1	State of Arkansas
2	89th General Assembly
3	Regular Session, 2013

<p style="text-align:center">A Bill</p>

SENATE BILL 862

5   By: Senator Irvin

For An Act To Be Entitled

8   AN ACT CONCERNING INFORMATION RELEASED FROM THE
9   CONTROLLED SUBSTANCES DATABASE; AND FOR OTHER
10   PURPOSES.

Subtitle

14   CONCERNING INFORMATION RELEASED FROM THE
15   CONTROLLED SUBSTANCES DATABASE.

18   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20   SECTION 1. Arkansas Code § 12-18-604 is amended to read as follows:
21   12-18-604. Services during the investigation.
22   (a) The Department of Human Services shall have the authority to make
23   referrals or provide services during the course of the child maltreatment
24   investigation.
25   (b) The Department of Human Services may petition a circuit court to
26   allow an investigator to access the controlled substance database.
27   (2) The court may grant a petition under this subsection if the
28   Department of Human Services demonstrated probable cause that:
29   (A) The person has one (1) or more prescription drugs; and
30   (B) The baby or the person tested positive for
31   prescription drugs at the time of the birth of the baby.

33   SECTION 2. Arkansas Code § 20-7-606(b)(2), concerning the
34   confidentiality of information from the controlled substances database, is
35   amended to add an additional subdivision to read as follows:
36   (D) The Department of Human Services or the Crimes Against

1 Children Division of the Department of State Police if:
2   (i) The purpose of the database access is related to
3 an investigation under the Child Maltreatment Act, § 12-18-101 et seq., and
4 not pursuant to a criminal investigation by a certified law enforcement
5 officer; and
6   (ii) The Department of Human Services has obtained a
7 court order to access the database under § 12-18-604.
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10   **APPROVED: 04/11/2013**
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