

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

AB 112 – Concerns by Clark County
Susan Klein-Rothschild

Requiring medical examinations for children under three years of age is directed at protecting the most vulnerable children. Clark County supports the intent of this legislation, but has some concerns:

Concerns:

1. **The proposed legislation does not specify varying degrees of observable injuries** – Injuries that are consistent with an explanation (e.g. bruises on the shins from play or Mongolian spots) are not differentiated from suspicious injuries (e.g. handprint to the face, bruising to the ears). Without specificity regardless of being indicated for medical, diagnostic, or evidentiary reasons.
2. **The fiscal and workload impacts are significant** – The 573 physical abuse allegations for children under the age of 3 in 2002 do not include “welfare checks” where law enforcement responds independently at this time. Clark County estimates 5 – 6 hours per child to take the child and complete the medical exam in an immediate manner called for in this legislation.
3. **Obtaining payment for the provision of the medical exams results in additional costs and time requirements** - Pre-existing medical coverage must be sought for these services and Medicaid would be the alternative of last resort. Since many of these children would not be in the custody of the department at the time of the exam, this could cause great difficulties in obtaining medical coverage for these services.
4. **Defining an eligible health care provider is another consideration** - There need to be some standards and mechanism to assure health care providers do indeed recognize indicators of physical abuse in children. Specific guidelines and standards for training are needed.
5. **Recourse if parent refuses** – If there are no safety or risk factors and the parent refuses the medical exam, would the child welfare agency be forced to remove a child from the home to conduct the medical exam?

As alternative, Clark County recommends the following:

1. Requirements that child welfare investigators receive training on a regular basis on recognizing the signs and symptoms of physical abuse in young children. }
2. Requirements that child welfare agencies in concert with trained medical professionals develop protocol establishing specific guidelines for which children should receive medical evaluations.
3. Children receive medical examinations as the individual situation warrants and driven by medical, diagnostic and / or evidentiary purposes.
4. Require the use of a safety assessment tool for all children investigated by child welfare agencies for child abuse or neglect.
5. Use the term “may have the child examined” instead of “will”.