COMMITTEE REPORT

March 13, 2019

**S. 498**

Introduced by Senators Shealy and Climer

S. Printed 3/13/19--S.

Read the first time February 12, 2019.

**THE COMMITTEE ON**

**FAMILY AND VETERANS' SERVICES**

To whom was referred a Bill (S. 498) to amend Article 9, Chapter 11, Title 63 of the 1976 code, relating to the South Carolina Children’s Trust Fund, by adding Section 63‑11‑970, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Article 9, Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Section 63‑11‑970. (A) The Department of Social Services shall enter into and maintain a contract with the Children’s Trust Fund, detailing data access and sharing at both the client and case record levels, for the purposes of:

(1) bona fide research on child abuse and neglect;

(2) the quantitative or qualitative evaluation of prevention programs to reduce child abuse and neglect; or

(3) the assessment of service needs and gaps for the prevention of child abuse and neglect.

(B) The Children’s Trust Fund shall provide a report on the effectiveness and efficiency of its programs to prevent child abuse and neglect to the General Assembly annually on January 1.

(C) Data elements that would reasonably identify any specific person must be deleted or redacted from records, reports, or materials prior to their removal from the physical premises of the Department of Social Services or by electronic means.

(D) The Children’s Trust Fund shall adhere to all information security policies, standards, guidelines, and procedures promulgated by the Department of Administration with respect to all records, reports, and materials obtained pursuant to this section.” /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION \_. The Children’s Trust Fund and the Department of Social Services shall fully execute the contract pursuant to Section 63-11-970, as added by this act, on or before August 1, 2019.” /

Renumber sections to conform.

Amend title to conform.

KATRINA F. SHEALY for Committee.

**A** **BILL**

TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN’S TRUST FUND, BY ADDING SECTION 63‑11‑970, TO PROVIDE THAT THE CHILDREN’S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63‑7‑1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 9, Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Section 63‑11‑970. (A) The Children’s Trust Fund, by request of the Executive Director or the Director of Research and Evaluation, shall have access at any and all reasonable times to all electronic information systems, records, reports, and materials maintained by the Department of Social Services or the Department of Children’s Advocacy, as appropriate, for the purposes of:

(1) bona fide research on child abuse and neglect;

(2) the quantitative or qualitative evaluation of prevention programs to reduce child abuse and neglect; or

(3) the assessment of service needs and gaps for the prevention of child abuse and neglect.

(B) Data elements that would reasonably identify any specific person must be deleted or redacted from such records, reports, or materials prior to removal from the physical premises of the Department of Social Services.

(C) The Children’s Trust Fund shall adhere to all information security policies, standards, guidelines, and procedures promulgated by the Division of Technology of the Department of Administration with respect to all records, reports, and materials obtained pursuant to this section.

(D) The Children’s Trust Fund shall provide a report on the effectiveness and efficiency of its programs to prevent child abuse and neglect to the General Assembly annually on January 1.”

SECTION 2. Section 63‑7‑1990(B) is amended by adding an appropriately numbered item to read:

“( ) the Children’s Trust Fund of South Carolina, pursuant to Section 63‑11‑970.”

SECTION 3. This act takes effect upon approval by the Governor. The Children’s Trust Fund shall provide reports pursuant to Section 63‑11‑970(D), as added by this act, beginning January 1, 2021.

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