

Assembly Bill No. 2904

CHAPTER 255

An act to add Section 16502.5 to the Welfare and Institutions Code, relating to county child welfare services.

[Approved by Governor August 1, 2008. Filed with
Secretary of State August 1, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2904, Hayashi. County child welfare services: mortality review.

Existing law requires counties to establish and maintain specialized entities within the county welfare department to provide child welfare services.

This bill would allow a county board of supervisors to receive and review certain information relating to the death of a child who had previously come to the attention of, or was under the supervision of, the county child welfare agency, as specified.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) In order to execute their responsibilities in overseeing the administration of the child welfare services and foster care programs, county boards of supervisors have a compelling interest in accessing case information when a child, who has previously come to the attention of, or was in the protective custody of, the county child welfare agency dies.

(b) It is the intent of the Legislature to clarify that boards of supervisors may access otherwise confidential case information when a child who has previously come to the attention of, or was in the protective custody of, the county welfare agency dies.

SEC. 2. Section 16502.5 is added to the Welfare and Institutions Code, to read:

16502.5. (a) Notwithstanding any other provision of law, a county board of supervisors may receive and review any records in the custody of the juvenile court or any other involved county agencies relating to a child who has died and who had previously come to the attention of, or was under the supervision of, the county child welfare agency.

(b) The board may only receive and review the information in closed session. A board of supervisors in a county with a foster care population of more than 10,000 may take formal action to permit individual board members' offices to receive and review the information for the purpose of determining which cases should be brought to the attention of the full board in closed session. The information or records obtained shall be maintained

in a manner that ensures the maximum protection of privacy and confidentiality rights.

(c) The board or its members and staff may not disclose or release any information obtained pursuant to subdivision (a), unless otherwise permitted by state law, and shall be bound by all state and federal confidentiality laws.

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