

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	George G., Kruse, Monnes Anderson, Morrisette
Nays:	0
Exc.:	Verger
Prepared By:	Ilana Weinbaum, Administrator
Meeting Dates:	5/7, 5/9

WHAT THE MEASURE DOES: Creates “Karly’s Law.” Modifies procedures involved in child abuse investigations. Requires each county multidisciplinary child abuse team to designate at least one practitioner trained in child abuse medical assessments. Requires completion of a medical assessment by designated professional and photographing of injuries every time a suspicious injury is encountered during a child abuse investigation. Establishes protocols for storing and circulating photographs. Allows child to see another medical professional if a designated practitioner is not available within 48 hours and requires designated physician to consult on the case within 72 hours following the evaluation. Allows designated physician to refer children under five found with suspicious injuries to early intervention services or early childhood special education. Prohibits non-medical personnel from photographing the anal or genital region of children. Requires the Department of Human Services (DHS) to assign a Critical Incident Response Team to review child fatality due to abuse or neglect in cases where child had previously been a subject of a child abuse investigation. Creates process for county Department of Justice to report to legislature during 2008 interim on progress on implementation of Karly’s law. Protects minors’ right to refuse to consent to a medical assessment and other rights protected by state law. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Details of Karly Sheehan’s case and murder
- Photographs are not taken or lost in significant number of child abuse cases
- Definition of “suspicious physical injury”
- Ability of rural communities to comply with Karly’s law
- Bill does not include sanctions for noncompliance
- Multiple stakeholders involved in drafting legislation

EFFECT OF COMMITTEE AMENDMENT: Replaces “malnutrition or failure to thrive” with “multiple injuries of different types” in definition of suspicious physical injury. Allows designated medical professionals to refer children under five to early intervention services or early childhood special education, rather than requiring them to do so. Protects minors’ right to refuse to consent to a medical assessment and other rights protected by state law.

BACKGROUND: Karly Sheehan, a three year old from Benton County, was beaten to death by her mother’s boyfriend on June 3, 2005. Karly Sheehan’s daycare provider, a mandatory reporter, notified the Department of Human Services (DHS) in 2004 when she noticed that Karly was missing hair. DHS, along with the Corvallis Police Department, Benton County’s Child Abuse Response Team, conducted an investigation and concluded that Karly’s injuries were self inflicted. Photographs submitted by Karly’s father and taken by a DHS worker were misplaced or lost and not circulated as part of the investigation and Karly was not seen by a health practitioner trained in child abuse assessment.

According to the Department of Human Services, there were 9,447 victims of child abuse and neglect in 2003, a 12.1 percent increase from the previous year. During the same year, there were 45,447 reports made of suspected child abuse and neglect, up 5.5 percent from 2002.

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This summary has not been adopted or officially endorsed by action of the committee.