



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 428

**Assembly
Amendments 1, 2, and 3**

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2009 Assembly Bill 428 requires disclosure of certain information to the public about child abuse and neglect that results in a child's death or serious injury.

Assembly Amendment 1

This amendment provides that the summary report prepared by the Department of Children and Families (DCF) that must be made available to the public within 90 days after receiving certain information of child abuse and neglect, must also be transmitted to the Governor and to the appropriate standing committees of the Legislature. Under the amendment, the bill's provisions that any additional information reported, changes made to a summary report released to the public, or information released to correct inaccurate information reported by the news media, also apply to the transmittal of the report to the Governor and the Legislature.

The amendment requires the recommended changes in policies or practices prepared by DCF to also be transmitted to the Governor and the appropriate standing committee of the Legislature, as well as to the public.

The amendment requires the legislative standing committees to review all summary reports and reports of changes and recommended changes, conduct public hearings on those reports no less often than annually, and submit recommendations to DCF about the reports.

Restrictions in the bill on release of certain information would also apply to releasing this information to the Governor and appropriate standing committees of the Legislature.

Finally, the amendment provides that the quarterly reports on sexual abuse of children placed out of the home must also report on abuse by any employee or contractor of the agency supervising the child's placement.

Assembly Amendment 2

In the summary report required under the bill, DCF must include a summary of any changes in policies or practices that have been made to address any issues raised in the review of the incident and recommendations for any further changes in policies, practices, rules, or statutes that may be needed to address those issues. This amendment also requires the summary report to include a summary of any actions taken by the agency in response to the incident.

The amendment also provides that a summary report prepared for a child who was residing in his or her home at the time of the incident must include a statement of whether any services under the Juvenile Justice Code, as well as under the Children's Code, as provided in the bill, were being provided to the child, any member of the child's family, or the person suspected of the abuse or neglect and a summary of all involvement of the child's parent, and of the person suspected of the abuse or neglect in receiving services under the Juvenile Justice Code, as well as under the Children's Code.

Assembly Amendment 3

The bill requires DCF to prepare quarterly summary reports of all reports received by DCF during the previous calendar quarter of sexual abuse of a child who is placed in the home of a foster parent or relative other than a parent or in a group home, shelter care facility, or residential care center for children and youth if the abuse was committed by that foster parent or relative, by any other person who resides in the home of the foster parent or relative, or by any employee, contractor, or volunteer of the group home, shelter care facility, or residential care center for children and youth.

For each report included in the summary report, DCF must provide the number of incidents of abuse reported, the dates of those incidents, the county in which those incidents occurred, the age or age group of the child who is the subject of the report, the type of placement in which the child was placed at the time of the incident, whether it was determined that abuse occurred, and whether the abuse resulted in injury, disease, or pregnancy.

This amendment makes the following changes to the requirement for quarterly reports on sexual abuse:

- DCF must include in the summary report all reports of sexual abuse of a child who is placed in the home of a foster parent or relative other than a parent or in a group home, shelter care facility, or residential care center for children and youth.
- The report must include the nature of the relationship between the child and the person who abused the child.
- Information indicating whether the abuse resulted in any injury, disease, or pregnancy that is known to be directly caused by the abuse must be included in every fourth summary report relating to incidents of sexual abuse for all reports of abuse received by DCF during the previous year.

Legislative History

October 7, 2009, the Assembly Committee on Children and Families took the following actions:

- Introduced Assembly Amendment 1, and recommended Assembly Amendment 1 for adoption on a vote of Ayes, 7; Noes, 0.
- Introduced Assembly Amendment 2, and recommended Assembly Amendment 2 for adoption, on a vote of Ayes, 7; Noes, 0.
- Introduced Assembly Amendment 3, and recommended Assembly Amendment 3 for adoption, on a vote of Ayes, 7; Noes, 0.
- Recommended Assembly Bill 428 for passage, as amended, on a vote of Ayes, 7; Noes, 0.

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