

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2239 Session of
2005

INTRODUCED BY REICHLEY, ARGALL, ARMSTRONG, BALDWIN, CAPPELLI,
CLYMER, CRAHALLA, CREIGHTON, GINGRICH, GOODMAN, GRELL,
HARRIS, HERMAN, KILLION, KIRKLAND, KOTIK, McILHATTAN, NAILOR,
PYLE, RUBLEY, B. SMITH, THOMAS AND TIGUE, NOVEMBER 16, 2005

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 16, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for interagency
3 information sharing.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6352.2. Interagency information sharing.

9 (a) General rule.--Notwithstanding any other provision of
10 law with the exception of 18 Pa.C.S. Ch. 91 (relating to
11 criminal history record information), and pursuant to the
12 provisions of this chapter and all relevant Federal law, the
13 contents of law enforcement, county agency, drug and alcohol,
14 mental health and education records regarding a child who has
15 been accepted for service by a county agency or who is alleged
16 or who has been found to be dependent or delinquent shall be
17 provided, upon request, to the county agency, court or juvenile

1 probation department or district attorney.

2 (b) Sharing of information.--The county agency, court or
3 juvenile probation department shall use the information
4 contained in the records to effect, or in furtherance of, a
5 disposition under this chapter of the child who is the subject
6 of such records. Unless otherwise prohibited by this chapter,
7 the information may be shared among authorized representatives
8 of the county agency, court and juvenile probation department in
9 furtherance of a disposition under this chapter of the child, or
10 in furtherance of efforts to identify and provide early
11 intervention services to children who are determined to be at
12 risk of child abuse, parental neglect, or initial or more
13 serious delinquent behavior. The information may likewise be
14 shared with other agencies or entities for the purposes set
15 forth in this section pursuant to an interagency information
16 sharing agreement developed under subsection (c), or upon order
17 of court or the written consent of the parent or guardian of the
18 child who is the subject of such records.

19 (c) Interagency information sharing agreements.--

20 (1) Subject to approval of the court and the
21 requirements of 18 Pa.C.S. Ch. 91, an interagency information
22 sharing agreement may be developed in each county between the
23 county agency, juvenile probation department, local law
24 enforcement agencies, mental health agencies, drug and
25 alcohol agencies, local school districts, and other agencies
26 and entities as deemed appropriate, to enhance the
27 coordination of case management services to and the
28 supervision of children who have been accepted for service by
29 a county agency, or who have been alleged or found to be
30 dependent or delinquent, and to enhance the coordination of

1 efforts to identify children who may be at risk of child
2 abuse, parental neglect or initial or more serious delinquent
3 behavior and to provide early intervention services to these
4 children and their families. Any such agreement shall be
5 signed by the chief executive officers of the entities
6 referred to in this section and shall be submitted to the
7 court or approval.

8 (2) All interagency information sharing agreements
9 shall, at a minimum:

10 (i) provide that information will be shared to
11 enhance the coordination of case management services to
12 and the supervision of children who have been alleged or
13 found to dependent or delinquent, or who have been
14 accepted for service by a county agency, and to enhance
15 the coordination of efforts to identify children who may
16 be at risk of child abuse, parental neglect, or initial
17 or more serious delinquent behavior and to provide early
18 intervention services to these children and their
19 families;

20 (ii) set forth the specific activities in which the
21 signatories and their representatives will engage, either
22 collectively or individually, in furtherance of the
23 purposes of the agreement; and

24 (iii) prohibit the release of information shared
25 pursuant to this agreement with other parties, except as
26 otherwise required or permitted by statute.

27 Section 2. This act shall take effect in 60 days.