

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 367

Short Title: Comm. Child Protection Teams.

(Public)

Sponsors: Representatives Easterling, Diamont; Colton, Cunningham, H. Hunter, Jeffus, and Lemmond..

Referred to: Children, Youth and Families.

February 25, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE CHILD FATALITY
2 TASK FORCE TO ESTABLISH COMMUNITY CHILD PROTECTION TEAMS
3 AS STATUTORY ENTITIES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. The title of Article 62 of Chapter 143 of the General Statutes reads
7 as rewritten:

8 "North Carolina Child Fatality Review Team; North Carolina Child Fatality Task
9 Force and ~~Study- Study; Community Child Protection Teams.~~"

10 Sec. 2. Article 62 of Chapter 143 of the General Statutes is amended by
11 adding new sections to read:

12 "**§ 143-579.5. Community Child Protection Teams; nature and purpose.**

13 Community Child Protection Teams are established in every county of the State. A
14 community child protection team is a group comprised of community representatives
15 meeting together on a regular basis to promote the development of a community-wide
16 approach to the problem of child abuse and neglect. The team is established by the
17 county commissioners, who shall appoint all the members other than the county director
18 of the department of social services and a member of the director's staff, and who also
19 shall fill any vacancies in the team. If the county commissioners do not appoint the
20 members of the team within 30 days of the effective date of this section, or if they fail to
21 fill any vacancies, the county director of the department of social services shall make
22 the appointments or fill the vacancies.

1 No single team shall encompass a geographic or governmental area larger than one
2 county. The county commissioners may establish more than one community child
3 protection team when needed (i) due to caseload size, or (ii) to access the special
4 expertise of existing groups.

5 **"§ 143-579.6. Community Child Protection Teams; responsibilities and duties.**

6 Each team shall:

7 (1) Review cases of child fatalities:

8 a. In which a child died as a result of suspected abuse or neglect
9 and in which a report of abuse or neglect has been made about
10 the child or the child's family to the county department of social
11 services within the previous 12 months; or

12 b. In which the child or the child's family were recipients of child
13 protective services within the previous 12 months;

14 (2) Review selected active cases pursuant to the procedures set out in G.S.
15 143-579.9 in which abuse or neglect is suspected or found. This
16 review shall assist the county director of the department of social
17 services in evaluating allegations of abuse or neglect and in planning
18 and providing services to prevent further abuse or neglect; and

19 (3) Recommend, and advocate for, system improvements and needed
20 resources where gaps and deficiencies exist.

21 **"§ 143-579.7. Community Child Protection Teams; composition.**

22 Each team shall consist of the county director, a member of the director's staff
23 selected by the director, and representatives from other human services and law
24 enforcement agencies engaged in the provision of services to children and their families
25 and of individuals representing the community, appointed by the county commissioners
26 from the following groups:

27 (1) Local law enforcement;

28 (2) The District Attorney's office;

29 (3) The medical profession;

30 (4) The local community action agency, as defined by the Division of
31 Economic Opportunity, Department of Human Resources;

32 (5) School personnel;

33 (6) A county social services board member;

34 (7) A local mental health professional;

35 (8) The local guardian **ad litem** coordinator; and

36 (9) A representative of local public health.

37 The county commissioners may appoint as many people as they consider necessary to
38 effect the work of the team and may appoint people from additional groups. At their
39 option, the county commissioners may designate up to five representatives of agencies
40 or of the community to be selected by the county director of the department of social
41 services.

42 The team shall elect a member to serve as chair at its pleasure. The county director
43 of the department of social services or a member of the director's staff may serve as
44 chair, if elected.

1 **"§ 143-579.8. Community Child Protection Teams; duties and responsibilities of**
2 **chair.**

3 The chair shall schedule meetings, in consultation with the county director of the
4 department of social services, including time and place, and shall prepare the agenda.
5 The chair shall schedule team meetings no less often than once per quarter and often
6 enough to allow adequate review of the cases selected for review. The chair shall call
7 the first meeting within 45 days of the effective date of G.S. 579.8 et seq. Within three
8 months of election, the chair shall participate in training developed by the Division of
9 Social Services, Department of Human Resources. This training shall address the role
10 and function of the child protection team, confidentiality requirements, an overview of
11 child protective services law and policy, and team record keeping.

12 **"§ 143-579.9. Community Child Protection Teams; duties of the county director of**
13 **the department of social services.**

14 In addition to any other duties as a member of the team, the county director of the
15 department of social services shall:

- 16 (1) Assure the development of written operating procedures for the team,
17 including composition of membership, frequency of meetings,
18 confidentiality policies, training of members, and duties and
19 responsibilities of members;
- 20 (2) Distribute copies of the written procedures to the administrator of all
21 agencies represented on the team as well as to each team member and
22 maintain the records required by G.S. 143-579.11;
- 23 (3) Assure that the team defines the categories of cases that are subject to
24 review by the team;
- 25 (4) Determine the cases in these categories in which the director initiates a
26 review and bring for team review any case requested by any team
27 member; and
- 28 (5) Report quarterly to the county board of social services, as required by
29 the board, on the activities of the team.

30 **"§ 143-579.10. Community Child Protection Teams; responsibility for training of**
31 **team members.**

32 The Division of Social Services, Department of Human Resources, shall develop
33 and make available for the team members, on an ongoing basis, training materials that
34 address the role and function of the child protection team, confidentiality requirements,
35 an overview of child protective services law and policy, and team record keeping.

36 **"§ 143-579.11. Community Child Protection Teams; required records.**

37 The county director of the department of social services shall maintain lists of
38 participants for each team meeting and confidentiality statements signed by the team
39 members and any invited participants. These records shall be maintained according to
40 the standard administrative record retention schedule. The director shall ensure that
41 minutes are kept of all official meetings. Minutes of all meetings, excluding of
42 executive sessions, shall be kept in compliance with the open meetings law. These
43 minutes shall be permanent public records and shall be maintained according to the
44 standard administrative record retention schedule. Information regarding individual

1 clients shall be discussed in executive session, which is exempt from the provisions of
2 Article 33C of Chapter 143 of the General Statutes. Any minutes or any other
3 information generated from any executive session shall be sealed from public
4 inspection.

5 **"§ 143-579.12. Community Child Protection Teams; access to records;**
6 **confidentiality.**

7 Each team has the same access to records and the same confidentiality rules and
8 protections accorded the North Carolina Child Fatality Task Force and the North
9 Carolina Child Fatality Task Force by G.S. 143-572. In addition, all records created by
10 the team are confidential and not subject to public disclosure or discovery in court
11 proceedings, regardless of whether they are gathered from otherwise confidential
12 material.

13 Each team member and invited participant shall sign a statement indicating an
14 understanding of and adherence to confidentiality requirements, including the possible
15 civil or criminal consequences of any breach of confidentiality. These rules do not
16 preclude any team member's sharing any available information with the team that is
17 needed to carry out the team's duties and responsibilities."

18 Sec. 2. Nothing in this act obligates the General Assembly to appropriate any
19 funds to implement this act.

20 Sec. 3. This act becomes effective July 1, 1993.