



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1232

PRINTERS NO. 3782

PRIME SPONSOR: Murt

### COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
General Fund	\$0	\$0

**SUMMARY:** House Bill 1232, Printer's Number 3782, amends the Child Protective Services Law (Title 23).

**ANALYSIS:** HB 1232 amends Title 23 § 6332 (establishment of statewide toll-free telephone number) to require all public and nonpublic schools that enroll students in grades kindergarten through 12 to display a poster that contains the statewide toll-free telephone numbers for reporting suspected child abuse or neglect or school safety issues and the website that provides information and resources related to child protection. The poster shall be of a uniform design approved by the Department of Human Services (DHS) in consultation with the Department of Education (DOE), displayed in a high-traffic, public area of the school that is readily accessible and widely used by students, and be available on the departments public websites.

This legislation requires hospitals to display a poster that contains the statewide toll-free telephone numbers for reporting suspected child abuse or neglect or school safety issues and the DHS website that provides information and resources related to child protection. The poster shall be of a uniform design approved by DHS in consultation with the Department of Health (DOH) and displayed in a high-traffic, public area of the emergency department of the hospital.

HB 1232 amends section 6337 regarding the timetable for expunging reports that are assessed by the county agency and are determined to be valid, but are not accepted for services as follows:

- Extend the number of years that a valid general protective services report shall be maintained in the statewide database from five years to 10 years after the closure of services by the county agency or until the youngest child identified in the most recent general protective services report attains 23 years of age, whichever occurs first.
- Direct that the report shall be expunged from the statewide database no later than 120 days after the 10-year period following the closure of services by the county agency or 120 days after the youngest child identified in the most recent general protective services report attains 23 years of age, whichever occurs first.

The bill amends further amends section 6337 as it relates to the timetable for expunging reports that are assessed by the county agency and are accepted for services as follows:

- Extends the number of years that a valid general protective services report shall be maintained in the statewide database from five years to 10 years after the closure of services by the county agency or until the youngest child identified in the most recent general protective services report attains 23 years of age, whichever occurs first.
- Directs that the report shall be expunged from the statewide database no later than 120 days after the 10-year period following the closure of services by the county agency or 120 days after the youngest child identified in the most recent general protective services report attains 23 years of age, whichever occurs first.

HB 1232 adds an exception to section 6337 for a county agency to maintain information regarding protective services reports that have been expunged in the statewide database for access by the county to assist in future risk and safety assessments.

The bill amends sections 6344 and 6344.2 to reclassify individuals who apply for or hold a paid position with an employer that participates in the internship, externship, work study, or co-op program with a school and who are identified as the child's supervisor and the person responsible for the child's welfare while the child participates in the program as a volunteer for the purposes of background checks.

The legislation updates section 6386 in order for the Commonwealth to remain in compliance with the federal Child Abuse Prevention and Treatment Act (CAPTA). The legislation requires a health care provider to immediately give notice to the department if the provider is involved in the delivery or care of a child under one year of age who is affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder.

HB 1232 requires the department, in collaboration with DOH and the Department Drug and Alcohol Programs (DDAP), to develop written protocols for implementation of a plan of safe care that include:

- Ensuring the safety and well-being of the child following release from the care of health care providers;
- Addressing the health and substance use disorder treatment needs of the child the child's mother, father and other caregivers and other children in the home;
- Identifying the lead entity responsible for the development of a plan of safe care;
- Requiring the lead entity to convene a multidisciplinary team; and
- Collecting data to meet federal and state reporting requirements.

The bill stipulates that notification to the department regarding infants born affected by or exhibiting withdrawal from substance use or fetal alcohol spectrum disorder shall not be deemed child abuse.

HB 1232 has the following effective dates:

- The provisions related to the statewide toll-free telephone number are effective in 60 days.
- The provisions related to expunction of unfounded reports and general protective services reports are effective in 365 days.

- The remainder of the act is effective immediately.

**FISCAL IMPACT:** Enactment of this legislation should have no fiscal impact to the Commonwealth. The bill requires DHS and DOE to design and display the posters on the departments' websites, which can be accomplished within existing staffing levels and funding provided to the departments.

In addition, the bill requires the DHS, in collaboration with DOH and DDAP, to develop written protocols for implementation of a plan of safe care, which can also be accomplished within existing staffing levels and funding provided to the departments.

**PREPARED BY:** Ann Bertolino  
House Appropriations Committee (R)

**DATE:** June 22, 2018

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