

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 481 Session of  
2007

INTRODUCED BY BROWNE, BOSCOLA, ERICKSON, FERLO, FOLMER,  
RAFFERTY, ORIE, EARLL, REGOLA, RHOADES, C. WILLIAMS, COSTA  
AND O'PAKE, MARCH 15, 2007

REFERRED TO JUDICIARY, MARCH 15, 2007

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  
18 probation department or district attorney.

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

18    (c) Interagency information sharing agreements.--

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

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

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

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

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

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

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