



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 938 Printer's No. 1347

Prime Sponsor: Sabatina, Vulakovich
Committee: Health and Human Services

SYNOPSIS:

Amends Sections 6337 (d) and 6337 (f) of Title 23 of the Pennsylvania Consolidated Statutes to require that certain general protective services reports (regarding child abuse) in a Statewide database maintained by the Department of Human Services (DHS) be retained for a period of 10 years, or until the child who is the subject of the report attains the age of 23, and that a County agency is permitted to retain protective service reports that have been expunged from the Statewide database.

SUMMARY:

Section 6337 (d) (1) of Title 23 currently provides that information concerning valid general protective service reports that are assessed by a county agency but are not accepted for the provision of services by the county agency, shall be entered into a Statewide database maintained by DHS. Section 6337 (d) (1) also currently provides, however, that the reports shall be expunged 120 days after the 5 year period following the date the report is received by DHS. SB 938 changes this 5 year expunction period to the first to occur of the following: (i) no later than 120 days after the 10 year period following the date the report is received or (ii) 120 days after the child who is the subject of the report attains 23 years of age.

Section 6337 (d) (2) of Title 23 currently provides that information concerning valid general protective service reports that are assessed by a county agency and accepted for the provision of services by the county agency, shall be entered into a Statewide database maintained by DHS. Section 6337 (d) (2) also currently provides, however, that the reports shall be expunged 5 years after the closure of services by the county agency. SB 938 changes this 5 year expunction period to the first to occur of the following: (i) no later than 120 days after the 10 year period following the closure of services or (ii) 120 days after the child who is the subject of the report attains 23 years of age.

SB 938 maintains a requirement that the expunction of information shall be mandated and guaranteed by DHS.

Current Section 6337 (f) contains a requirement that county agency records maintained by the county must be used and maintained by the county in a manner that is consistent with the use and maintenance of information in the Statewide database. Current 6337 (f) also requires the County to expunge its records within 10 days of the date that the records are expunged in the Statewide database. However, SB 938 adds a subsection 6337 (f) (2) that permits, but does not require, a county to continue to maintain information that has been expunged in the Statewide database, but only for internal access by the county.

Effective Date: Immediately

BILL HISTORY:

Referred to HEALTH AND HUMAN SERVICES, Nov. 29, 2017

Prepared by: Cortez 12/8/2017