

Neutral:

Representing:

Summary of purpose and/or change:

LB 782 relates to the disclosure of information regarding child abuse, neglect, and maltreatment, and outright repeals various sections. The bill defines terms.

The bill permits the chief executive officer (CEO) of the Department of Health and Human Services (department) or the Director of the Division of Child and Family Services (division) within the department to disclose information regarding child abuse or neglect and the investigation of and any services related to the child abuse and neglect if (1) the CEO or director determines that the disclosure is not contrary to the best interests of the child, the child's siblings, or other children in the household, and (2) any one of the following factors is present: (a) the alleged perpetrator of the child abuse or neglect has been charged with a crime related to the report of child abuse or neglect maintained by the division; (b) a judge, law enforcement agency official, county attorney, or other state or local investigative agency or official has publicly disclosed the provision of services related to or the investigation of the child abuse or neglect; (c) a person who is the parent, custodian, foster parent, provider, or guardian of the victim or a child victim over 14 years of age has made a prior knowing, voluntary, public disclosure; (d) the information relates to a child fatality or near fatality; (e) the information is released to confirm, clarify, or correct information concerning an allegation or actual instance of child abuse or neglect which has been made public by sources other than the department; or (f) a child who is in the custody of the department is missing from his or her placement, in which case the CEO or director may release the name and physical description of the child. Types of information that may be disclosed include, but are not limited to: (1) child placement; (2) whether in-home or out-of-home; (3) terms of contact; (4) hearing dates; (5) reason for removal from parents or placement; (6) number of placements and type; (7) permanency objectives; (8) court-ordered services or other services provided by the division; and (9) status of the court process. The following information may only be released with

a court order:(1)date of birth;(2)social security number;(3)protected health information;(4)name of the person who made the report of child abuse or neglect pursuant to section 28-711; and(5)names of foster parents, unless the foster parent is the alleged perpetrator.The bill permits the CEO or director to release the results of criminal history record checks that have been completed by the division as authorized by law. The department is permitted to adopt and promulgate rules and regulations to carry out the above provisions.

Explanation of amendments, if any:

Amendment 1657 adds an emergency clause.

Senator Joel Johnson, Chairperson