

INTERIM STUDY PROPOSAL 2025-087

REQUESTING THE HOUSE COMMITTEE ON AGING, CHILDREN AND YOUTH, AND LEGISLATIVE AFFAIRS STUDY THE REVISION OF EXISTING PROCEDURES GOVERNING THE CHILD ABUSE HOTLINE AND SUBSEQUENT INVESTIGATIONS OF ALLEGED CHILD MALTREATMENT; AND THE CREATION OF A MORE STANDARDIZED PROCEDURE FOR THE ACCEPTANCE OR NON-ACCEPTANCE OF A REPORT OF ALLEGED CHILD MALTREATMENT TO THE CHILD ABUSE HOTLINE, MANDATORY REPORTING OF SUSPECTED CHILD MALTREATMENT TO THE CHILD ABUSE HOTLINE, AND SUBSEQUENT INVESTIGATIONS OF ALLEGED CHILD MALTREATMENT.

WHEREAS, the Child Abuse Hotline, created in the Arkansas Code under § 12-18-301 and operated under the Child Maltreatment Act, § 12-18-101 et seq., by the Department of Human Services and the Division of Arkansas State Police, or their designee, serves the purpose of receiving and recording reports of alleged child maltreatment in the state; and

WHEREAS, the Child Abuse Hotline is critical infrastructure in the child welfare system of this state, of which the reporting to may lead to the provision of services to assist a family, the opening of a dependency-neglect case necessary to protect the health and safety of a child, and the potential filing of criminal charges against an individual for alleged child maltreatment that constitutes a crime under the laws of this state; and

WHEREAS, many of the procedures governing the operation of the Child Abuse Hotline, including without limitation procedures for accepting or not accepting a report of alleged child maltreatment, are outlined in rules promulgated by the Department of Human Services under the Administrative Procedure Act, § 25-15-201 et seq., and are not codified in state statute; and

WHEREAS, there are several states in the country that have highly standardized procedures for accepting or not accepting a report to their respective child maltreatment reporting systems, many of which are outlined in state statute; and

1
2 WHEREAS, existing procedures regarding mandatory reporting of suspected
3 child maltreatment should also be evaluated for clarity, efficiency, and
4 comprehensive protection of vulnerable children in the state; and
5

6 WHEREAS, there are documented concerns both within and outside of
7 recent meetings of this legislative body that reporting and subsequent
8 investigations of alleged child maltreatment in this state are a cause for
9 confusion due to inconsistent interpretation and application of existing
10 procedures, which poses concern and danger to children and families in this
11 state; and
12

13 WHEREAS, some of this concern lies within inconsistent interpretation
14 and application of child maltreatment procedures within state entities and
15 with partners of state entities, including without limitation children's
16 advocacy centers, emergency rooms, hospitals and practitioners such as the
17 Team for Children at Risk at the Arkansas Children's Hospital; and
18

19 WHEREAS, specific causes for concern of the committee regarding
20 investigations of alleged child maltreatment include physical and mental
21 examinations of children who are the alleged victims of child maltreatment,
22 photography and videography of children who are the alleged victims of child
23 maltreatment, and explanation of parental rights and the consent of a parent
24 or legal guardian of a child to such examinations, photography, and
25 videography; and
26

27 WHEREAS, procedures that provide for more consistent acceptance or non-
28 acceptance of reports to the Child Abuse Hotline, updates to procedures
29 regarding mandatory reporting of suspected child maltreatment to the Child
30 Abuse Hotline, and subsequent investigations of alleged child maltreatment,
31 including without limitation examinations, photography, and videography of a
32 child and explanations of parental rights and consent, are likely to promote
33 efficiency and accountability in the state's child welfare system, as well as
34 greater protection of vulnerable children in this state,
35

36 NOW THEREFORE,

BE IT PROPOSED BY THE House Committee on Aging, Children and Youth, and
Legislative Affairs OF THE NINETY-FIFTH GENERAL ASSEMBLY:

THAT the House Committee on Aging, Children and Youth, and Legislative
Affairs study the revision of existing procedures governing the Child Abuse
Hotline and the creation of more standardized and effective procedures for
the acceptance or non-acceptance of a report of alleged child maltreatment to
the Child Abuse Hotline, mandatory reporting of suspected child maltreatment
to the Child Abuse Hotline, and subsequent investigations of alleged child
maltreatment.

Respectfully submitted,

Representative Mary Bentley

Prepared by: LJH/LJH

