

Testimony
Senate Bill 2161
Senate Human Services Committee
Senator Judy Lee, Chairman
January 21, 2013

Chairman Lee, members of the Senate Human Services Committee, I am Marlys Baker, Administrator for Child Protection Services in the Children and Family Services Division, for the Department of Human Services. I appear before you today to provide information as you consider Senate Bill 2161.

The Federal Child Abuse Prevention and Treatment Act, (CAPTA), provides federal funding for child protection services, to states in compliance with the federal act. CAPTA funding in FFY 2011 provided approximately \$95,000 in North Dakota.

One of the provisions of CAPTA, section 106(b) (2) (B) (viii) (V), requires the public disclosure of information about a case of child abuse or neglect that led to a child fatality or near fatality. Federal guidance issued in September, 2012, clarified that states must develop procedures for the release of specific information related to child abuse and neglect fatalities and near fatalities.

Currently, the North Dakota Child Fatality Review Panel conducts retrospective record reviews of all child deaths which occur in North Dakota, including deaths from child abuse and neglect. The bill before you seeks to expand the review of child fatalities to include cases of near fatality resulting from child abuse and neglect. The federal definition of near fatality is an act that, as certified by a physician, places the child in serious or critical condition.

The Child Fatality Review Panel issues an annual report, which provides de-identified data, with identifying information removed, regarding reviewed child deaths. This bill would require development of an annual report of reviewed near fatalities, which contains the federally required information. The specific requirements for the minimum information to be released are found on page 2 of the bill. The bill contains only information that must be released to meet the federal requirement.

This bill does not impact the current statute mandating that suspicions of child abuse and neglect be reported. Nor does this bill require any additional actions on the part of reporters of suspected child abuse and neglect. Child abuse or neglect near fatalities would be identified for review by the Department through the child welfare data system currently in use for all cases of suspected child abuse or neglect.

I would be happy to answer any questions. Thank you.