

Introduced by

Senators J. Lee, Berry, Krebsbach

Representatives Porter, Weisz, Hogan

1 A BILL for an Act to amend and reenact sections 50-25.1-04.3 and 50-25.1-04.5 of the North
2 Dakota Century Code, relating to the child fatality review panel.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 50-25.1-04.3 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-25.1-04.3. Child fatality review panel - Duties.**

7 The child fatality review panel shall meet at least semiannually to review the deaths and
8 near deaths of all minors which occurred in the state during the preceding six months and to
9 identify trends or patterns in the deaths and near deaths of minors. The panel may review near
10 deaths alleged to have resulted only from child abuse and neglect. The panel shall promote:

- 11 1. Interagency communication for the management of child death cases and for the
12 management of future nonfatal cases.
- 13 2. Effective criminal, civil, and social intervention for families with fatalities.
- 14 3. Intervention and counseling of surviving and at-risk siblings, and offer the same.
- 15 4. Interagency use of cases to audit the total health and social service systems and to
16 minimize misclassification of cause of death.
- 17 5. Evaluation of the impact of specific risk factors including substance abuse, domestic
18 violence, and prior child abuse.
- 19 6. Interagency services to high-risk families.
- 20 7. Data collection for surveillance of deaths and the study of categories of causes of
21 death.
- 22 8. The use of media to educate the public about child abuse prevention.
- 23 9. Intercounty and interstate communications regarding child death.
- 24 10. Use of local child protection team members as local child fatality review panelists.

1 11. Information that appries a parent or guardian of the parent's or guardian's rights and
2 the procedures taken after the death of a child.

3 **SECTION 2. AMENDMENT.** Section 50-25.1-04.5 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **50-25.1-04.5. Child fatality review panel - Confidentiality of meetings, documentation,**
6 **and reports.**

7 1. Notwithstanding section 44-04-19, all meetings of the panel are closed to the public.
8 Notwithstanding section 44-04-18, all documentation and reports of the panel are
9 confidential, except for an annual report, of the panel are confidential reports. The
10 annual report involving child abuse and neglect deaths and near deaths must include
11 the following:

- 12 a. The cause of and circumstances regarding the death or near death;
13 b. The age and gender of the child;
14 c. Information describing any previous child abuse and neglect reports or
15 assessments that pertain to the child abuse or neglect that led to the death or
16 near death;
17 d. The result of any such assessments; and
18 e. The services provided in accordance with section 50-25.1-06, unless disclosure
19 is otherwise prohibited by law.

20 2. The panel shall make available to the persons designated in section 50-25.1-11 the
21 documentation and reports of the panel.