

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

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SENATE DRS55305-LUz-124 (01/30)

Short Title: DSS Disclosure of Information/Abuse/Neglect.

(Public)

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Sponsors: Senator Boseman.

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Referred to:

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1 A BILL TO BE ENTITLED

2 AN ACT ALLOWING LOCAL DEPARTMENTS OF SOCIAL SERVICES TO  
3 SHARE CONFIDENTIAL INFORMATION WITH OTHER CHILD  
4 PROTECTION ORGANIZATIONS WHEN THE CONFIDENTIAL  
5 INFORMATION IS NEEDED TO PROTECT A CHILD FROM ABUSE AND  
6 NEGLECT.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 7B-302(a) reads as rewritten:

9 "(a) When a report of abuse, neglect, or dependency is received, the director of the  
10 department of social services shall make a prompt and thorough assessment, using  
11 either a family assessment response or an investigative assessment response, in order to  
12 ascertain the facts of the case, the extent of the abuse or neglect, and the risk of harm to  
13 the juvenile, in order to determine whether protective services should be provided or the  
14 complaint filed as a petition. When the report alleges abuse, the director shall  
15 immediately, but no later than 24 hours after receipt of the report, initiate the  
16 assessment. When the report alleges neglect or dependency, the director shall initiate the  
17 assessment within 72 hours following receipt of the report. When the report alleges  
18 abandonment, the director shall immediately initiate an assessment, take appropriate  
19 steps to assume temporary custody of the juvenile, and take appropriate steps to secure  
20 an order for nonsecure custody of the juvenile. The assessment and evaluation shall  
21 include a visit to the place where the juvenile resides, except when the report alleges  
22 abuse or neglect in a child care facility as defined in Article 7 of Chapter 110 of the  
23 General Statutes. When a report alleges abuse or neglect in a child care facility as  
24 defined in Article 7 of Chapter 110 of the General Statutes, a visit to the place where the

1 juvenile resides is not required. When the report alleges abandonment, the assessment  
2 shall include a request from the director to law enforcement officials to investigate  
3 through the North Carolina Center for Missing Persons and other national and State  
4 resources whether the juvenile is a missing child. All information received by the  
5 department of social services, including the identity of the reporter, shall be held in  
6 strictest confidence by the department. However, the department of social services shall  
7 disclose confidential information to any federal, State, or local governmental entity or  
8 its agent needing confidential information to protect a juvenile from abuse and neglect."

9 **SECTION 2.** This act is effective when it becomes law.