

Kansas Department of

Social and Rehabilitation Services

Janet Schalansky, Secretary

Senate Judiciary Committee

March 11, 2004

HB 2742 - Access to Official Files

Integrated Service Delivery

Candy Shively, Deputy Secretary

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Mr. Chairman and members of the committee, I am Candy Shively, Deputy Secretary of SRS. Thank you for the opportunity to appear today to support House Bill 2742, as amended. This bill revises the provisions of the Kansas Code for Care of Children related to the sharing of information and confidentiality.

The bill balances the sometimes competing interests when sensitive information concerning children and their families becomes part of an agency or court record. Information must be made available to those who need it in order to make sound decisions, provide services, or protect the health and safety of children. At the same time the privacy of individual children and families who are in need of services must be respected.

Historically, it has been difficult to provide the statutory framework most likely to support this balance. The current statute has been amended many times and, as a result, actually adds confusion for those attempting to work together in service of children who may be in need of care. House Bill 2742 provides clear guidance and organizes the provisions to facilitate practical application. SRS appreciates the efforts of the Judicial Council and the opportunity to work with the subcommittee on this proposal. It is a significant improvement in a difficult-to-navigate area.

The House amended this bill in Section 4(e) on page 9 to require *in camera* inspection prior to ordering release of otherwise confidential information. We believe it was the intent of the House for Section 5(f) on page 11 contain similar language. Therefore, a technical change to include this language on page 11, section (f) is recommended.

Thank you for the opportunity to present; I would be happy to stand for questions.