

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 78 Session of  
2019

---

INTRODUCED BY ROTHMAN, RYAN, JAMES, KAUFFMAN AND HILL-EVANS,  
JANUARY 28, 2019

---

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JANUARY 28, 2019

---

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child protective services, further  
3 providing for investigating performance of county agency.

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

6 Section 1. Section 6343(c)(4) of Title 23 of the  
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 6343. Investigating performance of county agency.

9 \* \* \*

10 (c) Department reviews and reports of child fatalities and  
11 near fatalities.--

12 \* \* \*

13 (4) Upon completion of the review and report, the  
14 department's child fatality or near fatality report shall be  
15 made available to the county agency, the child fatality or  
16 near fatality review team and designated county officials  
17 under section 6340(a)(11) (relating to release of information  
18 in confidential reports). The report shall be made available,

1 upon request, to other individuals to whom confidential  
2 reports may be released, as specified by section 6340. The  
3 department's report shall be made available to the public,  
4 but identifying information shall be removed from the  
5 contents of the report except for disclosure of: the identity  
6 of a deceased child; if the child was in the custody of a  
7 public or private agency, the identity of the agency; the  
8 identity of the public or private agency under contract with  
9 a county agency to provide services to the child and the  
10 child's family in the child's home prior to the child's death  
11 or near fatality; and the identity of any county agency that  
12 convened a child fatality or near fatality review team in  
13 respect to the child. If the report determines that no one  
14 was culpable in the child's fatality or near fatality, the  
15 report shall not be available to the public after one year  
16 following the issuance of the report. The report shall not be  
17 released to the public if the district attorney certifies  
18 that release of the report may compromise a pending criminal  
19 investigation or proceeding. Certification by the district  
20 attorney shall stay the release of the report for a period of  
21 60 days, at which time the report shall be released unless a  
22 new certification is made by the district attorney.

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