

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 24

PRINTER'S NO. 1473

AMOUNT

No Significant Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 15, 2013

PRIME SPONSOR

Senator Vulakovich

HISTORY OF BILL

Referred to COMMUNICATIONS AND TECHNOLOGY, March 15, 2013

Reported as amended, Oct. 2, 2013

First consideration, Oct. 2, 2013

Re-referred to APPROPRIATIONS, Oct. 2, 2013

Re-reported as amended, Oct. 15, 2013

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 24 amends Title 23 (Domestic Relations) to update clearance procedures for prospective employees and establishes a Statewide database of protective services.

Establish procedures for the secure use of electronic technologies for transmission of information for filing reports and verification of reports. Allows DPW to submit reports electronically rather than make an oral or written report of suspected child abuse.

Requires that reports of suspected child abuse by mandated reporters be made immediately to DPW by phone or electronic technologies. Contents of report to include: name and address of the child, the child's parents and any other person responsible for child's welfare; where the suspected abuse occurred and the age and sex of each subject of the report.

After ensuring the immediate safety of this child, county or law enforcement shall immediately notify DPW of the report. The notice shall contain: that a complaint of suspected child abuse by a perpetrator has been received; substance of the complaint; and existence in the statewide database of a prior report or a current investigation concerning a subject of the report.

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If DPW receives a report of suspected child abuse that also alleges a criminal offense has been committed against a child, DPW shall immediately transmit a notice to law enforcement in the county where the suspected abuse occurred, that includes: complaint of suspected child abuse has been received; substance of the complaint; existence in the statewide database of a prior report or a current investigation concerning a subject of the report. Also provides for procedures of reporting incidents of suspected child abuse occurring outside the Commonwealth.

Requires cooperation in conducting an investigation or assessing risk to a child from Commonwealth agencies, political subdivisions, county agencies or those providing services under the county plan and also school districts. Willful failure to cooperate to a timely production of requested information is a 3rd degree misdemeanor. A person barring, inhibiting or precluding sufficient access to subject child commits a misdemeanor of the second degree. If a report of suspected child abuse is referred from county to law enforcement the law enforcement agency shall advise the county whether a criminal investigation had been undertaken and the results of the investigation and of any criminal prosecution.

Requires DPW to establish and maintain a secure Statewide database to register protective services cases involving reports of child abuse and children in need of general protective services.

Access to information in the statewide database can be for use for assessment or investigation by law enforcement. Only county agency or law enforcement may request information for purposes of assessing and investigating reports or complaints of child abuse or allegations that a child is in need of general protective services.

Information related to clearances for prospective child-care personnel, for family day-care home residents or persons having contact with children shall be limited to whether:

- Person was named a perpetrator of child abuse in a founded or indicated report.
- Investigation is pending in which the individual is an alleged perpetrator.
- The number, date of the incidents and the type of abuse or neglect involved in any reports.

This act shall take effect on January 1, 2014.

FISCAL IMPACT:

Senate Bill 24 will have no significant fiscal impact to the Commonwealth. The enactment of this legislation will require the department to modify its already existing statewide central register of child abuse computer system. However, the Department of Public Welfare is in Phase 1 of the development of the Statewide Child Welfare Information Solution (CWIS) which focuses on referrals and screening functions, including system changes required to expand state level access to referrals, screening, and clearances by providing real-time data on CPS and GPS reports. The cost for Phase 1 has already been factored into the budget.