

Date of Hearing: August 3, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SB 1054 (Ochoa Bogh) – As Amended April 7, 2022

Policy Committee:	Human Services	Vote:	7 - 0
	Judiciary		10 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill allows employees of a county's Adult Protective Services (APS) agency and a county's child welfare services (CWS) agency to share otherwise confidential information with each other for the purpose of multidisciplinary teamwork in the prevention, intervention, management, or treatment of either child abuse or neglect, or abuse or neglect of an elder or dependent adult.

The author has proposed amendments to add conforming changes to additional sections of law and make other technical changes (See comment #3 below). This bill is being considered with these amendments.

Specifically, this bill:

- 1) Provides that confidentiality provisions relating to applications and records concerning any form of public social services do not prohibit employees of a county's APS agency or a county's CWS agency from disclosing information with each other for the purpose of multidisciplinary teamwork in the prevention, intervention, management, or treatment of child abuse or neglect or abuse or neglect of an elder or dependent adult.
- 2) Specifies that confidentiality provisions relating to applications and records concerning any form of public social services includes protective services provided through public social services agencies.
- 3) Adds adult protective services personnel to the definitions of "multidisciplinary personnel" and "child abuse multidisciplinary team."

FISCAL EFFECT:

Negligible state costs.

COMMENTS:

- 1) **Purpose.** This bill, co-sponsored by the County Welfare Directors Association of California (CWDA) and the County of Riverside, seeks to allow information sharing between APS multidisciplinary teams (MDTs) and CWS MDTs in order to better facilitate prevention, intervention, management, or treatment of child abuse or neglect, or the abuse or neglect of elder or dependent adults. According to the author:

Creating a streamlined process to share information across the two agencies will ensure a more efficient and well-informed response when operating in situations that include individuals or families that are working with both agencies in different capacities. It will also reduce duplicative responses and ensure that individuals are referred to the most impactful resources to meet their needs in a more holistic approach.

- 2) **Background.** MDTs, authorized in California for over thirty years, allow for a coordinated interagency response to elder and child abuse cases. MDTs are formed and operated at the county level and bring together the expertise of a wide range of persons trained in the prevention, identification and treatment of abuse and neglect cases and who are qualified to provide services related to abuse. MDTs provide their members the ability to share confidential information among team members for the purposes of preventing, identifying or treating child or elder and dependent adult abuse and neglect. Because members of an MDT have access to sensitive personal information and are sharing that information, existing law provides the same obligation and confidentiality penalties that apply to a person disclosing information also apply to a person receiving the information. Existing law also requires information to be obtained in a manner that ensures maximum protection of privacy and confidentiality rights.

According to the author, the APS MDTs cannot share information with CWS MDTs despite often having overlapping cases. Allowing information sharing between APS and CWS teams will ensure agency staff are better informed of the safety issues and risks when conducting investigations.

This bill allows APS teams and CWS teams to share otherwise confidential information for the purpose of multidisciplinary teamwork in the prevention, intervention, management or treatment of either child abuse or neglect, or abuse or neglect of an elder or dependent adult. All existing protections for confidentiality and privacy that apply to this information will also apply to any information shared between APS and CWS teams.

- 3) **Proposed Author Amendments.** Based on technical assistance provided by the California Department of Social Services, the proposed amendments add the confidentiality language to one additional section of law and include APS in the provider agency definition in one additional section of law. These are conforming changes originally overlooked. The remaining amendments change “ombudsman” to “ombudsperson” in multiple places and renumber as necessary.
- 4) **Related Legislation.** AB 1342 (Bates) authorizes an area agency on aging (AAA) or a county, or both, to establish an aging MDT, and allows provider agencies and members of the team to share confidential information. AB 1342 is pending in this committee.

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