

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY  
SERVICES COMMITTEE

STATEMENT TO

**SENATE, No. 2209**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 19, 1997

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 2209 with committee amendments.

As amended by committee, this bill, the "Comprehensive Child Abuse Prevention and Treatment Act," is designed to enable the State to comply with the federal "Child Abuse Prevention and Treatment Act Amendments of 1996." The bill amends New Jersey's confidentiality statute and lists those who may access child abuse records and allows for public disclosure of child abuse findings or information in child fatality and near fatality cases. The bill defines sexual abuse and establishes procedures for responding to the reports of suspected medical neglect. Also, the bill will not require reunification of children when a court has found a parent committed certain criminal offenses, and makes a conviction for those offenses grounds for termination of parental rights.

The bill establishes in the Department of Human Services the Child Fatality and Near Fatality Review Board to review information regarding the deaths of children due to unusual circumstances as well as fatalities and near fatalities among children known to the Division of Youth and Family Services. Finally, the bill requires the Commissioner of Human Services to designate three citizen review panels to examine policies and procedures of State and local agencies and to evaluate interagency coordination and compliance with State and federal mandates for the protection of children.

The committee amendments expand the definition of sexual abuse to include: sexual penetration and sexual contact as defined in N.J.S.2C:14-1, and a prohibited sexual act as defined in N.J.S.2C:24-4. In the references to "withholding of medically indicated treatment," the amendments replace the term "infant" with "child" and the term "infants" with the term "children."

The amendments clarify that when a parent has been found by a court of competent jurisdiction to have attempted to commit assault,

it refers to attempted assault which could have resulted in significant bodily injury to the child or another child of the parent.

The amendments also add language to require the division, for incidents determined by the division to be substantiated, to forward to the police or law enforcement agency in whose jurisdiction the child named in the report resides, the identity of persons alleged to have committed child abuse or neglect and victims of child abuse or neglect, their addresses, the nature of the allegations, and other relevant information, including, but not limited to, prior reports of abuse or neglect and names of siblings obtained by the division during its investigation of a report of child abuse or neglect. The police or law enforcement agency shall keep the information confidential.

Finally, the amendments provide that the Governor will appoint a public member to serve as chairperson of the board, instead of having the Commissioner of Human Services serve in that capacity.

This bill is indetical to Assembly Bill No. 3108 (1R), sponsored by Assemblywoman Heck and Assemblyman Talarico, which was released by the Assembly Community Affairs Committe on June 16, 1997.