



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 24

PRINTERS NO. 1795

PRIME SPONSOR: Vulakovich

COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: Senate Bill 24, Printer's Number 1795, amends Title 23 (Domestic Relations) to provide for the electronic reporting of child abuse, establishment of a statewide database of protective services, expunction of records in the statewide database, release of information for child care clearance inquiries and cross-reporting and the responsibility for child abuse investigations. This legislation is effective December 31, 2014.

ANALYSIS: This legislation amends the Child Protective Services Law in the Domestic Relations Code (Title 23, Chapter 63). Section 6305 (Electronic Reporting) is created to provide for the secure and confidential use of electronic communication technologies for the filing of suspected child abuse reports and other required records, and the verification of records and signatures on forms. The Department of Public Welfare (DPW) must promulgate regulations necessary to implement these procedures and comply with all applicable federal and state laws regarding confidentiality of personally identifiable information.

SB 24 also establishes a statewide database of protective services to replace the current statewide central register and file of unfounded reports. The statewide database will contain information on child abuse reports as well as general protective services reports. The legislation provides for the release of information in the statewide database by DPW to county agencies and law enforcement only for specified purposes and only after DPW has verified the requester is authorized to receive the information. The legislation also provides a schedule for the disposition and expunction of unfounded reports and general protective services reports.

Information provided in response to inquiries for child care personnel and family day care home residents is limited to the following: whether the person was named as a perpetrator of child abuse in a found or indicated report; whether there is an investigation pending in which the individual is an alleged perpetrator; and the number, date of the incidents upon which the report is based and the type of abuse or neglect involved in the reports. The information provided shall not include unfounded reports of child abuse or reports related to general protective services.

This legislation requires a county agency or a law enforcement agency, after ensuring the safety of the child and any other child in the home, to immediately notify DPW of a report of suspected child abuse and if it is an oral report, to submit a report in writing or electronically within 48 hours. DPW must immediately transmit an oral or electronic notice to a county when receiving a report of suspected child abuse. If DPW receives a report of suspected child abuse that also alleges a criminal offense has been committed against the child, DPW must notify the appropriate law enforcement in the county where the alleged abuse occurred. In the case of joint referrals to a county agency and law enforcement, the notice will include the contact information of the other recipients of the referral. Responsibility for child abuse investigation by law enforcement is broadened to include any case where the suspected abuse may include commission of a criminal offense against a child.

FISCAL IMPACT: This legislation will have no adverse fiscal impact on Commonwealth funds. The Department of Public Welfare is currently in the process of developing and implementing a Statewide Child Welfare Information Solution (CWIS). Per DPW, funding for the CWIS system is included in the enacted 2013-14 budget and in the proposed 2014-15 budget.

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House Appropriations Committee (R)

DATE: March 11, 2014

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.