

1 **SENATE FLOOR VERSION**

2 February 27, 2013

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 688

By: Griffin and David of the  
Senate

6 and

7 Nelson of the House

8  
9 [ child abuse - requiring the Department of Human  
10 Services to develop electronic means of reporting  
11 certain information - effective date ]  
12

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-102, is  
15 amended to read as follows:

16 Section 1-9-102. A. 1. In coordination with the Child Abuse  
17 Training and Coordination Council, each district attorney shall  
18 develop a multidisciplinary child abuse team in each county of the  
19 district attorney or in a contiguous group of counties.

20 2. The lead agency for the team shall be chosen by the members  
21 of the team. The team shall intervene in reports involving child  
22 sexual abuse or child physical abuse or neglect.

23 B. The multidisciplinary child abuse team members shall  
24 include, but not be limited to:

- 1           1. Mental health professionals licensed pursuant to the laws of  
2 this state or licensed professional counselors;
- 3           2. Police officers or other law enforcement agents with a role  
4 in, or experience or training in child abuse and neglect  
5 investigation;
- 6           3. Medical personnel with experience in child abuse and neglect  
7 identification;
- 8           4. Child protective services workers within the Department of  
9 Human Services;
- 10          5. Multidisciplinary child abuse team coordinators, or Child  
11 Advocacy Center personnel; and
- 12          6. The district attorney or assistant district attorney.
- 13          C. 1. To the extent that resources are available to each of  
14 the various multidisciplinary child abuse teams throughout the  
15 state, the functions of the team shall include, but not be limited  
16 to, the following specific functions:
- 17           a. whenever feasible, law enforcement and child welfare  
18           staff shall conduct joint investigations in an effort  
19           to effectively respond to child abuse reports,
- 20           b. develop a written protocol for investigating child  
21           sexual abuse and child physical abuse or neglect cases  
22           and for interviewing child victims. The purpose of  
23           the protocol shall be to ensure coordination and  
24           cooperation between all agencies involved so as to

1 increase the efficiency in handling such cases and to  
2 minimize the stress created for the allegedly abused  
3 child by the legal and investigatory process. In  
4 addition, each team shall develop confidentiality  
5 statements and interagency agreements signed by member  
6 agencies that specify the cooperative effort of the  
7 member agencies to the team,

8 c. freestanding multidisciplinary child abuse teams shall  
9 be approved by the Child Abuse Training and  
10 Coordination Council. The Council shall conduct an  
11 annual review of freestanding multidisciplinary teams  
12 to ensure that the teams are functioning effectively.  
13 Teams not meeting the minimal standards as promulgated  
14 by the Council shall be removed from the list of  
15 functioning teams in the state,

16 d. increase communication and collaboration among the  
17 professionals responsible for the reporting,  
18 investigation, prosecution and treatment of child  
19 abuse and neglect cases,

20 e. eliminate duplicative efforts in the investigation and  
21 the prosecution of child abuse and neglect cases,

22 f. identify gaps in service or all untapped resources  
23 within the community to improve the delivery of  
24 services to the victim and family,

1 g. encourage the development of expertise through  
2 training. Each team member and those conducting child  
3 abuse investigations and interviews of child abuse  
4 victims shall be trained in the multidisciplinary team  
5 approach, conducting legally sound and age-appropriate  
6 interviews, effective investigation techniques and  
7 joint investigations as provided through the Child  
8 Abuse Training and Coordination Council or other  
9 resources,

10 h. formalize a case review process and provide data as  
11 requested to the Child Abuse Training and Coordination  
12 Council for freestanding teams, and

13 i. standardize investigative procedures for the handling  
14 of child abuse and neglect cases.

15 2. All investigations of child sexual abuse and child physical  
16 abuse or neglect and interviews of child abuse or neglect victims  
17 shall be carried out by appropriate personnel using the protocols  
18 and procedures specified in this section.

19 3. If trained personnel are not available in a timely fashion  
20 and, in the judgment of a law enforcement officer or the Department  
21 of Human Services, there is reasonable cause to believe a delay in  
22 investigation or interview of the child victim could place the child  
23 in jeopardy of harm or threatened harm to a child's health or  
24 welfare, the investigation may proceed without full participation of

1 all personnel. This authority applies only for as long as  
2 reasonable danger to the child exists. A reasonable effort to find  
3 and provide a trained investigator or interviewer shall be made.

4 D. 1. A multidisciplinary child abuse team may enter into an  
5 agreement with the Child Death Review Board within the Oklahoma  
6 Commission on Children and Youth and, in accordance with rules  
7 promulgated by the Oklahoma Commission on Children and Youth,  
8 conduct case reviews of deaths and near deaths of children within  
9 the geographical area of that multidisciplinary child abuse team.

10 2. Any multidisciplinary child abuse team reviewing deaths and  
11 near deaths of children shall prepare and make available to the  
12 public, on an annual basis, a report containing a summary of the  
13 activities of the team relating to the review of the deaths and near  
14 deaths of children and a summary of the extent to which the state  
15 child protection system is coordinated with foster care and adoption  
16 programs and whether the state is efficiently discharging its child  
17 protection responsibilities. The report shall be completed no later  
18 than December 31 of each year.

19 E. Nothing in this section shall preclude the use of hospital  
20 team reviews for client-specific purposes and multidisciplinary  
21 teams, either of which were in existence prior to July 1, 1995;  
22 provided, however, such teams shall not be subject to the provisions  
23 of paragraph 1 of subsection A of this section.

24

1 F. 1. Child advocacy centers shall be classified, based on the  
2 child population of a district attorney's district, as follows:

- 3 a. nonurban centers in districts with child populations  
4 that are less than sixty thousand (60,000),
- 5 b. midlevel nonurban centers in districts with child  
6 populations equal to or greater than sixty thousand  
7 (60,000), but not including Oklahoma and Tulsa  
8 Counties, and
- 9 c. urban centers in Oklahoma and Tulsa Counties.

10 2. The multidisciplinary child abuse team used by the child  
11 advocacy center for its accreditation shall meet the criteria  
12 required by a national association of child advocacy centers and, in  
13 addition, the team shall:

- 14 a. choose a lead agency for the team,
- 15 b. intervene in reports involving child sexual abuse and  
16 may intervene in child physical abuse or neglect,
- 17 c. promote the joint investigation of child abuse reports  
18 between law enforcement and child welfare staff, and
- 19 d. formalize standardized investigative procedures for  
20 the handling of child abuse and neglect cases.

21 G. Multidisciplinary child abuse teams and child advocacy  
22 centers shall have full access to any service or treatment plan and  
23 any personal data known to the Department which is directly related  
24 to the implementation of this section.

1        H. The Department shall develop an electronic form to be  
2 completed and submitted by persons with knowledge of child abuse and  
3 neglect, such as teachers, therapists, and other professionals whose  
4 duties involve a child known to have been identified in the  
5 Statewide Automated Child Welfare Information System. The  
6 Department shall have a dedicated email address and shall either  
7 initiate an assessment or investigation based upon the information  
8 in the form or add the information to existing case files if no  
9 further action is required.

10        I. The Department of Human Services shall promulgate rules to  
11 implement the provisions of this act.

12        SECTION 2. This act shall become effective November 1, 2013.

13        COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
14        February 27, 2013 - DO PASS AS AMENDED

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