

1 HB79
2 196694-5
3 By Representative Reynolds
4 RFD: Children and Senior Advocacy
5 First Read: 05-MAR-19
6 PFD: 03/04/2019

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ENROLLED, An Act,

To amend Section 26-16-70, Code of Alabama 1975, to expand and clarify the existing requirements for full membership in the Alabama Network of Children's Advocacy Centers for child advocacy centers that wish to apply; and to update defined terms.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 26-16-70, Code of Alabama 1975, is amended to read as follows:

"§26-16-70.

"(a) For purposes of this section, the following terms have the following meanings:

"(1) FORENSIC INTERVIEW. The same meaning as in Section 12-15-301.

"(2) LOCAL LAW ENFORCEMENT AGENCIES. The police department for the municipality and the sheriff's department for the county in which a child advocacy center is located.

"(3) MENTAL HEALTH PROFESSIONAL. An individual holding a master's or higher degree in social work, mental health counseling, or other social work related or mental health counseling related field of study, and who has received special training regarding child maltreatment and child trauma.

1 "(b) In order to become eligible for a full
2 membership in the Alabama Network of Children's Advocacy
3 Centers, Incorporated, child advocacy centers in this state
4 shall:

5 "(1) ~~Be a private, non-profit incorporated~~
6 Incorporate as a nonprofit agency under the requirements of
7 Section 10A-3-1.01 et seq.

8 "(2) ~~Have~~ Utilize a neutral, child-focused facility
9 where ~~joint Department of Human Resources and law enforcement~~
10 forensic interviews, conducted jointly by the Department of
11 Human Resources and law enforcement personnel, take place with
12 children in appropriate cases of suspected child sexual and
13 physical abuse. All multidisciplinary agencies shall ~~have~~
14 utilize a ~~place~~ facility to interact with the child as
15 investigative or treatment needs require.

16 "(3) ~~Have a minimum~~ Employ or utilize designated
17 staff that ~~is supervised and approved by~~ operate under the
18 supervision and approval of the local board of directors of
19 the child advocacy center.

20 "(4) ~~Having~~ Maintain a multidisciplinary ~~case review~~
21 team that meets on a regularly scheduled basis or as the case
22 load of the community requires to coordinate the
23 multidisciplinary response to child abuse. ~~The~~ At a minimum,
24 the team shall consist of ~~representatives from the district~~
25 ~~attorney, the Department of Human Resources, mental health,~~

1 ~~law enforcement, and the Child Advocacy Center staff. Medical~~
2 ~~personnel and a victim's advocate may be part of the team. the~~
3 following:

4 "a. The local district attorney, or his or her
5 designee or designees.

6 "b. One or more representatives from the Department
7 of Human Resources.

8 "c. One or more local mental health professionals.

9 "d. One or more representatives from a local law
10 enforcement agency.

11 "e. The staff of the child advocacy center.

12 ~~"(5) Provide case tracking of child abuse cases ~~seen~~~~
13 ~~worked through the center. ~~A center shall also~~ and, at a~~
14 ~~minimum, collect demographic data on: ~~The number of child~~~~
15 ~~~~abuse cases seen at the center by sex, race, age, and other~~~~
16 ~~~~relevant data; the number of cases referred for prosecution;~~~~
17 ~~~~and the number of cases referred for mental health therapy~~~~
18 ~~regarding all children referred to the center for services as~~
19 ~~well as any other data required by the Alabama Network of~~
20 ~~Child Advocacy Centers.~~

21 ~~"(6) ~~Provide referrals for~~ Offer on-site medical~~
22 ~~exams and mental health therapy or provide referrals for~~
23 ~~off-site medical exams and mental health therapy. The center~~
24 ~~shall provide follow-up on cases referred for mental health~~
25 ~~therapy.~~

1 "(7) Provide training for ~~various disciplines~~
 2 multidisciplinary team members in the community that ~~deal with~~
 3 respond to cases of possible child abuse.

4 "(8) ~~Have~~ Participate in an interagency ~~commitment~~
 5 agreement covering those aspects of agency participation in a
 6 multidisciplinary approach to ~~the handling of~~ child sexual and
 7 serious physical abuse cases. The agreement must be signed by
 8 the following:

9 "a. The local district attorney, or his or her
 10 designee.

11 "b. A designee of the Department of Human Resources.

12 "c. A designee of a local law enforcement agency.

13 "d. The director of the child advocacy center.

14 "(9) Provide assurance that staff and volunteers at
 15 the center are trained and screened by appropriate resources
 16 as specified by the Alabama Network of Children's Advocacy
 17 Centers."

18 Section 2. This act shall become effective on the
 19 first day of the third month following its passage and
 20 approval by the Governor, or its otherwise becoming law, and
 21 is contingent upon the passage of HB ____ of the 2019 Regular
 22 Session, relating to statements made by children during
 23 forensic interviews.

