

CHILD ABUSE REPORTING SUBCOMMITTEE

Senator Nancy Parrish, Chairman

February 27, 1990 -- Room 522-S -- 3:30 p.m.

SB 306 - Concerning records and reports of child abuse or neglect.

PROPOSERS

Gloria Torrez Corona, Special Agent for Attorney General (ATTACHMENT 1)

OPPOSERS

None appeared.

Subcommittee recommendation: to amend SB 306 into SB 522.

SB 522 - concerning child abuse.

PROPOSERS

Gloria Torrez Corona, Special Agent for Attorney General (ATTACHMENT 1)

Cynthia Kelly, Kansas Association of School Boards (ATTACHMENT 2)

David Rodeheffer, Kansas Psychological Association (ATTACHMENT 3)

Jan Wade, Director of Children in Need of Care Programs, SRS

Tim Owens, SRS Legal Counsel, Mental Health and Retardation Services

Paul Shelby, Office of Judicial Administration

OPPOSERS

None appeared.

Subcommittee recommendation: amendments to SB 522:
on page 2 on line 7 - 9, strike the words "if the person
has signed a confidentiality agreement with standards as
strict or stricter than the requirements of this code",
and by striking sections (h), (i) and (j),; on page 3, line
23 by striking "the juvenile offender's foster parents or
legal guardian" and insert "a court services officer"; and
incorporating SB 306.
Action on SB 522: favorable for passage as amended.

SB 635 -concerning person who may be mentally ill; procedure.

PROPOSERS

Tim Owens, SRS Legal Counsel, Mental Health and Retardation Services

OPPOSERS

None appeared.

Subcommittee recommendation: to pass favorable.

SB 640 - concerning guardians and wards; procedure to change treatment.

PROPOSERS

Tim Owens, SRS Legal Counsel, Mental Health and Retardation Services

OPPOSERS

None appeared.

Subcommittee recommendation: amendments to SB 640:
insert on page 2, line 17 the word "licensed" after "in
other" and before "treatment facilities", and inserting
"guardian or other interested party" on page 2, line 19
after "the ward" and before "shall request";
action on SB 640: favorable for passage as amended.

Additional Subcommittee recommendation: an interim study on the broader issue of
confidentiality in all Children In Need Of Care
and juvenile offender issues.

This concluded the business of the Subcommittee.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN
ATTORNEY GENERAL

TESTIMONY OF

MAIN PHONE (913) 296-2215
CONSUMER PROTECTION: 296-3751
TELECOPIER: 296-6296

SPECIAL AGENT GLORIA TORREZ CORONA
ON BEHALF OF ATTORNEY GENERAL BOB STEPHAN

TO THE SENATE JUDICIARY SUBCOMMITTEE

RE: SENATE BILL 306 and SENATE BILL 522

February 27, 1990

MR. CHAIRMAN AND MEMBERS OF THE SENATE JUDICIARY
SUBCOMMITTEE:

ONE OF MY RESPONSIBILITIES AS A SPECIAL AGENT
IN THE OFFICE OF THE ATTORNEY GENERAL IS TO
INVESTIGATE COMPLAINTS OF ALLEGED CHILD ABUSE
AND/OR NEGLECT OF CHILDREN UNDER 18 YEARS OF
AGE WHO ARE PLACED IN A STATE INSTITUTION.

SENATE BILL 306 AND SENATE BILL 522 WOULD ALLOW
THE INVESTIGATIVE PROCESS TO BE MORE RESPONSIVE
TO THOSE DIRECTLY INVOLVED IN THE INVESTIGATION.
THESE BILLS WOULD ALLOW FOR GREATER ACCESSIBILITY
OF RECORDS FOR THE MULTI-DISCIPLINARY TEAM FOR
PROPER INVESTIGATION OF CHILD ABUSE COMPLAINTS.

Subcommittee 2/27/90
ATTACHMENT 1

THE MOST IMPORTANT AND SIGNIFICANT ASPECT OF THESE
BILLS IS THAT THE CHILDREN WILL BE ABLE TO RECEIVE
THE NECESSARY PROTECTION IN AN EXPEDITIOUS MANNER.

THANK YOU FOR YOUR ATTENTION AND I RESPECTFULLY
REQUEST THAT YOU SUPPORT SENATE BILL 306 AND SENATE
BILL 522.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

TESTIMONY ON SENATE BILL NO. 522
BEFORE THE SENATE JUDICIARY COMMITTEE

by

Cynthia Lutz Kelly, Deputy General Counsel
Kansas Association of School Boards

February 27, 1990

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today on behalf of our member school districts, to speak in support of the concepts contained in Senate Bill 522. Legislation which helps to facilitate communication among the various agencies who deal with neglected and abused children is both necessary and commendable.

Although we strongly support the concept of the bill, we believe that subsection (a)(2)(I), as it is currently worded, would require a school district to violate provisions of the federal law contained in the Family Educational Rights and Privacy Act. Further, we understand that there are federal regulations which prohibit the release of this information by SRS to school personnel.

We therefore ask that you amend Senate Bill 522 by deleting subsection (a)(2)(I), but recommend that further study be undertaken to determine workable means for facilitating this vital communication between school districts and other agencies.

Subcommittee, 2/27/90
Attachment 2



KANSAS PSYCHOLOGICAL ASSOCIATION

February 27, 1990

TO: Subcommittee on Judiciary
FROM: David C. Rodeheffer, PhD
RE: SB 522 - Child Abuse

Madam Chairwoman, members of the subcommittee, I am Dr. David C. Rodeheffer representing the Kansas Psychological Association, its President, Dr. Joseph Weaver and its Board of Governors. I would like to thank you for your gracious allowance of written testimony regarding SB 522.

In the Act under Section 1, Subsection 2 (G) and (H) whereby a list persons is given access to records and reports concerning child abuse or neglect, we would urge your adding licensed psychologists to that list of persons.

We would ask your consideration for this action for two reasons:

- (1) Licensed psychologists deal with child abuse situations; and
- (2) Licensed psychologists may not be a part of the multidisciplinary team as mentioned in subsection 2, (G) and (H). The Licensed Psychologists, because they may be practicing independently, may not be a part of the multidisciplinary team, therefore, should be listed singly in the bill.

Again, we thank you for allowing us to testify concerning this important issue.

David C. Rodeheffer, PhD
Kansas Psychological Association
Legislative Chairman

*Subcommittee 2/27/90
ATTACHMENT 3*