

An Act

ENROLLED HOUSE
BILL NO. 1863

By: Roberts of the House

and

Rader of the Senate

An Act relating to children; amending 10A O.S. 2021, Section 1-9-102, which relates to the Oklahoma Children's Code; directing the multidisciplinary child abuse teams to review cases; modifying team functions to include joint investigations; directing teams to use secure databases and report data; directing certain protocol to be initiated; directing the Oklahoma Commission on Children and Youth to create and maintain certain database; specifying information to be collected for the database; providing requirements related to data; providing purpose of database; directing the Commission to promulgate rules; providing for codification; and providing an effective date.

SUBJECT: Children

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

SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-9-102, is amended to read as follows:

Section 1-9-102. A. 1. In coordination with the Oklahoma Commission on Children and Youth, each district attorney shall develop a multidisciplinary child abuse team in each county of the district attorney or in a contiguous group of counties.

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

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

1. Mental health professionals licensed pursuant to the laws of this state or licensed professional counselors;

2. Police officers or other law enforcement agents with a role in, or experience or training in child abuse and neglect investigation;

3. Medical personnel with experience in child abuse and neglect identification;

4. Child protective services workers within the Department of Human Services;

5. Multidisciplinary child abuse team coordinators, or Child Advocacy Center personnel; and

6. The district attorney or assistant district attorney.

C. 1. To the extent that resources are available to each of the various multidisciplinary child abuse teams throughout the state, the functions of the team shall include, but not be limited to, the following specific functions:

a. whenever feasible, law enforcement and child welfare staff shall conduct joint investigations ~~in an effort~~ to effectively respond to child abuse reports,

b. develop a written protocol for ~~investigating the joint investigation of~~ child sexual abuse and child physical abuse or neglect cases by law enforcement and child welfare staff and for professionals interviewing child victims. The purpose of the protocol shall be to ensure coordination and cooperation between all agencies involved so as to increase the efficiency in handling such cases and to minimize the stress created for the allegedly abused child by the legal and investigatory process. In addition, each team shall develop confidentiality statements and interagency agreements signed by member agencies that specify the cooperative effort of the member agencies to the team,

- c. increase communication and collaboration among the professionals responsible for the reporting, investigation, prosecution and treatment of child abuse and neglect cases,
- d. eliminate duplicative efforts in the investigation and the prosecution of child abuse and neglect cases,
- e. identify gaps in service or all untapped resources within the community to improve the delivery of services to the victim and family,
- f. encourage the development of expertise through training. Each team member and those conducting child abuse investigations and interviews of child abuse victims shall be trained in the multidisciplinary team approach, conducting legally sound and age-appropriate interviews, effective investigation techniques and joint investigations as provided through the State Department of Health, the Commission on Children and Youth, or other resources, and
- g. formalize a case review process that includes the use of a secure database provided for in Section 2 of this act and provide report program data as requested to the Commission for freestanding teams, and
- ~~h. standardize investigative procedures for the handling of child abuse and neglect cases.~~

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

3. If trained personnel are not available in a timely fashion and, in the judgment of a law enforcement officer or the Department of Human Services, there is reasonable cause to believe a delay in investigation or interview of the child victim could place the child in jeopardy of harm or threatened harm to a the child's health or welfare, the investigation may proceed without full participation of all personnel, provided all reasonable efforts have been made to facilitate the use of a trained investigator or interviewer. This authority applies only for as long as reasonable danger to the child exists. ~~A reasonable effort to find and provide a trained~~

~~investigator or interviewer shall be made~~ As soon as possible thereafter, the joint investigation protocol shall be initiated.

4. Freestanding multidisciplinary child abuse teams shall be approved by the Commission. The Commission shall ~~conduct~~ direct an annual review of freestanding multidisciplinary teams to ensure that the teams are functioning effectively, and staff shall conduct on-site compliance reviews as necessary. Teams not meeting the minimal standards as promulgated by the Commission shall be removed from the list of functioning teams in the state.

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

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

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

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

- a. nonurban centers in districts with child populations that are less than sixty thousand (60,000),
- b. midlevel nonurban centers in districts with child populations equal to or greater than sixty thousand (60,000), but not including Oklahoma and Tulsa Counties, and

c. urban centers in Oklahoma and Tulsa Counties.

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

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

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

H. Each member of the team shall be responsible for protecting the confidentiality of the child and any information made available to such person as a member of the team. The multidisciplinary team and any information received by the team shall be exempt from the requirements of Sections 301 through 314 of Title 25 of the Oklahoma Statutes and Sections 24A.1 through 24A.31 of Title 51 of the Oklahoma Statutes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-102a of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Commission on Children and Youth shall provide for the creation and maintenance of a secure database to be utilized by freestanding multidisciplinary child abuse teams during case review.

B. The database shall be used to collect case information and shall maintain strict security of all information. The database and its use shall be subject to the confidential records requirements established pursuant to Sections 1-6-102 and 1-6-107 of this title

and penalties for violations established pursuant to Section 1-6-107 of this title.

C. The purpose of the database shall include, but not be limited to:

1. Facilitating case management;
2. Providing for appropriate and uniform collection and reporting of case information by all freestanding multidisciplinary child abuse teams;
3. Enabling Commission staff to conduct programmatic evaluations; and
4. Identifying trends to make recommendations for improving the children and youth service system.

D. The Commission shall promulgate rules necessary to implement the provisions of this section.

SECTION 3. This act shall become effective November 1, 2025.

Passed the House of Representatives the 15th day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 1st day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____