

2SSB 6206 - H COMM AMD

By Committee on Early Learning & Children's Services

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 74.13.640 and 2004 c 36 s 1 are each amended to read
4 as follows:

5 (1) The department of social and health services shall conduct a
6 child fatality review in the event of an unexpected death of a minor in
7 the state who is in the care of or receiving services described in
8 chapter 74.13 RCW from the department or who has been in the care of or
9 received services described in chapter 74.13 RCW from the department
10 within one year preceding the minor's death.

11 (2) Upon conclusion of a child fatality review required pursuant to
12 subsection (1) of this section, the department shall within one hundred
13 eighty days following the fatality issue a report on the results of the
14 review to the appropriate committees of the legislature and shall make
15 copies of the report available to the public upon request, unless an
16 extension has been granted by the governor.

17 (3) The department shall develop and implement procedures to carry
18 out the requirements of subsections (1) and (2) of this section.

19 (4) In the event a child fatality is the result of apparent abuse
20 or neglect by the child's parent or caregiver, the department shall
21 ensure that the fatality review team is comprised of individuals who
22 had no previous involvement in the case and whose professional
23 expertise is pertinent to the dynamics of the case.

24 (5) In the event of a near-fatality of a child who is in the care
25 of or receiving services described in this chapter from the department
26 or who has been in the care of or received services described in this
27 chapter from the department within one year preceding the
28 near-fatality, the department shall promptly notify the office of the
29 family and children's ombudsman.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.06A RCW
2 to read as follows:

3 The office of the family and children's ombudsman shall issue an
4 annual report to the legislature on the status of the implementation of
5 child fatality review recommendations.

6 **Sec. 3.** RCW 43.06A.100 and 1999 c 390 s 5 are each amended to read
7 as follows:

8 The department of social and health services shall:

9 (1) Allow the ombudsman or the ombudsman's designee to communicate
10 privately with any child in the custody of the department for the
11 purposes of carrying out its duties under this chapter;

12 (2) Permit the ombudsman or the ombudsman's designee physical
13 access to state institutions serving children, and state licensed
14 facilities or residences for the purpose of carrying out its duties
15 under this chapter;

16 (3) Upon the ombudsman's request, grant the ombudsman or the
17 ombudsman's designee the right to access, inspect, and copy all
18 relevant information, records, or documents in the possession or
19 control of the department that the ombudsman considers necessary in an
20 investigation; and

21 (4) Grant the office of the family and children's ombudsman
22 unrestricted on-line access to the case and management information
23 system (CAMIS) or any successor information system for the purpose of
24 carrying out its duties under this chapter.

25 **Sec. 4.** RCW 26.44.030 and 2007 c 387 s 3 are each amended to read
26 as follows:

27 (1)(a) When any practitioner, county coroner or medical examiner,
28 law enforcement officer, professional school personnel, registered or
29 licensed nurse, social service counselor, psychologist, pharmacist,
30 employee of the department of early learning, licensed or certified
31 child care providers or their employees, employee of the department,
32 juvenile probation officer, placement and liaison specialist,
33 responsible living skills program staff, HOPE center staff, or state
34 family and children's ombudsman or any volunteer in the ombudsman's
35 office has reasonable cause to believe that a child has suffered abuse

1 or neglect, he or she shall report such incident, or cause a report to
2 be made, to the proper law enforcement agency or to the department as
3 provided in RCW 26.44.040.

4 (b) When any person, in his or her official supervisory capacity
5 with a nonprofit or for-profit organization, has reasonable cause to
6 believe that a child has suffered abuse or neglect caused by a person
7 over whom he or she regularly exercises supervisory authority, he or
8 she shall report such incident, or cause a report to be made, to the
9 proper law enforcement agency, provided that the person alleged to have
10 caused the abuse or neglect is employed by, contracted by, or
11 volunteers with the organization and coaches, trains, educates, or
12 counsels a child or children or regularly has unsupervised access to a
13 child or children as part of the employment, contract, or voluntary
14 service. No one shall be required to report under this section when he
15 or she obtains the information solely as a result of a privileged
16 communication as provided in RCW 5.60.060.

17 Nothing in this subsection (1)(b) shall limit a person's duty to
18 report under (a) of this subsection.

19 For the purposes of this subsection, the following definitions
20 apply:

21 (i) "Official supervisory capacity" means a position, status, or
22 role created, recognized, or designated by any nonprofit or for-profit
23 organization, either for financial gain or without financial gain,
24 whose scope includes, but is not limited to, overseeing, directing, or
25 managing another person who is employed by, contracted by, or
26 volunteers with the nonprofit or for-profit organization.

27 (ii) "Regularly exercises supervisory authority" means to act in
28 his or her official supervisory capacity on an ongoing or continuing
29 basis with regards to a particular person.

30 (c) The reporting requirement also applies to department of
31 corrections personnel who, in the course of their employment, observe
32 offenders or the children with whom the offenders are in contact. If,
33 as a result of observations or information received in the course of
34 his or her employment, any department of corrections personnel has
35 reasonable cause to believe that a child has suffered abuse or neglect,
36 he or she shall report the incident, or cause a report to be made, to
37 the proper law enforcement agency or to the department as provided in
38 RCW 26.44.040.

1 (d) The reporting requirement shall also apply to any adult who has
2 reasonable cause to believe that a child who resides with them, has
3 suffered severe abuse, and is able or capable of making a report. For
4 the purposes of this subsection, "severe abuse" means any of the
5 following: Any single act of abuse that causes physical trauma of
6 sufficient severity that, if left untreated, could cause death; any
7 single act of sexual abuse that causes significant bleeding, deep
8 bruising, or significant external or internal swelling; or more than
9 one act of physical abuse, each of which causes bleeding, deep
10 bruising, significant external or internal swelling, bone fracture, or
11 unconsciousness.

12 (e) The report must be made at the first opportunity, but in no
13 case longer than forty-eight hours after there is reasonable cause to
14 believe that the child has suffered abuse or neglect. The report must
15 include the identity of the accused if known.

16 (2) The reporting requirement of subsection (1) of this section
17 does not apply to the discovery of abuse or neglect that occurred
18 during childhood if it is discovered after the child has become an
19 adult. However, if there is reasonable cause to believe other children
20 are or may be at risk of abuse or neglect by the accused, the reporting
21 requirement of subsection (1) of this section does apply.

22 (3) Any other person who has reasonable cause to believe that a
23 child has suffered abuse or neglect may report such incident to the
24 proper law enforcement agency or to the department of social and health
25 services as provided in RCW 26.44.040.

26 (4) The department, upon receiving a report of an incident of
27 alleged abuse or neglect pursuant to this chapter, involving a child
28 who has died or has had physical injury or injuries inflicted upon him
29 or her other than by accidental means or who has been subjected to
30 alleged sexual abuse, shall report such incident to the proper law
31 enforcement agency. In emergency cases, where the child's welfare is
32 endangered, the department shall notify the proper law enforcement
33 agency within twenty-four hours after a report is received by the
34 department. In all other cases, the department shall notify the law
35 enforcement agency within seventy-two hours after a report is received
36 by the department. If the department makes an oral report, a written
37 report must also be made to the proper law enforcement agency within
38 five days thereafter.

1 (5) Any law enforcement agency receiving a report of an incident of
2 alleged abuse or neglect pursuant to this chapter, involving a child
3 who has died or has had physical injury or injuries inflicted upon him
4 or her other than by accidental means, or who has been subjected to
5 alleged sexual abuse, shall report such incident in writing as provided
6 in RCW 26.44.040 to the proper county prosecutor or city attorney for
7 appropriate action whenever the law enforcement agency's investigation
8 reveals that a crime may have been committed. The law enforcement
9 agency shall also notify the department of all reports received and the
10 law enforcement agency's disposition of them. In emergency cases,
11 where the child's welfare is endangered, the law enforcement agency
12 shall notify the department within twenty-four hours. In all other
13 cases, the law enforcement agency shall notify the department within
14 seventy-two hours after a report is received by the law enforcement
15 agency.

16 (6) Any county prosecutor or city attorney receiving a report under
17 subsection (5) of this section shall notify the victim, any persons the
18 victim requests, and the local office of the department, of the
19 decision to charge or decline to charge a crime, within five days of
20 making the decision.

21 (7) The department may conduct ongoing case planning and
22 consultation with those persons or agencies required to report under
23 this section, with consultants designated by the department, and with
24 designated representatives of Washington Indian tribes if the client
25 information exchanged is pertinent to cases currently receiving child
26 protective services. Upon request, the department shall conduct such
27 planning and consultation with those persons required to report under
28 this section if the department determines it is in the best interests
29 of the child. Information considered privileged by statute and not
30 directly related to reports required by this section must not be
31 divulged without a valid written waiver of the privilege.

32 (8) Any case referred to the department by a physician licensed
33 under chapter 18.57 or 18.71 RCW on the basis of an expert medical
34 opinion that child abuse, neglect, or sexual assault has occurred and
35 that the child's safety will be seriously endangered if returned home,
36 the department shall file a dependency petition unless a second
37 licensed physician of the parents' choice believes that such expert
38 medical opinion is incorrect. If the parents fail to designate a

1 second physician, the department may make the selection. If a
2 physician finds that a child has suffered abuse or neglect but that
3 such abuse or neglect does not constitute imminent danger to the
4 child's health or safety, and the department agrees with the
5 physician's assessment, the child may be left in the parents' home
6 while the department proceeds with reasonable efforts to remedy
7 parenting deficiencies.

8 (9) Persons or agencies exchanging information under subsection (7)
9 of this section shall not further disseminate or release the
10 information except as authorized by state or federal statute.
11 Violation of this subsection is a misdemeanor.

12 (10) Upon receiving reports of alleged abuse or neglect, the
13 department or law enforcement agency may interview children. The
14 interviews may be conducted on school premises, at day-care facilities,
15 at the child's home, or at other suitable locations outside of the
16 presence of parents. Parental notification of the interview must occur
17 at the earliest possible point in the investigation that will not
18 jeopardize the safety or protection of the child or the course of the
19 investigation. Prior to commencing the interview the department or law
20 enforcement agency shall determine whether the child wishes a third
21 party to be present for the interview and, if so, shall make reasonable
22 efforts to accommodate the child's wishes. Unless the child objects,
23 the department or law enforcement agency shall make reasonable efforts
24 to include a third party in any interview so long as the presence of
25 the third party will not jeopardize the course of the investigation.

26 (11) Upon receiving a report of alleged child abuse and neglect,
27 the department or investigating law enforcement agency shall have
28 access to all relevant records of the child in the possession of
29 mandated reporters and their employees.

30 (12) In investigating and responding to allegations of child abuse
31 and neglect, the department may conduct background checks as authorized
32 by state and federal law.

33 (13) If a report of alleged abuse or neglect is founded and
34 constitutes the third founded report received by the department within
35 the last twelve months involving the same child or family, the
36 department shall promptly notify the office of the family and
37 children's ombudsman of the contents of the report. The department
38 shall also notify the ombudsman of the disposition of the report.

1 (14) The department shall maintain investigation records and
2 conduct timely and periodic reviews of all cases constituting abuse and
3 neglect. The department shall maintain a log of screened-out
4 nonabusive cases.

5 ~~((14))~~ (15) The department shall use a risk assessment process
6 when investigating alleged child abuse and neglect referrals. The
7 department shall present the risk factors at all hearings in which the
8 placement of a dependent child is an issue. Substance abuse must be a
9 risk factor. The department shall, within funds appropriated for this
10 purpose, offer enhanced community-based services to persons who are
11 determined not to require further state intervention.

12 ~~((15))~~ (16) Upon receipt of a report of alleged abuse or neglect
13 the law enforcement agency may arrange to interview the person making
14 the report and any collateral sources to determine if any malice is
15 involved in the reporting.

16 ~~((16))~~ (17) The department shall make reasonable efforts to learn
17 the name, address, and telephone number of each person making a report
18 of abuse or neglect under this section. The department shall provide
19 assurances of appropriate confidentiality of the identification of
20 persons reporting under this section. If the department is unable to
21 learn the information required under this subsection, the department
22 shall only investigate cases in which: (a) The department believes
23 there is a serious threat of substantial harm to the child; (b) the
24 report indicates conduct involving a criminal offense that has, or is
25 about to occur, in which the child is the victim; or (c) the department
26 has, after investigation, a report of abuse or neglect that has been
27 founded with regard to a member of the household within three years of
28 receipt of the referral.

29 (18) Upon receiving a report of alleged abuse or neglect involving
30 a child under the court's jurisdiction under chapter 13.34 RCW, the
31 department shall promptly notify the child's guardian ad litem of the
32 report's contents. The department shall also notify the guardian ad
33 litem of the disposition of the report. For purposes of this
34 subsection, "guardian ad litem" has the meaning provided in RCW
35 13.34.030.

36 **Sec. 5.** RCW 26.44.030 and 2007 c 387 s 3 and 2007 c 220 s 2 are
37 each reenacted and amended to read as follows:

1 (1)(a) When any practitioner, county coroner or medical examiner,
2 law enforcement officer, professional school personnel, registered or
3 licensed nurse, social service counselor, psychologist, pharmacist,
4 employee of the department of early learning, licensed or certified
5 child care providers or their employees, employee of the department,
6 juvenile probation officer, placement and liaison specialist,
7 responsible living skills program staff, HOPE center staff, or state
8 family and children's ombudsman or any volunteer in the ombudsman's
9 office has reasonable cause to believe that a child has suffered abuse
10 or neglect, he or she shall report such incident, or cause a report to
11 be made, to the proper law enforcement agency or to the department as
12 provided in RCW 26.44.040.

13 (b) When any person, in his or her official supervisory capacity
14 with a nonprofit or for-profit organization, has reasonable cause to
15 believe that a child has suffered abuse or neglect caused by a person
16 over whom he or she regularly exercises supervisory authority, he or
17 she shall report such incident, or cause a report to be made, to the
18 proper law enforcement agency, provided that the person alleged to have
19 caused the abuse or neglect is employed by, contracted by, or
20 volunteers with the organization and coaches, trains, educates, or
21 counsels a child or children or regularly has unsupervised access to a
22 child or children as part of the employment, contract, or voluntary
23 service. No one shall be required to report under this section when he
24 or she obtains the information solely as a result of a privileged
25 communication as provided in RCW 5.60.060.

26 Nothing in this subsection (1)(b) shall limit a person's duty to
27 report under (a) of this subsection.

28 For the purposes of this subsection, the following definitions
29 apply:

30 (i) "Official supervisory capacity" means a position, status, or
31 role created, recognized, or designated by any nonprofit or for-profit
32 organization, either for financial gain or without financial gain,
33 whose scope includes, but is not limited to, overseeing, directing, or
34 managing another person who is employed by, contracted by, or
35 volunteers with the nonprofit or for-profit organization.

36 (ii) "Regularly exercises supervisory authority" means to act in
37 his or her official supervisory capacity on an ongoing or continuing
38 basis with regards to a particular person.

1 (c) The reporting requirement also applies to department of
2 corrections personnel who, in the course of their employment, observe
3 offenders or the children with whom the offenders are in contact. If,
4 as a result of observations or information received in the course of
5 his or her employment, any department of corrections personnel has
6 reasonable cause to believe that a child has suffered abuse or neglect,
7 he or she shall report the incident, or cause a report to be made, to
8 the proper law enforcement agency or to the department as provided in
9 RCW 26.44.040.

10 (d) The reporting requirement shall also apply to any adult who has
11 reasonable cause to believe that a child who resides with them, has
12 suffered severe abuse, and is able or capable of making a report. For
13 the purposes of this subsection, "severe abuse" means any of the
14 following: Any single act of abuse that causes physical trauma of
15 sufficient severity that, if left untreated, could cause death; any
16 single act of sexual abuse that causes significant bleeding, deep
17 bruising, or significant external or internal swelling; or more than
18 one act of physical abuse, each of which causes bleeding, deep
19 bruising, significant external or internal swelling, bone fracture, or
20 unconsciousness.

21 (e) The report must be made at the first opportunity, but in no
22 case longer than forty-eight hours after there is reasonable cause to
23 believe that the child has suffered abuse or neglect. The report must
24 include the identity of the accused if known.

25 (2) The reporting requirement of subsection (1) of this section
26 does not apply to the discovery of abuse or neglect that occurred
27 during childhood if it is discovered after the child has become an
28 adult. However, if there is reasonable cause to believe other children
29 are or may be at risk of abuse or neglect by the accused, the reporting
30 requirement of subsection (1) of this section does apply.

31 (3) Any other person who has reasonable cause to believe that a
32 child has suffered abuse or neglect may report such incident to the
33 proper law enforcement agency or to the department of social and health
34 services as provided in RCW 26.44.040.

35 (4) The department, upon receiving a report of an incident of
36 alleged abuse or neglect pursuant to this chapter, involving a child
37 who has died or has had physical injury or injuries inflicted upon him
38 or her other than by accidental means or who has been subjected to

1 alleged sexual abuse, shall report such incident to the proper law
2 enforcement agency. In emergency cases, where the child's welfare is
3 endangered, the department shall notify the proper law enforcement
4 agency within twenty-four hours after a report is received by the
5 department. In all other cases, the department shall notify the law
6 enforcement agency within seventy-two hours after a report is received
7 by the department. If the department makes an oral report, a written
8 report must also be made to the proper law enforcement agency within
9 five days thereafter.

10 (5) Any law enforcement agency receiving a report of an incident of
11 alleged abuse or neglect pursuant to this chapter, involving a child
12 who has died or has had physical injury or injuries inflicted upon him
13 or her other than by accidental means, or who has been subjected to
14 alleged sexual abuse, shall report such incident in writing as provided
15 in RCW 26.44.040 to the proper county prosecutor or city attorney for
16 appropriate action whenever the law enforcement agency's investigation
17 reveals that a crime may have been committed. The law enforcement
18 agency shall also notify the department of all reports received and the
19 law enforcement agency's disposition of them. In emergency cases,
20 where the child's welfare is endangered, the law enforcement agency
21 shall notify the department within twenty-four hours. In all other
22 cases, the law enforcement agency shall notify the department within
23 seventy-two hours after a report is received by the law enforcement
24 agency.

25 (6) Any county prosecutor or city attorney receiving a report under
26 subsection (5) of this section shall notify the victim, any persons the
27 victim requests, and the local office of the department, of the
28 decision to charge or decline to charge a crime, within five days of
29 making the decision.

30 (7) The department may conduct ongoing case planning and
31 consultation with those persons or agencies required to report under
32 this section, with consultants designated by the department, and with
33 designated representatives of Washington Indian tribes if the client
34 information exchanged is pertinent to cases currently receiving child
35 protective services. Upon request, the department shall conduct such
36 planning and consultation with those persons required to report under
37 this section if the department determines it is in the best interests

1 of the child. Information considered privileged by statute and not
2 directly related to reports required by this section must not be
3 divulged without a valid written waiver of the privilege.

4 (8) Any case referred to the department by a physician licensed
5 under chapter 18.57 or 18.71 RCW on the basis of an expert medical
6 opinion that child abuse, neglect, or sexual assault has occurred and
7 that the child's safety will be seriously endangered if returned home,
8 the department shall file a dependency petition unless a second
9 licensed physician of the parents' choice believes that such expert
10 medical opinion is incorrect. If the parents fail to designate a
11 second physician, the department may make the selection. If a
12 physician finds that a child has suffered abuse or neglect but that
13 such abuse or neglect does not constitute imminent danger to the
14 child's health or safety, and the department agrees with the
15 physician's assessment, the child may be left in the parents' home
16 while the department proceeds with reasonable efforts to remedy
17 parenting deficiencies.

18 (9) Persons or agencies exchanging information under subsection (7)
19 of this section shall not further disseminate or release the
20 information except as authorized by state or federal statute.
21 Violation of this subsection is a misdemeanor.

22 (10) Upon receiving a report of alleged abuse or neglect, the
23 department shall make reasonable efforts to learn the name, address,
24 and telephone number of each person making a report of abuse or neglect
25 under this section. The department shall provide assurances of
26 appropriate confidentiality of the identification of persons reporting
27 under this section. If the department is unable to learn the
28 information required under this subsection, the department shall only
29 investigate cases in which:

30 (a) The department believes there is a serious threat of
31 substantial harm to the child;

32 (b) The report indicates conduct involving a criminal offense that
33 has, or is about to occur, in which the child is the victim; or

34 (c) The department has a prior founded report of abuse or neglect
35 with regard to a member of the household that is within three years of
36 receipt of the referral.

37 (11)(a) For reports of alleged abuse or neglect that are accepted
38 for investigation by the department, the investigation shall be

1 conducted within time frames established by the department in rule. In
2 no case shall the investigation extend longer than ninety days from the
3 date the report is received, unless the investigation is being
4 conducted under a written protocol pursuant to RCW 26.44.180 and a law
5 enforcement agency or prosecuting attorney has determined that a longer
6 investigation period is necessary. At the completion of the
7 investigation, the department shall make a finding that the report of
8 child abuse or neglect is founded or unfounded.

9 (b) If a court in a civil or criminal proceeding, considering the
10 same facts or circumstances as are contained in the report being
11 investigated by the department, makes a judicial finding by a
12 preponderance of the evidence or higher that the subject of the pending
13 investigation has abused or neglected the child, the department shall
14 adopt the finding in its investigation.

15 (12) In conducting an investigation of alleged abuse or neglect,
16 the department or law enforcement agency:

17 (a) May interview children. The interviews may be conducted on
18 school premises, at day-care facilities, at the child's home, or at
19 other suitable locations outside of the presence of parents. Parental
20 notification of the interview must occur at the earliest possible point
21 in the investigation that will not jeopardize the safety or protection
22 of the child or the course of the investigation. Prior to commencing
23 the interview the department or law enforcement agency shall determine
24 whether the child wishes a third party to be present for the interview
25 and, if so, shall make reasonable efforts to accommodate the child's
26 wishes. Unless the child objects, the department or law enforcement
27 agency shall make reasonable efforts to include a third party in any
28 interview so long as the presence of the third party will not
29 jeopardize the course of the investigation; and

30 (b) Shall have access to all relevant records of the child in the
31 possession of mandated reporters and their employees.

32 (13) If a report of alleged abuse or neglect is founded and
33 constitutes the third founded report received by the department within
34 the last twelve months involving the same child or family, the
35 department shall promptly notify the office of the family and
36 children's ombudsman of the contents of the report. The department
37 shall also notify the ombudsman of the disposition of the report.

1 (14) In investigating and responding to allegations of child abuse
2 and neglect, the department may conduct background checks as authorized
3 by state and federal law.

4 (~~(14)~~) (15) The department shall maintain investigation records
5 and conduct timely and periodic reviews of all founded cases of abuse
6 and neglect. The department shall maintain a log of screened-out
7 nonabusive cases.

8 (~~(15)~~) (16) The department shall use a risk assessment process
9 when investigating alleged child abuse and neglect referrals. The
10 department shall present the risk factors at all hearings in which the
11 placement of a dependent child is an issue. Substance abuse must be a
12 risk factor. The department shall, within funds appropriated for this
13 purpose, offer enhanced community-based services to persons who are
14 determined not to require further state intervention.

15 (~~(16)~~) (17) Upon receipt of a report of alleged abuse or neglect
16 the law enforcement agency may arrange to interview the person making
17 the report and any collateral sources to determine if any malice is
18 involved in the reporting.

19 (18) Upon receiving a report of alleged abuse or neglect involving
20 a child under the court's jurisdiction under chapter 13.34 RCW, the
21 department shall promptly notify the child's guardian ad litem of the
22 report's contents. The department shall also notify the guardian ad
23 litem of the disposition of the report. For purposes of this
24 subsection, "guardian ad litem" has the meaning provided in RCW
25 13.34.030.

26 NEW SECTION. Sec. 6. A new section is added to chapter 43.06A RCW
27 to read as follows:

28 The ombudsman shall analyze a random sampling of referrals made by
29 mandated reporters during 2006 and 2007 and report to the appropriate
30 committees of the legislature on the following: The number and types
31 of referrals from mandated reporters; the disposition of the referrals
32 by category of mandated reporters; how many referrals resulted in the
33 filing of dependency actions; any patterns established by the
34 department in how it dealt with such referrals; whether the history of
35 fatalities in 2006 and 2007 showed referrals by mandated reporters; and
36 any other information the ombudsman deems relevant. The ombudsman may

1 contract for all or a portion of the tasks essential to completing the
2 analysis and report required under this section. The report is due no
3 later than June 30, 2009.

4 NEW SECTION. **Sec. 7.** Section 4 of this act expires October 1,
5 2008.

6 NEW SECTION. **Sec. 8.** Section 5 of this act takes effect October
7 1, 2008."

8 Correct the title.

EFFECT:

1. Removes references to reviews and reports of near-fatalities and requires the department to notify the OFCO of a near-fatality the apparent cause of which is abuse or neglect by the child's parent or caretaker.

2. Requires fatality reviews to be submitted to the Legislature and made available to the public within 180 days unless an extension is granted by the Governor.

3. Removes the requirement to post reviews on a public website.

4. Directs the OFCO to analyze a reliable random sampling, instead of directing the OFCO to review all referrals from mandated reporters received in 2006 and 2007, authorizes the OFCO to contract for services in order to analyze and report regarding referrals from mandated reporters.

--- END ---