

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H1/25/05

# A Bill

HOUSE BILL 1102

5 By: Representative T. Hutchinson  
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## For An Act To Be Entitled

9 AN ACT TO ESTABLISH LIMITATIONS REGARDING  
10 DISCLOSURE OF RECORDS OF CHILDREN'S ADVOCACY  
11 CENTERS; AND FOR OTHER PURPOSES.  
12

### Subtitle

13 AN ACT TO ESTABLISH LIMITATIONS  
14 REGARDING DISCLOSURE OF RECORDS OF  
15 CHILDREN'S ADVOCACY CENTERS.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code Title 20, Chapter 78, Subchapter 1 is amended  
22 to add an additional section to read as follows:

23 20-78-106. Availability of records of children's advocacy centers.

24 (a) Reports, correspondence, memoranda, case histories, medical  
25 records, or other materials compiled or gathered by children's advocacy  
26 centers performing the services described in § 20-78-105 shall be  
27 confidential and shall not be released or otherwise made available except:

28 (1) Medical records may be released to the attorney representing  
29 the abused child in a custody or juvenile case;

30 (2) For any audit or similar activity conducted with the  
31 administration of any plan or program by any governmental agency which is  
32 authorized by law to conduct the audit or activity;

33 (3) To law enforcement agencies, a prosecuting attorney, or the  
34 Attorney General;

35 (4) To any licensing or registering authority to the extent  
36 necessary to carry out its official responsibilities, but the information



1 shall be maintained as confidential;

2 (5) To a grand jury or court upon a finding that information in  
3 the record is necessary for the determination of an issue before the court or  
4 grand jury;

5 (6) To the Department of Human Services;

6 (7) To a Court Appointed Special Advocate volunteer with a valid  
7 court order; and

8 (8) Medical records may be released to a person providing  
9 medical or psychiatric care or services to the abused child.

10 (b)(1) Except as provided in subdivision (b)(2) of this section, no  
11 person or agency to whom disclosure is made may disclose to any other person  
12 reports or other information obtained under this section.

13 (2) Law enforcement agencies, a prosecuting attorney, the  
14 Department of Human Services, or the Attorney General may release reports or  
15 information obtained under this section.

16 (c) Nothing in this section is intended to prevent a defendant in a  
17 criminal case from obtaining material and information through discovery as  
18 authorized by Rules 17.1, 17.2, and 17.3 of the Arkansas Rules of Criminal  
19 Procedure.

20 (d) A disclosure of information in violation of this section is a  
21 Class C misdemeanor.

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23 /s/ T. Hutchinson  
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