

**SENATE BILL REPORT**

**EHB 1115**

**AS REPORTED BY COMMITTEE ON HEALTH & HUMAN SERVICES,  
MARCH 22, 1993**

**Brief Description:** Allowing law enforcement agencies to have access to children's records in cases of reported child abuse and neglect.

**SPONSORS:** Representatives Riley, Mielke, R. Johnson, Jones, Brough, Van Luven and Karahalios

**HOUSE COMMITTEE ON HUMAN SERVICES**

**SENATE COMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** Do pass as amended.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Deccio, Erwin, Franklin, Fraser, McAuliffe, Moyer, Niemi, Prentice, Quigley, Sheldon, L. Smith, and Winsley.

**Staff:** Richard Rodger (786-7461)

**Hearing Dates:** March 19, 1993; March 22, 1993

**BACKGROUND:**

When a report of abuse or neglect is made, the Department of Social and Health Services (DSHS) and local law enforcement agencies may initiate two separate and distinct investigations. If the report is made to DSHS, it must in turn report to the appropriate law enforcement agency. If the report is made to a law enforcement agency, that agency is required to report the incident to DSHS. Often, information pertaining to the abuse must be secured from the school or medical facility that reported the incident. The department investigating abuse and neglect is provided access to all relevant records to pursue the investigation. Law enforcement agencies must request DSHS to share those records. This causes additional work for DSHS and a delay in the law enforcement investigation.

**SUMMARY:**

Law enforcement agencies are authorized to access all relevant records of the reported child abuse or neglect from the reporters. Medical practitioners must request a release of information from a victim's parent or guardian but may release information regardless of obtaining the release.

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

The provision requiring medical practitioners to request a release of information from the victim's parents is eliminated.

The risk assessment process, which was started as a pilot project, is mandated for all child abuse cases. The department shall file annual reports on the effectiveness of the risk assessment process.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

This bill will provide a better flow of information to law enforcement officers when investigating child abuse cases.

**TESTIMONY AGAINST:**

The new subsection (12) of the bill which requires medical practitioners to request medical releases from parents in child abuse cases may interfere with their medical treatment.

**TESTIFIED:** Representative Riley, prime sponsor; Beverly Jacobson, WA State Hospital Assn, WSMA; Bob Shilling, WA State Council of Police Officers