



SENATE BILL 578: Transition Certain Abuse Investigations/Division of Child Development and Early Education

2015-2016 General Assembly

Committee:
Introduced by:
Analysis of: S.L. 2015-123

Date:
Prepared by: Tawanda Foster
Staff Attorney

SUMMARY: *S. L. 2015-123 transitions abuse and neglect investigations in child care facilities to the Division of Child Development and Early Education (DCDEE) within the Department of Health and Human Services (DHHS).*

This act becomes effective January 1, 2016.

CURRENT LAW: Directors of county departments of social services ("DSS") are charged under the Juvenile Code (Chapter 7B of the General Statutes) with investigating allegations of abuse and neglect involving juveniles in child care facilities. DHHS is charged with ensuring the health and safety of children in child care facilities under Article 7 ("Child Care Facilities") of Chapter 110 ("Child Welfare") of the General Statutes.

BILL ANALYSIS: This law amends provisions in the Juvenile Code authorizing DSS directors to investigate abuse and neglect of juveniles by deleting references to child care facilities, and amends Article 7 of Chapter 110 to define child maltreatment and to assign authority for investigating child maltreatment in child care facilities to DHHS's Division of Child Development and Early Education.

Section 1 amends the definition of "caretaker" to remove the reference to child care facilities.

Section 2 amends the protective service requirements to delete the reference to child care facilities.

Section 3 eliminates the requirement that a DSS director notify the State Bureau of Investigation of a report of an allegation of sexual abuse in a child care facility.

Section 4. Current law requires a DSS director investigating a report of abuse or neglect to visit the place where the juvenile resides. Section 4 removes references to child care facilities.

Section 5 amends the law concerning a DSS director's duty to report evidence of abuse or neglect to remove references to child care facilities and references to require the DSS director to notify DHHS within 24 hours after receiving a report of child maltreatment

Section 6 amends the law governing DHHS' authority to inspect child care facilities, to permit inspection of such facilities without notice when there is cause to believe an emergency situation exists, when there is a complaint alleging a violation of licensure law, or when DHHS is notified of alleged child maltreatment in a child care facility.

Section 7 repeals the law governing violations of child care facility licensure standards and law based on the occurrence of child abuse and neglect. The repealed law is superseded by the new statutory provisions added in Section 8 of this act.

Section 8 adds new sections in Article 7 of Chapter 110 that:

- define "caregiver," "child care facilities," and "child maltreatment";

O. Walker Reagan
Director



Research Division
(919) 733-2578

Senate Bill 578

Page 2

- establish procedures for investigating allegations of child maltreatment in child care facilities;
- require persons to report to DHHS any suspected child maltreatment in a child care facility;
- establish a registry containing the names of all caregivers DHHS has confirmed to have maltreated a child;
- establish administrative penalties for child maltreatment.

EFFECTIVE DATE: This act becomes effective January 1, 2016.