

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** House Bill 1232

**PRINTER NO.** 3432

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

April 17, 2017

**PRIME SPONSOR**

Representative Murt

**DESCRIPTION**

House Bill 1232 amends the Child Protective Services Law to require all schools and hospitals to post the Statewide toll-free telephone number for reporting suspected child abuse or neglect (ChildLine) and any Statewide toll-free telephone number relating to school safety. Further, the legislation provides for volunteers having contact with children; and provides for mandatory reporting of children under one year of age.

The bill requires the poster to be displayed in a high-traffic, public area of each school campus that is readily accessible to and widely used by students and in a high-traffic, public area of the emergency department of a hospital.

The bill directs the Department of Human Services (department), in consultation with the Departments of Education and Health, to design the poster, which meets the following criteria:

- Is 11 inches by 17 inches or larger;
- Displays the Statewide toll-free telephone numbers in bold print; and
- Includes the department’s publicly accessible internet website that provides information and resources related to child protection.

Additionally, the Department of Human Services and the Department of Education shall make the poster available on their publicly accessible internet websites to all public and nonpublic schools.

The bill amends 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:

- 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 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 date the report was received by the department or 120 days after the youngest child identified in the most recent general protective services report attains 23 years of age, whichever occurs first.

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The bill amends 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.

The bill provides an exception 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 bill 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.

The bill requires the department, in collaboration with the Departments of Health and Drug and Alcohol Programs, 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.

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The bill 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:**

House Bill 1232 will have no fiscal impact to the Commonwealth. The bill requires the Department of Education and the Department of Human Services 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 Department of Human Services, in collaboration with the Departments of Health and Drug and Alcohol Programs, 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.