 The department shall establish procedures regarding the
25 following different responses to address suspected child abuse
26 and protective services depending on the person allegedly
27 committing the suspected child abuse or causing a child to be in
28 need of protective services:

29 (1) If the suspected child abuse is alleged to have been
30 committed by a perpetrator, the appropriate county agency

1 shall investigate the allegation.

2 (2) If the suspected child abuse is alleged to have been
3 committed by a perpetrator and the behavior constituting the
4 suspected child abuse may include a criminal offense, the
5 appropriate county agency and law enforcement official shall
6 jointly investigate the allegation as required by this
7 chapter.

8 (3) If the suspected child abuse is alleged to have been
9 committed by a person who is not a perpetrator, law
10 enforcement officials where the suspected child abuse is
11 alleged to have occurred shall be solely responsible for
12 investigating the allegation.

13 (4) If a child is alleged to be in need of other
14 protective services, the appropriate county agency shall
15 assess the needs of the child as provided under this chapter.

16 ~~§ 6322. Access to reports.~~ <--

17 ~~(a) Continuous access. The department shall be capable of~~
18 ~~the following on a 24 hour, seven day a week basis:~~

19 ~~(1) Receiving reports and referrals of suspected child~~
20 ~~abuse and children in need of protective services.~~

21 ~~(2) Responding to requests for information from county~~
22 ~~agencies and law enforcement officials under section 6335.1~~
23 ~~(relating to access to information in Statewide database).~~

24 ~~(3) Monitoring the provision of protective services.~~

25 ~~(b) Continuous availability. Each county agency shall, on a~~
26 ~~24 hour, seven day a week basis, receive reports of suspected~~
27 ~~child abuse from the department under section 6323(b) (relating~~
28 ~~to disposition of initial reports) or the general public in~~
29 ~~accordance with the county agency child protective services~~
30 ~~plan.~~

1 ~~(c) Verification of need. Information may be released under~~
2 ~~section 6335.1 if a request for information is made orally or in~~
3 ~~writing and the department has done all of the following:~~

4 ~~(1) Identified the requester, including electronic~~
5 ~~verification of the requester's identity.~~

6 ~~(2) Determined whether the requester is authorized to~~
7 ~~obtain the information under section 6335.1.~~

8 ~~(3) Provided notice to the requester that access and~~
9 ~~dissemination of the information is restricted as provided by~~
10 ~~this chapter.~~

11 § 6323. Disposition of initial reports.

12 (a) Receipt of reports.--The department shall immediately
13 transmit a written notice, WHICH MAY BE SUBMITTED <--
14 ELECTRONICALLY, to the county agency and law enforcement
15 officials where the suspected child abuse is alleged to have
16 occurred. The notice shall contain the following information:

17 (1) Notice that a ~~complaint~~ REPORT of suspected child <--
18 abuse by a perpetrator has been received.

19 (2) The substance of the ~~complaint~~ REPORT. <--

20 (3) ~~An entry~~ THE EXISTENCE of a prior report or a <--
21 current investigation concerning a subject of the report.

22 (b) Receipt of reports by county.--After ensuring the
23 immediate safety of the child and any other child in the child's
24 home, a county agency or law enforcement official that receives
25 a report of suspected child abuse shall immediately notify the
26 department of the report. If the report is an oral report, the
27 county agency or law enforcement official shall collect the
28 required information and submit a written report to the
29 department within 48 hours.

30 (c) Referral to law enforcement.--If the department receives

1 a report of suspected child abuse that alleges that a criminal
2 offense has been committed, the department shall immediately
3 transmit an oral or written notice to law enforcement officials
4 in the county where the suspected child abuse is alleged to have
5 occurred. The notice shall contain the following information in
6 accordance with this chapter:

7 (1) Receipt of a ~~complaint~~ REPORT of suspected child <--
8 abuse.

9 (2) The substance of the ~~complaint~~ REPORT. <--

10 (3) ~~An entry in the Statewide database~~ THE EXISTENCE of <--
11 a prior report or a current investigation concerning a
12 subject of the report.

13 (d) Notice of joint referrals.--When a report is referred to
14 the county agency under subsection (a) or (c), the notice shall
15 include the name and contact information of any persons
16 receiving the referral, if known.

17 (e) Ability of law enforcement to receive reports.--The
18 district attorney of the county where the suspected child abuse
19 is alleged to have occurred shall designate up to three
20 recipients to receive reports under subsection (c) and shall
21 provide contact information for each recipient to the department
22 for that purpose.

23 (f) Jurisdictional overlap.--If the residency of any subject
24 of a report is a factor that requires the cooperation of more
25 than one county agency or ~~another state~~ AN AGENCY OF ANOTHER <--
26 STATE THAT PERFORMS PROTECTIVE SERVICES ANALOGOUS TO THOSE
27 SERVICES PERFORMED BY COUNTY AGENCIES OR THE DEPARTMENT, the
28 department shall ensure the cooperation of those agencies in
29 carrying out the requirements of this chapter.

30 (g) Referral.--If the ~~complaint~~ REPORT received does not <--

1 indicate a need for protective services, but indicates a need
2 for other services, or investigation, the department shall
3 transmit the information to the county AGENCY or other public <--
4 agency for appropriate action. The information shall not be
5 considered a child abuse report unless the county agency has
6 reasonable cause to suspect that abuse occurred. If the county
7 agency investigation indicates reasonable cause to suspect that
8 abuse occurred, the county agency shall notify the department
9 and the initial ~~complaint~~ REPORT shall be considered to be a <--
10 child abuse report.

11 § 6324. Disposition of reports.

12 (a) Resident child.--A report of suspected child abuse by a
13 perpetrator occurring in another state shall be referred by the
14 department to the county agency and, where appropriate, to law
15 enforcement officials when the child resides in this
16 Commonwealth and shall be investigated as any other report of
17 suspected child abuse by a perpetrator if all of the following
18 apply:

19 (1) The child victim is a resident of this Commonwealth.

20 (2) The other state's child protective services agency
21 fails to investigate the report.

22 (b) Resident alleged perpetrator.--

23 (1) If suspected child abuse occurs in a jurisdiction
24 other than this Commonwealth and the alleged perpetrator is a
25 resident of this Commonwealth, the report of suspected child
26 abuse shall be referred to the county agency where the
27 alleged perpetrator resides.

28 (2) The county agency shall do all of the following:

29 (i) Contact the children and youth social service
30 agency of the jurisdiction in which the suspected child

1 abuse occurred.

2 (ii) Investigate the suspected child abuse, either
3 alone or in cooperation with the other agency.

4 (c) Copies of report.--A copy of the report of suspected
5 child abuse shall be provided to the other state's child
6 protective services agency and, if appropriate, to law
7 enforcement officials where the incident occurred.

8 (d) Communication.--Reports and information under this
9 section shall be provided within seven calendar days of
10 completion of the investigation.

11 § 6325. (Reserved).

12 § 6326. (Reserved).

13 § 6327. Cooperation.

14 (a) General rule.--Commonwealth agencies, political
15 subdivisions, a county agency, law enforcement official or any
16 other agency providing services under the county plan for
17 protective services shall provide any assistance and data to the
18 department that will enable the department, the county agency
19 and law enforcement officials to fulfill their responsibilities.

20 (b) Willful failure to cooperate.--

21 (1) At the request of the department or county agency to<--
22 provide all information relating to an investigation of
23 suspected child abuse or a safety or risk assessment of a
24 child, individual, agency, school, hospital or, health care <--
25 provider OR AN EMPLOYEE OR INDEPENDENT CONTRACTOR shall <--
26 immediately provide information requested to the department
27 or county agency if the information relates to suspected
28 child abuse or a safety or risk assessment THE NEED FOR <--
29 GENERAL PROTECTIVE SERVICES.

30 (2) No individual, except a law enforcement official, <--

1 may prohibit the department or county agency from
2 interviewing the child who is the subject of suspected child
3 abuse. Parental consent shall not be required prior to the
4 child's being interviewed by the department or county agency.

5 (3) The following shall apply:

6 (i) Any person failing to timely produce the
7 requested information under this section commits a
8 misdemeanor of the third degree.

9 (ii) Any person barring, inhibiting or precluding
10 sufficient access to the subject child commits a
11 misdemeanor of the second degree.

12 (c) Cooperation of county and law enforcement.--A county
13 agency and law enforcement official shall cooperate, to the
14 fullest extent possible, to respond to and investigate reports
15 of suspected child abuse. Counties shall exchange information
16 and cooperate to investigate reports and provide services to
17 children who may move from one county to another.

18 (d) Advice to county agency.--If a report of suspected child
19 abuse is referred from a county agency to a law enforcement
20 official under section 6340(a)(9) and (10) (relating to release
21 of information in confidential reports), the law enforcement
22 official shall expeditiously advise the county agency of the
23 progress of a criminal investigation, the results of the
24 investigation and any criminal prosecution. The county agency
25 shall refer the information to the Statewide database.

26 Section 5. Title 23 is amended by adding a section to read:

27 § 6335.1. Access to information in Statewide database.

28 (a) Use for assessment or investigation.--~~Upon receipt of a~~ <--
29 ~~report or complaint of child abuse, a~~ A county agency or law <--
30 enforcement official shall use the Statewide toll-free telephone

1 number, or any manner prescribed by the department, to determine
2 the existence of any prior reports ~~or complaints~~ involving a <--
3 subject of the report. If the Statewide database contains
4 information indicating a prior report ~~or complaint~~ or a pending <--
5 investigation concerning a subject of the report, the department
6 shall immediately convey this information to the county agency
7 or law enforcement official.

8 (b) Use by county AGENCY or law enforcement agency <--
9 OFFICIAL.--A county agency or law enforcement official may only <--
10 request the information under subsection (a) for the purposes of
11 assessing and investigating reports ~~or complaints~~ of child abuse <--
12 ~~or~~, allegations that a child is in need of general protective <--
13 services; OR INVESTIGATING A CRIME AGAINST A CHILD. <--

14 (1) following receipt of a report or complaint of <--
15 suspected child abuse or an allegation that a child is in
16 need of general protective services; or

17 (2) on behalf of the following individuals, if that
18 individual suspects that a child is a victim of child abuse
19 or has reason to believe that a child is in need of general
20 protective services:

21 (i) A physician examining or treating a child.

22 (ii) The director of a hospital or a person
23 specifically designated in writing by the director of a
24 hospital or other medical institution where a child is
25 being treated.

26 (b.1) Use by district attorney. The district attorney or a
27 person specifically designated in writing by the district
28 attorney may request information for the purposes of
29 investigating allegations of criminal conduct, as set forth in
30 section 6340(a)(9) and (10) (relating to release of information

1 in confidential reports).

2 (c) Authorized releases for governmental functions.--No
3 person, other than an employee of the department in the course
4 of official duties in connection with the responsibilities of
5 the department under this chapter, shall have access to any
6 information in the Statewide database except as provided under
7 this section and the following:

8 (1) Section 6323 (relating to disposition of initial
9 reports).

10 (2) Section 6340 (relating to release of information in
11 confidential reports).

12 (3) Section 6342 (relating to studies of data in
13 records).

14 (d) Clearances.--Information provided in response to
15 inquiries under section 6344 (relating to information relating
16 to prospective child-care personnel), 6344.1 (relating to
17 information relating to family day-care home residents) or
18 6344.2 (relating to information relating to other persons having
19 contact with children) shall be limited to the following:

20 (1) Whether the person was named as a perpetrator of
21 child abuse in a founded or indicated report.

22 (2) Whether there is an investigation pending in which
23 the individual is an alleged perpetrator.

24 (3) The number, date of the incidents upon which the
25 report is based and the type of abuse or neglect involved in
26 any reports identified under paragraph (1).

27 (e) Electronic technologies.--Requests under this section
28 may be made using ~~advanced communication~~ ELECTRONIC
29 technologies, if appropriate verification is made in accordance
30 with section 6322(c) (relating to access to reports).

<--

1 Section 6. Section 6336 of Title 23 is repealed:

2 [§ 6336. Information in Statewide central register.

3 (a) Information authorized.--The Statewide central register
4 shall include and shall be limited to the following information:

5 (1) The names, Social Security numbers, age and sex of
6 the subjects of the reports.

7 (2) The date or dates and the nature and extent of the
8 alleged instances of suspected child abuse.

9 (3) The home addresses of the subjects of the report.

10 (4) The county in which the suspected abuse occurred.

11 (5) Family composition.

12 (6) The name and relationship to the abused child of
13 other persons named in the report.

14 (7) Factors contributing to the abuse.

15 (8) The source of the report.

16 (9) Services planned or provided.

17 (10) Whether the report is a founded report or an
18 indicated report.

19 (11) Information obtained by the department in relation
20 to a perpetrator's or school employee's request to release,
21 amend or expunge information retained by the department or
22 the county agency.

23 (12) The progress of any legal proceedings brought on
24 the basis of the report of suspected child abuse.

25 (13) Whether a criminal investigation has been
26 undertaken and the result of the investigation and of any
27 criminal prosecution.

28 No information other than that permitted in this subsection
29 shall be retained in the Statewide central register.

30 (b) Type of information released.--Except as provided in

1 sections 6334 (relating to disposition of complaints received),
2 6335 (relating to information in pending complaint and unfounded
3 report files), 6340 (relating to release of information in
4 confidential reports) and 6342 (relating to studies of data in
5 records), persons receiving information from the Statewide
6 central register or pending complaint file may be informed only
7 as to:

8 (1) Whether the report is a founded or indicated abuse
9 or is under investigation.

10 (2) The number of such reports.

11 (3) The nature and extent of the alleged or actual
12 instances of suspected child abuse.

13 (4) The county in which the reports are investigated.

14 (5) Any other information available which would further
15 the purposes of this chapter.

16 (c) Limitation on release of information.--Except as
17 provided in sections 6334, 6335, 6340 and 6342, no information
18 shall be released from the Statewide central register or pending
19 complaint file unless pursuant to section 6332 (relating to
20 establishment of Statewide toll-free telephone number) and
21 unless the department has positively identified the
22 representative of the county agency requesting the information
23 and the department has inquired into and is satisfied that the
24 representative has a legitimate need, within the scope of
25 official duties and the provisions of section 6332, to obtain
26 the information. Information in the Statewide central register
27 or pending complaint file shall not be released for any purpose
28 or to any individual not specified in section 6340.]

29 Section 7. Sections 6339 and 6340(a)(2), (9), (10), (12) and
30 (13), (b), (c) and (d) of Title 23 are amended to read:

1 § 6339. Confidentiality of reports.

2 Except as otherwise provided in this subchapter, reports made
3 pursuant to this chapter, including, but not limited to, report
4 summaries of child abuse and [written] reports made pursuant to
5 section [6313(b) and (c)] 6313 (relating to reporting procedure)
6 as well as any other information obtained, reports written or
7 photographs or X-rays taken concerning alleged instances of
8 child abuse in the possession of the department or a county
9 agency shall be confidential.

10 § 6340. Release of information in confidential reports.

11 (a) General rule.--Reports specified in section 6339
12 (relating to confidentiality of reports) shall only be made
13 available to:

14 * * *

15 [(2) A physician examining or treating a child or the
16 director or a person specifically designated in writing by
17 the director of any hospital or other medical institution
18 where a child is being treated when the physician or the
19 director or the designee of the director suspects the child
20 of being an abused child or a child alleged to be in need of
21 protection under this chapter.]

22 * * *

23 (9) Law enforcement officials of any jurisdiction, as
24 long as the information is relevant in the course of
25 investigating cases of:

26 (i) Homicide or other criminal offense set forth in
27 section 6344(c) (relating to information relating to
28 prospective child-care personnel), sexual abuse[, sexual]
29 or exploitation, bodily injury or serious bodily injury
30 [or serious physical injury perpetrated by persons

1 whether or not related to the victim] caused by a
2 perpetrator or nonperpetrator.

3 (ii) [Child abuse perpetrated by persons who are not
4 family members.] Child abuse other than that identified
5 under subparagraph (i) by a nonperpetrator.

6 (iii) Repeated physical injury to a child under
7 circumstances which indicate that the child's health,
8 safety or welfare is harmed or threatened.

9 (iv) A missing child report.

10 (10) The district [attorney or his designee] attorney's
11 office or other law enforcement official, as set forth in
12 [the] county protocols for multidisciplinary investigative
13 teams required in section 6365(c) (relating to services for
14 prevention, investigation and treatment of child abuse),
15 shall receive, immediately after the county agency has
16 ensured the safety of the child, reports of abuse [, either
17 orally or in writing,] according to regulations [promulgated
18 by the department], from the department or county agency in
19 which the initial report of suspected child abuse or initial
20 inquiry into the report gives evidence that the abuse is:

21 (i) a criminal offense set forth [in] under section
22 6344(c), not including an offense under 18 Pa.C.S. § 4304
23 (relating to endangering welfare of children) or an
24 equivalent crime under Federal law or [the] law of
25 another state[, sexual abuse, sexual exploitation or
26 serious bodily injury perpetrated by persons, whether or
27 not related to the victim]; or

28 (ii) child abuse [perpetrated by persons who are not
29 family members; or

30 (iii) serious physical injury involving extensive

1 and severe bruising, burns, broken bones, lacerations,
2 internal bleeding, shaken baby syndrome or choking or an
3 injury that significantly impairs a child's physical
4 functioning, either temporarily or permanently] under
5 section 6321(2) or (3) (relating to responsibility for
6 investigation).

7 * * *

8 (12) A mandated reporter of suspected child abuse [as
9 defined in] under section 6311 (relating to persons required
10 to report suspected child abuse) who made a report of abuse
11 involving the subject child, [but the information permitted
12 to be released to the mandated reporter] shall be limited to
13 the following:

14 (i) [The final status of] Whether the child abuse
15 report [following the investigation, whether it be] is
16 indicated, founded or unfounded.

17 (ii) Any services provided, arranged for or to be
18 provided by the county agency to protect the child , or <--
19 any service plan developed.

20 †(13) [Persons required to make reports under Subchapter <--
21 C.1 (relating to students in public and private schools).
22 Information under this paragraph shall be limited to the
23 final status of the report following the investigation as to
24 whether the report is indicated, founded or unfounded.]
25 SCHOOL ADMINISTRATORS, IF THE ALLEGED PERPETRATOR IS A SCHOOL <--
26 EMPLOYEE, SHALL RECEIVE NOTICE OF A PENDING ALLEGATION AND
27 THE FINAL STATUS OF THE REPORT FOLLOWING THE INVESTIGATION AS
28 TO WHETHER THE REPORT IS INDICATED, FOUNDED OR UNFOUNDED.
29 INFORMATION DISCLOSED PURSUANT TO THIS PARAGRAPH SHALL BE
30 PROVIDED TO THE SCHOOL ADMINISTRATOR WITHIN TEN DAYS OF THE

1 COMPLETION OF THE INVESTIGATION.

2 * * *

3 (b) Release of information to subject [of report].--[At any
4 time and upon] Upon a written request, a subject of a report may
5 receive a copy of all information, except that prohibited from
6 being disclosed by subsection (c), contained in the Statewide
7 [central register] database or in any report filed pursuant to
8 section 6313 (relating to reporting procedure).

9 (c) Protecting identity [of person making report].--Except
10 for reports [pursuant to] under subsection (a) (9) and (10), and
11 in response to a law enforcement official investigating
12 allegations of false reports under 18 Pa.C.S. § 4906.1 (relating
13 to false reports of child abuse), the release of data that would
14 identify the person who made a report of suspected child abuse
15 or [the person] who cooperated in a subsequent investigation is
16 prohibited unless the [secretary] department finds that the
17 release will not be detrimental to the safety of [that] the
18 person. Law enforcement officials shall treat all reporting
19 sources as confidential informants.

20 (d) Exclusion of [administrative] information.--Information
21 maintained in the Statewide [central register which was]
22 database obtained from an investigating agency in relation to an
23 appeal request shall not be released to any person except a
24 department official [, as provided by regulation].

25 Section 8. Title 23 is amended by adding a section to read:
26 § 6387. Background checks.

27 Payment for a background check relating to child abuse may be
28 paid for by an individual or organization by check ~~or~~, money <--
29 order OR BY CREDIT OR DEBIT CARD WHEN THE SYSTEM BECOMES <--
30 AVAILABLE.

1 Section 9. This act shall take effect January 1, 2014.