

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 481 Session of
2007

INTRODUCED BY BROWNE, BOSCOLA, ERICKSON, FERLO, FOLMER,
RAFFERTY, ORIE, EARLL, REGOLA, RHOADES, C. WILLIAMS, COSTA
AND O'PAKE, MARCH 15, 2007

REFERRED TO JUDICIARY, MARCH 15, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for interagency
3 information sharing.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6352.2. Interagency information sharing.

9 (a) General rule.--Notwithstanding any other provision of
10 law with the exception of 18 Pa.C.S. Ch. 91 (relating to
11 criminal history record information), and pursuant to the
12 provisions of this chapter and all relevant Federal law, the
13 contents of law enforcement, county agency, drug and alcohol,
14 mental health and education records regarding a child who has
15 been accepted for service by a county agency or who is alleged
16 or who has been found to be dependent or delinquent shall be
17 provided, upon request, to the county agency, court or juvenile
18 probation department or district attorney.

1 (b) Sharing of information.--The county agency, court or
2 juvenile probation department shall use the information
3 contained in the records to effect, or in furtherance of, a
4 disposition under this chapter of the child who is the subject
5 of such records. Unless otherwise prohibited by this chapter,
6 the information may be shared among authorized representatives
7 of the county agency, court and juvenile probation department in
8 furtherance of a disposition under this chapter of the child, or
9 in furtherance of efforts to identify and provide early
10 intervention services to children who are determined to be at
11 risk of child abuse, parental neglect, or initial or more
12 serious delinquent behavior. The information may likewise be
13 shared with other agencies or entities for the purposes set
14 forth in this section pursuant to an interagency information
15 sharing agreement developed under subsection (c), or upon order
16 of court or the written consent of the parent or guardian of the
17 child who is the subject of such records.

18 (c) Interagency information sharing agreements.--

19 (1) Subject to approval of the court and the
20 requirements of 18 Pa.C.S. Ch. 91, an interagency information
21 sharing agreement may be developed in each county between the
22 county agency, juvenile probation department, local law
23 enforcement agencies, mental health agencies, drug and
24 alcohol agencies, local school districts, and other agencies
25 and entities as deemed appropriate, to enhance the
26 coordination of case management services to and the
27 supervision of children who have been accepted for service by
28 a county agency, or who have been alleged or found to be
29 dependent or delinquent, and to enhance the coordination of
30 efforts to identify children who may be at risk of child

1 abuse, parental neglect, or initial or more serious
2 delinquent behavior and to provide early intervention
3 services to these children and their families. Any such
4 agreement shall be signed by the chief executive officers of
5 the entities referred to in this section and shall be
6 submitted to the court for approval.

7 (2) All interagency information sharing agreements
8 shall, at a minimum:

9 (i) provide that information will be shared to
10 enhance the coordination of case management services to
11 and the supervision of children who have been alleged or
12 found to dependent or delinquent, or who have been
13 accepted for service by a county agency, and to enhance
14 the coordination of efforts to identify children who may
15 be at risk of child abuse, parental neglect, or initial
16 or more serious delinquent behavior and to provide early
17 intervention services to these children and their
18 families;

19 (ii) set forth the specific activities in which the
20 signatories and their representatives will engage, either
21 collectively or individually, in furtherance of the
22 purposes of the agreement; and

23 (iii) prohibit the release of information shared
24 pursuant to this agreement with other parties, except as
25 otherwise required or permitted by statute.

26 Section 2. This act shall take effect in 60 days.