

ADMINISTRATIVE CODE OF 1929 - DEPARTMENT OF HEALTH AND  
CHILDREN'S ADVOCACY CENTERS

Act of Apr. 7, 2014, P.L. 383, No. 28

Cl. 35

Session of 2014

No. 2014-28

HB 316

AN ACT

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," in Commonwealth agency fees, further providing for the Department of Health; and providing for children's advocacy centers.

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

Section 1. Section 609-A(6) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, added December 23, 2003 (P.L.282, No.47), is amended to read:

Section 609-A. Department of Health.--The Department of Health is authorized to charge fees for the following purposes and in the following amounts:

\* \* \*

(6) Vital statistics:

(i) Certified copy of a birth record..... [10.00]

20.00

(ii) Certified copy of a death record..... 9.00

Section 2. The act is amended by adding an article to read:

**ARTICLE XXIII-B**

**CHILDREN'S ADVOCACY CENTERS**

**Section 2301-B. Declaration of policy.**

The General Assembly finds and declares as follows:

(1) State-of-the-art treatment for victims of child sexual abuse and child abuse is provided by children's advocacy centers. These centers bring together doctors, nurses, prosecutors, social workers and police in order to provide a unique and essential program of treatment and healing for child victims.

(2) Children's advocacy centers not only treat child victims, but assist in preventing and detecting child abuse and provide, through forensic interviewing and other

techniques employed by the multidisciplinary investigative teams, the most effective way to bring perpetrators of child sexual abuse to justice.

(3) The Task Force on Child Protection stated in its November 2012 report that the Commonwealth's children are underserved when it comes to access to children's advocacy centers. The Task Force on Child Protection recommended that children's advocacy centers be established in order to allow the maximum number of abused children to be treated. Further, the Task Force on Child Protection recommended that the General Assembly provide a dedicated funding stream to support existing children's advocacy centers and to enable the establishment of additional children's advocacy centers within this Commonwealth.

(4) It is in the public interest for this Commonwealth to provide financial assistance to children's advocacy centers, both for their enhancement and establishment, and to multidisciplinary investigative teams.

#### Section 2302-B. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Children's advocacy center." As defined in 23 Pa.C.S. § 6303 (relating to definitions).

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"Committee." The Child Advocacy Center Advisory Committee established under this article.

"Multidisciplinary investigative team." A team established to coordinate child abuse investigations between county agencies and law enforcement as set forth in 23 Pa.C.S. Ch. 63 (relating to child protective services).

#### Section 2303-B. Funding.

The following apply:

(1) The commission shall make grants to qualified applicants as provided in this article for the operation of existing children's advocacy centers and for the establishment of children's advocacy centers, consistent with this article. In awarding grants, the commission shall consider:

- (i) The number of children to be served.
- (ii) The geographical area to be serviced.
- (iii) The scope of the services.
- (iv) The need for services.
- (v) The availability of expert pediatric medical and mental health services.

(2) The commission shall make grants to qualified applicants for the operation of multidisciplinary investigative teams.

#### Section 2303.1-B. Additional funding.

(a) Initial year.--For the fiscal year beginning July 1, 2014, 50% of the fee charged by the Department of Health for a certified copy of a birth record under section 609-A shall be transferred to the Department of Public Welfare for training of mandated reporters of child abuse and child abuse related costs.

(b) Subsequent years.--For the fiscal year beginning July 1, 2015, and each fiscal year thereafter, 50% of the fee charged by the Department of Health for a certified copy of a birth record under section 609-A shall be distributed as follows:

(1) Twenty-five percent shall be transferred to the Department of Public Welfare for training of mandated reporters of child abuse and child abuse related costs.

(2) Seventy-five percent shall be transferred to the commission for grants for child advocacy centers and multidisciplinary investigative teams.

(c) Restrictions.--The funding under this section shall not be used to supplant Federal, State or local funds otherwise available for child advocacy centers and multidisciplinary investigative teams.

Section 2304-B. Permitted use of funds.

(a) Grants to qualified applicants.--Funding shall be used to provide resources to qualified applicants as provided in this article. Grants shall be provided to all qualified applicants that apply to the extent that funds are available. However, no more than 20% of the funds collected annually under this article shall be provided to any single qualified applicant. Any remaining funds may be provided to other qualified applicants.

(b) Initial award of funds.--For the first three years after the effective date of this article, the commission shall endeavor to provide 30% of the funds collected under this article to qualified applicants working to establish children's advocacy centers in regions not yet served by such centers.

Section 2305-B. Procedure.

In order to be a qualified applicant and to be awarded a grant under this article, the commission must find that either:

(1) The applicant is an accredited, associate/developing or affiliate member of the National Children's Alliance.

(2) In the case of an applicant that is not a member of the National Children's Alliance:

(i) The applicant identifies a region of this Commonwealth it intends to serve.

(ii) The applicant has received a letter of endorsement from all of the district attorneys and multidisciplinary investigative teams of the counties which will be served within the region. A district attorney and a multidisciplinary investigative team shall submit a letter jointly. In no case may the commission distribute funds under this article to an applicant which has not been endorsed by all of the district attorneys and multidisciplinary investigative teams of the counties to be served within the region.

(iii) The applicant intends to apply for membership in the National Children's Alliance within a reasonable period of time.

(iv) The applicant obtains a letter of endorsement from the Pennsylvania Chapter of Children's Advocacy Centers and Multidisciplinary Teams.

Section 2306-B. Child Advocacy Center Advisory Committee.

(a) Establishment.--The Child Advocacy Center Advisory Committee is established within the commission.

(b) Composition.--The committee shall consist of no more than 21 members and be appointed by the chairman of the commission and shall include all of the following:

(1) The Victim Advocate.

(2) The Deputy Secretary of the Office of Children, Youth and Families of the Department of Public Welfare.

(3) Representatives from each of the following, who have experience in the multidisciplinary investigation of child abuse and the use and operation of a child advocacy center:

- (i) Child advocacy centers.
- (ii) County children and youth service agencies.
- (iii) Municipal police departments.
- (iv) The Pennsylvania State Police.
- (v) District attorneys offices.
- (vi) Victims' service providers.
- (vii) Medical and mental health professionals.

(c) Term.--Members shall serve for a four-year term and may be appointed for no more than one additional consecutive term.

(d) Conditions of appointment.--The committee and its members shall be subject to the same limitations and conditions imposed upon the commission under section 2(d), (e), (h), (i), (m) and (n) of the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law.

(e) Quorum.--A majority of the members shall constitute a quorum, and a vote of the majority of the members present shall be sufficient for all actions.

(f) Chairman.--The Governor shall appoint a chairman from among the members of the committee who shall serve at the pleasure of the Governor. A vice chairman shall be designated by the chairman and preside at meetings in the absence of the chairman. The committee shall meet at the call of the chairman, but not less than four times a year.

(g) Powers and duties.--The committee shall have the power, and its duty shall be to:

(1) Perform those functions related to the direct approval and disbursement of grants to child advocacy centers and multidisciplinary investigative teams under sections 2303-B and 2304-B in an advisory capacity only. The committee shall have the opportunity to review and comment on grant applications.

(2) Advise the commission on the definition, development and correlation of programs and projects and the establishment of priorities for child advocacy centers and multidisciplinary investigative teams.

(3) Upon request, provide assistance and advice to the commission on any other matters relating to child advocacy centers and multidisciplinary investigative teams.

(h) Staff support.--Staff support shall be made available to the committee by the executive director of the commission to adequately perform the duties provided for under this section.

Section 3. This act shall take effect July 1, 2014.

APPROVED--The 7th day of April, A.D. 2014.

TOM CORBETT