

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

A Bill

SENATE BILL 862

4
5 By: Senator Irvin
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For An Act To Be Entitled

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

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13 CONCERNING INFORMATION RELEASED FROM THE
14 CONTROLLED SUBSTANCES DATABASE.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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.
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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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