



# Senate Communications & Technology Committee

**Senator Randy Vulakovich, Chairman**

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## Bill Summary

**Bill Number:** SB 24, P.N. 683

**Prime Sponsor:** Vulakovich

**Prepared By:** Vicki Wilken

**Date:** October 1, 2013

### Synopsis:

Amends Title 23 (Domestic Relations) to establish a pending compliant file, a Statewide central register and file of unfounded reports, providing for access to information in Statewide database; providing for information in Statewide central register and for disposition of founded and indicated reports.

### Summary:

Amends Section 6331 (Establishment of Statewide database of protective services) to require the department to establish and maintain a secure Statewide database to register protective services cases involving reports of child abuse and children in need of general protective services.

Information authorized in the statewide database shall include the following: name, social security number, age and sex of the subject of the report; date relating to each alleged occurrence; home address of subject; county of alleged occurrence; family composition; name and relationship to the child of other individuals in the report; factors contributing to the need for protective services; source of the report; services planned or provided; if report was determined to be founded, indicated or unfounded; if protective services were provided and if protective services were not provided, the reason and whether the family was referred for other community services; information obtained by DPW relating to a perpetrator's request to release, amend or expunge information retained by DPW or county; progress of a legal proceeding related to the basis of the report; details relating to any criminal investigation undertaken; if an unfounded report is the result of a false report, a notation of the false report and the status of the report; additional information relating to reporting procedures; cases that do not result in a child abuse investigation, general protective services assessment or a referral for community services: reasons the report was not accepted or information provided to the referral source or the family related to other services or options available to address the report or complaint.

Adds a new Section 6335.1 (Access to information in Statewide database.) to provide for use of information.

- (A) Upon receipt of a report or complaint of child abuse, a county agency or law enforcement official shall use the statewide toll-free phone number to determine the existence of any prior reports or complaints involving a subject of the report. If the statewide database contains information indicating a prior report or complaint of a pending investigation concerning a subject of the report, the department shall immediately convey the information to the county agency or law enforcement.
- (B) The county agency or law enforcement may only request the information for the purposes of assessing and investigating reports or complaints of child abuse or allegations that a child is in need of general protective services:

- (1) Following receipt of a report or complaint of suspected abuse and the child is in need of general protective services;
- (2) On behalf of the following individuals, if that individual suspects that a child is a victim of child abuse or has reason to believe that a child is in need of general protective services:
  - a. A physician examining or treating a child
  - b. The director of a hospital or a person specifically designated in writing by the director of a medical institution where a child is being treated.
- (C) No person other than an employee of the department in the course of their official duties in connection with the responsibilities of the department shall have access to any information in the Statewide database except as provided under this section and the following:
  - (1) Section 6323 (relating to disposition of initial reports)
  - (2) Section 6340 (relating to release of information in confidential reports)
  - (3) Section 6342 (relating to studies of data in records)
- (D) Information provided in response to inquiries for clearances shall be limited to the following:
  - (1) Whether the person was named as a perpetrator of child abuse in a founded or indicated report.
  - (2) Whether there is an investigation pending in which the individual is an alleged perpetrator.
  - (3) The number, date of the incidents upon which the report is based and the type of abuse or neglect involved in any of the reports identified.
- (E) Requests may be made using advanced communication technologies of appropriate verification is made.

Repeals Section 6336 (Information in Statewide central register) and Section 6338 (Disposition of founded and indicated reports).

Effective date: 60 days