

Testimony
Senate Bill 2168 – Department of Human Services
Senate Human Services Committee
Senator Judy Lee, Chairman
January 21, 2009

Chairman Lee, members of the Senate Human Services Committee, I am Marlys Baker, Administrator for Child Maltreatment Prevention Services in the Child Protection Program of the Children and Family Services Division, for the Department of Human Services. I appear before you today to support passage of this bill.

My work for the Department includes coordinating the North Dakota Child Fatality Review Panel as well as working within the Child Protection Program. The North Dakota Child Fatality Review Panel, created by North Dakota Century Code Chapter 50-25.1, is a multidisciplinary body charged with responsibility for reviewing the deaths of all children under the age of eighteen years which occur in our state. The Panel is mandated to identify trends or patterns in the deaths of minors and to make recommendations for changes in policy, practice and law.

The membership of the Child Fatality Review Panel has identified concerns about the quality of child death investigations each year since 1996. The training requirements and other provisions related to assuring the quality of services to families following the death of a child contained within this bill will address some of these concerns.

There are many provisions in the current coroner statutes that specifically address the deaths of minors and which reference child abuse and neglect and child protection services. There are two provisions in this bill that I would like to address.

The first is: page four (4), lines twenty-three (23) and twenty-four (24), where the statement, "The death of a minor must be reported to the department of human services as provided under chapter 50-25.1." Chapter 50-25.1, more commonly known as the "child abuse reporting law" contains provisions that mandate the reporting of suspected child abuse and neglect by certain individuals. "Medical examiner or coroner" has been included in this provision for more than twenty years as having a mandate to report suspected child abuse and neglect. Through the work of the Child Fatality Review Panel, it has been identified that many coroners are unaware of this mandate. The intent of the provision within this bill seeks only to direct coroners to the section of the Code where the information is found. It does not reflect a change of any kind to the reporting mandate.

The second provision I would like to address is found on page eleven (11), line thirteen (13), which requires the disclosure of a copy of the final autopsy report to the Child Fatality Review Panel. This report is currently available to the Child Fatality Review Panel, upon request, under the provisions of 50-25.1-04.4. The provision in this bill would require the report to simply be disclosed, eliminating the need for a request and streamlining the process, since the review of child fatalities is statutorily mandated.

Thank you very much for the opportunity to appear in support of Senate Bill 2168. I am available to answer any questions you have.