

Introduced by Senator Huff
(Coauthor: Assembly Member Chang)

February 26, 2015

An act to add and repeal Section 11166.02 of the Penal Code, and to add and repeal Section 10612.5 of the Welfare and Institutions Code, relating to child abuse.

LEGISLATIVE COUNSEL'S DIGEST

SB 478, as introduced, Huff. Child Abuse and Neglect Reporting Act: mandated reporters: pilot program.

The Child Abuse and Neglect Reporting Act requires a mandated reporter, as defined, to make a report to a specified agency whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Existing law further requires the mandated reporter to make an initial report by telephone to the agency immediately or as soon as is practicably possible, and to prepare and send, fax, or electronically transmit a written followup report within 36 hours of receiving the information concerning the incident.

This bill, until January 1, 2021, would authorize certain county welfare agencies to develop a pilot program for Internet-based reporting of child abuse and neglect, as specified. The bill would also require the State Department of Social Services to consult with the County Welfare Directors Association and the county welfare agencies of the individual counties to determine which counties may be involved in the pilot program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 11166.02 is added to the Penal Code, to
2 read:

3 11166.02. (a) A county welfare agency, as determined in
4 Section 10612.5 of the Welfare and Institutions Code, may develop
5 a pilot program for Internet-based reporting of child abuse and
6 neglect. The pilot program may operate in a specific region to
7 receive reports of suspected child abuse or neglect and shall meet
8 all of the following conditions:

9 (1) The suspected child abuse or neglect does not indicate that
10 the child is subject to an immediate risk of abuse, neglect, or
11 exploitation or that the child is in imminent danger of severe harm
12 or death.

13 (2) The agency provides an Internet form that includes
14 qualifying questions in order to obtain necessary information
15 required to assess the need for child welfare services and a
16 response.

17 (3) The mandated reporter is required to complete all required
18 fields, including identity and contact information of the mandated
19 reporter, in order to submit the report.

20 (4) The mandated reporter is required to cooperate with any
21 requests by the agency for additional information, if needed, to
22 investigate the report.

23 (5) The system can only be used by mandated reporters who
24 are any of the following:

25 (A) A peace officer, as defined in Chapter 4.5 (commencing
26 with Section 830) of Title 3 of Part 2.

27 (B) A probation officer.

28 (C) A school teacher, counselor, or administrator.

29 (D) A physician and surgeon, psychiatrist, psychologist, licensed
30 nurse, marriage and family therapist, or clinical social worker
31 licensed pursuant to Division 2 (commencing with Section 500)
32 of the Business and Professions Code.

33 (E) A coroner.

34 (b) In an area where the pilot program is active, a mandated
35 reporter listed in paragraph (5) of subdivision (a) may use the
36 Internet-based reporting tool in lieu of or in addition to the required
37 initial telephone report required by subdivision (a) of Section
38 11166.

1 (c) This section shall remain in effect only until January 1, 2021,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2021, deletes or extends that date.

4 SEC. 2. Section 10612.5 is added to the Welfare and
5 Institutions Code, to read:

6 10612.5. (a) The department shall consult with the County
7 Welfare Directors Association and any interested county welfare
8 agencies to determine which counties may be involved in the pilot
9 program established pursuant to Section 11166.02 of the Penal
10 Code.

11 (b) This section shall remain in effect only until January 1, 2021,
12 and as of that date is repealed, unless a later enacted statute, that
13 is enacted before January 1, 2021, deletes or extends that date.