

Act 28 of the 1989 Regular Session.

Act 28

SB17

By: Senator Dowd

"AN ACT TO AMEND ARKANSAS CODE 12-12-515(a) TO ALLOW CERTIFIED COUNSELORS IN PUBLIC SCHOOLS TO HAVE ACCESS TO CERTAIN CHILD ABUSE REPORTS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 12-12-515(a) is hereby amended to read as follows:

"(a) Reports made pursuant to this subchapter, as well as any other information obtained, and reports written or photographs taken concerning reports in the possession of the department, as well as information concerning individuals assisted by the State of Arkansas as part of the state's adoption, foster care, or children's protective services programs, shall be confidential and may be used or disclosed only for the purposes listed in this section. If the report was determined to be founded, disclosure is limited to:

(1) The administration of the adoption, foster care, or children's protective services programs of the State of Arkansas;

(2) Any investigation or prosecution conducted in connection with the administration of the plan or program;

(3) Any person who is the subject of a report;

(4) A civil proceeding connected with the administration of the plan or program where the court determines that the information is necessary for the determination of an issue before the court;

(5) The administration of any federal or federally assisted program which provides assistance, in case or in kind, or services directly to individuals on the basis of need;

(6) An audit or similar activity conducted in connection with the administration of such plan or program by any governmental agency which is authorized by law to conduct the audit or activity;

(7) Any certified counselor of a public school with regard to cases reported by the school counselor. The school counselor shall not disclose to any other person the reports or other information obtained pursuant to this subdivision."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: February 7, 1989

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