

MDT statute

47.14.300

(a) The department, a state or municipal agency with expertise in child abuse

or neglect, or a tribe recognized by the United States Secretary of the Interior to exist as an Indian tribe under 25 U.S.C. 479a (Federally Recognized Indian Tribe List Act of 1994) with expertise in child abuse or neglect, in partnership with the department, may facilitate the initial establishment of a multidisciplinary child protection team. The purpose of a team is to assist in the evaluation and investigation of reports of child abuse or neglect, as defined in AS 47.17.290, made under AS 47.17 or initiated by the department or a law enforcement agency and to provide consultation and coordination for agencies involved in child-in-need-of-aid cases under AS 47.10. The multidisciplinary child protection teams shall

(1) ensure that investigations involving child abuse or neglect are coordinated and conducted by trained investigators;

(2) take and recommend steps to avoid duplicative interviews of children;

(3) assist in the reduction of trauma to a child and family involved in an investigation of child abuse or neglect; and

(4) review records, provide consultation, and make recommendations to the department pertaining to a child-in-need-of-aid case under AS 47.10 referred to the team by a team member.

(b) A team shall be made up of

(1) an employee of the child protection office in the department who has expertise in child abuse and neglect;

(2) a peace officer, as defined in AS 11.81.900;

(3) one or more staff members of a local child advocacy center, if a center is located in the relevant area;

(4) a medical care provider licensed under AS 08 who has received training in child abuse assessment;

(5) a counselor, social worker, psychologist, or physician who specializes in mental health care, is licensed under AS 08, and has knowledge of child abuse dynamics;

(6) a prosecutor of child abuse cases or a designee of a prosecutor of child abuse cases;

(7) a victim advocate with knowledge of child abuse dynamics;

(8) other persons with expertise in child abuse and neglect invited to serve as needed by consensus of the team as follows:

- A) child development specialists;
- (B) educators;
- (C) victim counselors as defined in AS 18.66.250;
- (D) experts in the assessment and treatment of substance abuse;
- (E) an attorney who specializes in child protection in the attorney general's office;
- (F) a representative of an Indian tribe, as defined in 25 U.S.C.1903(8) (Indian Child Welfare Act), as designated by the tribe;
- (G) guardians ad litem; and
- (H) a representative of the division in the department with jurisdiction over juvenile justice.

(c) A team may meet, review records, and conduct business in the absence of one or more members of the team. When a case is referred to the team, the department shall make available to the team records pertaining to the case prepared by or in the possession of the department, including appropriate confidential records under AS 47.10.093(b). A member of the team may use or disclose records made available by the department under this subsection only as necessary for the performance of the member's duties. The team may make recommendations to the department on appropriate planning for the case.

(d) Except for a public report issued by a team that does not contain confidential information, records or other information collected by the team or a member of the team related to duties under this section are confidential and not subject to public disclosure under AS 40.25.100 and 40.25.110.

(e) A team shall meet at least monthly and may meet more often as needed. Meetings of a team are closed to the public and are not subject to the provisions of AS 44.62.310 and 44.62.312.

(f) The determinations, conclusions, and recommendations of a team or its members are not admissible in a civil or criminal proceeding. A member may not be compelled to disclose a determination, conclusion, recommendation, discussion, or thought process through discovery or testimony in a civil or criminal proceeding. Records and information collected by the team are not subject to discovery or subpoena in connection with a civil or criminal proceeding.

(g) Notwithstanding (f) of this section, an employee of the department may testify in a civil or criminal proceeding concerning cases reviewed by a team even though the department's records were reviewed by a team and formed the basis of that employee's testimony and the team's report.

(h) A person who serves on a multidisciplinary child protection team is not liable for damage or other relief in an action brought by the reason of the performance of a duty, a function, or an activity of the team.

(i) In this section, "team" means a multidisciplinary child protection team created under (a) and (b) of this section.