

AN ACT
D.C. ACT 19-374
IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MAY 17, 2012

*Codification
District of
Columbia
Official Code*

2001 Edition

2012 Fall
Supp.

West Group
Publisher

To amend the Prevention of Child Abuse and Neglect Act of 1977 to clarify that the Child and Family Services Agency need not make reasonable efforts to preserve and reunify the family with respect to a parent when a child subject to a petition has been abused by the parent and to provide that the agency need not make reasonable efforts to preserve and reunify the family when the parent is required to register with a sex offender registry; and to amend An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children to require health professionals to report when a child under 12 months of age is diagnosed as having a Fetal Alcohol Spectrum Disorder.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Abuse Prevention and Treatment Amendment Act of 2012”.

Sec. 2. Section 109a(d) of the Prevention of Child Abuse and Neglect Act of 1977, effective June 27, 2000 (D.C. Law 13-136; D.C. Official Code § 4-1301.09a(d)), is amended as follows:

Amend
§ 4-1301.09a

(a) The lead-in language is amended by striking the word “efforts” and inserting the phrase “efforts to preserve and reunite the family” in its place.

(b) Paragraph (1) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “a sibling or another child” and inserting the phrase “the child who is the subject of a petition before the Family Court of the Superior Court of the District of Columbia (“Family Court”), a sibling of the child, or another child” in its place.

(2) Subparagraph (B) is amended by striking the phrase “a sibling” and inserting the phrase “a sibling of the child who is the subject of a petition before the Family Court” in its place.

(3) Subparagraph (C) is amended by striking the phrase “a sibling or another child” and inserting the phrase “the child who is the subject of a petition before the Family Court, a sibling of the child, or another child” in its place.

(4) Subparagraph (D) is amended by striking the phrase “Family Division of the Superior Court, a sibling of such a child, or another child; or” and inserting the phrase “Family Court, a sibling of the child, or another child;” in its place.

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(c) Paragraph (2) is amended by striking the period at the end and inserting the phrase “; or” in its place.

(d) A new paragraph (3) is added to read as follows:

“(3) A court of competent jurisdiction has determined that the parent is required to register with a sex offender registry under section 113(a) of the Adam Walsh Child Protection and Safety Act of 2006, approved July 27, 2006 (120 Stat. 593; 42 U.S.C. 16913(a)).”.

Sec. 3. Section 2 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02), is amended by adding a new subsection (f) to read as follows:

Amend
§ 4-1321.02

“(f) A health professional licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), who in his or her own professional or official capacity knows that a child under 12 months of age is diagnosed as having a Fetal Alcohol Spectrum Disorder, shall immediately report or have a report made to the Child and Family Services Agency.”.

Sec. 4. The Child Abuse Prevention and Treatment Temporary Amendment Act of 2011, effective December 13, 2011 (D.C. Law 19-64, 58 DCR 9177), is repealed.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

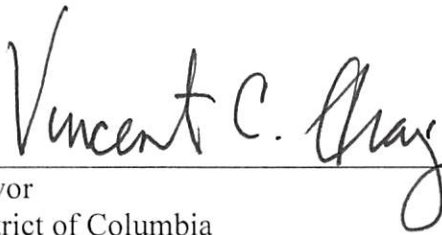
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

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provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
May 17, 2012



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No. **B19-466**

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 04-17-12

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

5-4-12
 Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 05-01-12

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

BARRY

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry				X	Evans	X								
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

5-4-12
 Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result _____ (.....)

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown					Catania					Orange				
Alexander					Cheh					Wells				
Barry					Evans									
Bowser					Graham									
Brown, M					Mendelson									
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date

