

Testimony Prepared for the  
**House Human Services Committee**

March 6, 2023

By: Dennis Meier Three Rivers Human Service Zone Director

**RE: SB 2103: Relating to child abuse and neglect, the child abuse information index, disclosure of records for child protection purposes, prenatal exposure to controlled substances and alcohol, and alternative response assessments.**

Chairman Weisz, and Members of the Committee. My name is Dennis Meier, Director of Three Rivers Human Service Zone, and I am here today to provide testimony in support of SB 2103.

Human Service Zones are charged with receiving and assessing reports of child abuse and neglect, to determine whether or not the allegations result in a Confirmed finding. Subsequently recommendations regarding the type and level of intervention are provided to mitigate harm to the child victim(s) resulting from those assessments. When there is a Confirmed finding, indicating abuse or neglect has occurred, current law dictates the Subject's name appear on the Child Abuse Information Index for 10 years. Many jobs require a background check upon hiring new employees, which can include federal, state and local criminal background checks, as well as inquiry with the Child Abuse Information Index. SB 2103 allows for a "graduated" timeframe rather than the standard 10 years, allowing for up to 25 years, to commensurate with the severity of the abuse or neglect. For example, if the abuse or neglect resulted in the death of a child, the timeframe for the Subject to be listed on the Child Abuse Index, could (and arguable should) be longer than 10 years. Conversely a Subject who had a confirmed finding on a less egregious allegation but went on to successfully address the safety issues and complete their case plan, could have their name take off the Index before the

current 10 years. This directly impacts citizens' abilities to gain employment in many fields, and the graduated timeframes proposed by this bill recognize and compensate for severity as well as for success.

A second recommendation related to the Child Abuse Information Index in this bill relates to Subjects (parents/caregivers) who have a Confirmed finding solely based on the definition of Educational Neglect. It is recognized that frequently educational neglect concerns are indicative of other underlying factors in a family. However in those instances where no other identified safety concerns are present, the Subject's name would not be placed on the Child Abuse Index. Again, because of the potential impact on employment, combined with the absence of danger to the child, this change is supported.

Another important aspect of SB 2103 relates to how Human Services Zones conduct assessments and provide services to families of a substance exposed infant where prenatal exposure to substances has occurred. Many of the changes are based on current definitions and recommendations of the Center for Disease Control, and align North Dakota's policies and practices accordingly. The definition change from "substance exposed newborn" to "substance exposed infant", expands Human Service Zones' ability to engage in Alternative Response efforts from the current first 28 days of an infant's life to the first year of an infant's life . This is a positive change which allows for parents/caregivers to engage in substance use assessments and services to address those concerns with the support of the Zone, service providers, and extended family/friends to ensure safe and sober caregivers for infants. Subjects/caregivers who adhere to a plan of safe care and complete recommendations through the Alternative Response process, avoid standard child protection assessment findings, as well as avoid being placed on the Child Abuse Information Index.

These proposed changes will positively impact those Subjects whose future employment opportunities are limited due to mistakes in their past, while still ensuring child safety. Thank you for considering my testimony relating to this bill. I stand for any questions the committee may have.