



House of Representatives *State of Utah*

318 STATE CAPITOL • SALT LAKE CITY, UTAH 84114 • (801) 538-1029 • FAX: (801) 538-1908

February 25, 2004

Mr. Speaker:

The Health and Human Services Committee reports a favorable recommendation on **H.B. 303**, CHILD WELFARE REVISIONS, by Representative S. Mascaro, with the following amendments:

1. *Page 2, Line 50 through Page 3, Line 75:*

- 50 (A) the division has reasonable cause to believe that the reported abuse was
committed
- 51 by a person who **is not the child's parent and** does not:
- 52 [~~(i)~~] (I) live in the child's home; or
- 53 [~~(ii)~~] (II) otherwise have access to the child[~~;~~ and] in the child's home; or
- 54 (B) an unscheduled visit is not necessary to obtain evidence for the investigation;
and
- 55 [~~(g)~~] (vii) if appropriate and indicated in any case alleging physical injury, sexual
56 abuse, or failure to meet the child's medical needs, a medical examination. That
examination
- 57 shall be obtained no later than 24 hours after the child was placed in protective custody.
- 58 [~~(b) For purposes of Subsection (2)(a)(iii):~~
- 59 — (i) even if the whereabouts of both parents are known, the division is not
required to
- 60 interview a second parent unless the division has reason to believe that the second
parent has
- 61 substantial, relevant information distinct from the information provided by the first
parent; and
- 62 — (ii) all interviews with parents shall be conducted prior to the completion of the
63 investigation.]
- 64 (3) The division may rely on a written report of a prior interview rather than
65 conducting an additional interview, if:
- 66 (a) law enforcement has previously conducted a timely and thorough investigation
67 regarding the alleged abuse [~~or~~], neglect, or dependency and has produced a written
report;
- 68 (b) that investigation included one or more of the interviews required by Subsection
69 (2); and

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- 70 (c) the division finds that an additional interview is not in the best interest of the
child.
- 71 (4) (a) The division's determination of whether a report is
72 ~~[[substantiated]]~~ supported or
73 ~~[[unsubstantiated]]~~ unsupported may be based on the child's statements alone.
- 74 (b) Inability to identify or locate the perpetrator may not be used by the division as a
75 basis for determining that a report is unsubstantiated, or for closing the case.
- 76 (c) The division may not determine a case to be ~~unsubstantiated~~ unsupported or

Respectfully,

Mike Thompson
Committee Chair

Voting: 7-0-3

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