

From: Edward Bender <EdwardBender@scsenate.gov>
To: 'Williamson, Virginia'Virginia.Williamson@dss.sc.gov
CC: Veldran, KatherineKatherineVeldran@gov.sc.gov
Date: 4/7/2014 5:07:01 PM
Subject: RE: S. 1163

Thanks. Just wanted to make sure we were looking at the same thing.

From: Williamson, Virginia [mailto:Virginia.Williamson@dss.sc.gov]
Sent: Monday, April 07, 2014 5:01 PM
To: Edward Bender
Cc: Veldran, Katherine
Subject: RE: S. 1163

Edward:

Below are the federal policy statement and a table I used to help me compare the policy with the amendment.

The federal Child Welfare Policy Manual, from the Children's Bureau, a division of the Administration for Children and Families, says:

8. Question: Section 106(b)(2)(B)(x) of CAPTA requires states to provide for the public disclosure of findings or information about a case of child abuse or neglect which results in a child fatality or near fatality. Under this provision, is there information that a state must disclose to the public?

Answer: Yes. States must develop procedures for the release of information including, but not limited to: the cause of and circumstances regarding the fatality or near fatality; the age and gender of the child; information describing any previous reports or child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or near fatality; the result of any such investigations; and the services provided by and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or near fatality.

State policies must ensure compliance with any other relevant federal confidentiality laws, including the confidentiality requirements applicable to titles IV-B and IV-E of the Social Security Act. States may allow exceptions to the release of information in order to ensure the safety and well-being of the child, parents and family or when releasing the information would jeopardize a criminal investigation, interfere with the protection of those who report child abuse or neglect or harm the child or the child's family

Amendment	Federal Policy
[Not addressed in the amendment]	"...the cause of and circumstances regarding the fatality or near fatality..."
"(c) information describing all previous reports of child abuse or neglect investigations by the department or any third party contracted with the department relating to the child;"	"...information describing any previous reports or child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or near fatality..."
"(d) all services provided by the department or any third party contracted with the department to the child regarding child abuse or neglect;"	"...the services provided by and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or near fatality."
"(e) all actions taken by the department or any third party contracted with the department relating to the child regarding child abuse or neglect."	"...the services provided by and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or near fatality."

Ginny

Virginia E Williamson
General Counsel
South Carolina Department of Social Services
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Phone (803) 898-7368
FAX (803) 898-7245

From: Edward Bender [<mailto:EdwardBender@scsenate.gov>]
Sent: Monday, April 07, 2014 4:57 PM
To: Williamson, Virginia
Cc: Veldran, Katherine
Subject: RE: S. 1163

Thanks Ginny.

Could you also send me the "pertinent to" language we discussed? Thanks,

Edward

From: Williamson, Virginia [<mailto:Virginia.Williamson@dss.sc.gov>]
Sent: Monday, April 07, 2014 2:44 PM
To: Edward Bender
Cc: Veldran, Katherine
Subject: RE: S. 1163

Edward: Thank-you for helping me understand choices made in the amendment and for listening to our suggestions. As promised, here is the language we would suggest inserting into Section 2 of the amendment: "()" for the purpose of issuing public reports pursuant to Section 63-7-1990(H)."

If I can ever assist you, please do not hesitate to contact me at 898-7621.

Ginny

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From: Edward Bender [<mailto:EdwardBender@scsenate.gov>]
Sent: Monday, April 07, 2014 10:39 AM
To: Williamson, Virginia
Cc: Veldran, Katherine
Subject: RE: S. 1163

Ginny –

Thanks for the email. Can you call me at 2 pm today? 212.6408. Or let me know if that doesn't work. Thanks.

Edward

From: Williamson, Virginia [<mailto:Virginia.Williamson@dss.sc.gov>]
Sent: Monday, April 07, 2014 9:57 AM
To: Edward Bender

Cc: Veldran, Katherine

Subject: S. 1163

Edward: Good morning.

Do you have time today for me to call you about the CAPTA-related amendments to S. 1163? We support your idea to put the federal requirements in statute, rather than leaving them for DSS to implement via policy. We wanted to suggest some tweaks to the proposed amendment.

What time would be convenient for you? I am not available between 10:00 and 11:30 today.

If you would prefer, I can come to your office.

Ginny

Virginia E Williamson

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