

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 4-141

"District of Columbia Child Placing Authority  
Act Amendments Act of 1982".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-164 on first and second readings, May 25, 1982 and June 8, 1982, respectively. Following the signature of the Mayor on June 30, 1982, this legislation was assigned Act No. 4-207, published in the July 9, 1982, edition of the D.C. Register, (Vol. 29 page 2867) and transmitted to Congress on July 7, 1982 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-141, effective August 21, 1982.

  
ARRINGTON DIXON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30

August 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20

D.C. LAW 4-141

AN ACT

EFFECTIVE DATE AUG 21 1982

D.C. ACT 4-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUN 30 1982

To require prospective foster care and adoption placements to be checked with the Child Protection Register, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Child Placing Authority Act Amendments Act of 1982".

Sec. 2. An Act to regulate the placing of children in family homes, and for other purposes, approved April 22, 1944 (58 Stat. 193; D.C. Code, sec. 32-1001 et seq.) is amended as follows:

(a) section 3(a) (D.C. Code, sec. 32-1003(a)) is amended to read as follows:

"(a) The Mayor shall appoint a committee to formulate and adopt rules and regulations, prescribing standards of placement, care, and services to be required of child-placing agencies, pursuant to the intent and purposes of this Act. The committee shall be composed of three representatives of the Department of Human Services, of whom two shall be from the Commission on Social Services, and one shall be from the Office of Licensing and Certification; eight representatives of the charitable organizations of the

CODIFICATION  
D.C. Code,  
sec. 32-1003  
(1981 ed.)

District of Columbia licensed to place children in family homes who shall be representative of child-placing agencies including, but not limited to, foster care, group home care, and infant, special needs, and international adoptions; and five public members, including a lawyer, a representative of the medical profession, and individuals or representatives of organizations, other than child-placing organizations, concerned with the adoption of foster care of children. The Mayor shall appoint one member to serve as chairperson. The term of office of each member of the committee shall be three years, staggered so that one-third of the appointments expire each year. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Upon expiration of his or her term of office, a member shall continue to serve until his or her successor is appointed.";

(b) Section 3(b)(1) (D.C. Code, sec. 32-1003(b)(1)) is amended to read as follows:

"(1) Issued according to the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501 et seq.) within twelve months of the appointment of the Committee."; and

(c) by adding a new section 7a to read as follows:

"Sec. 7a. Prior to placement of a child in a family home, a child-placing agency licensed in the

D.C. Code,  
sec. 32-1003  
(1981 ed.)

New  
D.C. Code,  
sec. 32-1008.  
(1981 ed.)

District of Columbia and the Department of Human Services shall:

"(a) obtain written consent from applicants for release of information from:

"(1) the D.C. Child Protection Register established under the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Code, sec. 6-2101 et seq.);

"(2) registers of child abuse and neglect located in all states, territories and possessions of the United States in which the applicant has resided within the previous five years;

"(3) if applicable, from any registers maintained by any branch of the armed forces of the United States.

"(b) check the proposed placement of a child in a family home with the Child Protection Register and, where applicable, with other registers pursuant to subsections (a)(2) and (a)(3) for the purpose of determining whether there has been a report of child abuse or neglect. Failure of an agency to make such check prior to placement may result in suspension, revocation, or refusal to renew that agency's child placement license. Failure of any agency to obtain information from a register due to policies and procedures in those jurisdictions other than the District of Columbia or the various branches of the armed forces of the United States, prohibiting release

of such information, shall not constitute a violation under this subsection."

Sec. 3. Section 203 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Code, sec. 6-2113) is amended as follows:

D.C. Code,  
sec. 6-2113  
(1981 ed.)

(a) Subsection (a) is amended by adding a new paragraph (7) at the end thereof to read as follows:

"(7) a child-placing agency licensed in the District of Columbia or the Department of Human Services' staff who makes child placements for the purpose of checking a proposed foster care or adoptive placement for a report of abuse or neglect, upon submission of a signed consent for release of information pursuant to section (2)(c) of the District of Columbia Child Placing Authority Act Amendments Act of 1982.";

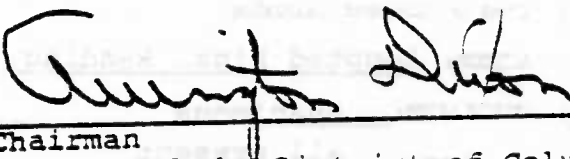
(b) Subsection (d) is amended to read as follows:

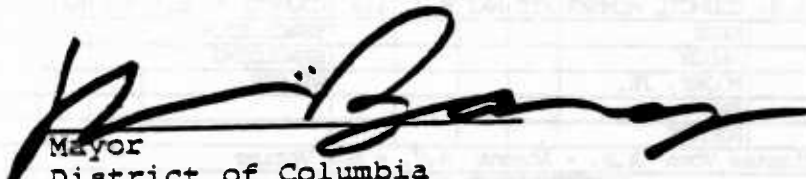
"(d) The staff which maintains the Child Protection Register shall not release to those persons identified in paragraphs (5), (6), and (7) of subsection (a) of this section any information that identifies the source of a report or the witnesses to the incident referred to in a report unless said staff first obtains permission from the source of the report or from the witnesses named in the report."; and

(c) Subsection (e) is amended by striking the period at the end thereof and inserting the phrase ",

except as is necessary to meet the requirements of subsection (a)." in lieu thereof.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided for in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: June 30, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Four

Second Session

DOCKET NO: B 4-164

Item on Consent Calendar

ACTION: Adopted First Reading, 5-25-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*William R. Cunningham*  
Secretary to the Council

6/15/82  
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 6-8-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

*William R. Cunningham*  
Secretary to the Council

6/15/82  
Date

Item on Consent Calendar

ACTION: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Absent: \_\_\_\_\_

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council

Date