

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

SENATE BILL 862

By: Senator Irvin

## For An Act To Be Entitled

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

### Subtitle

CONCERNING INFORMATION RELEASED FROM THE  
CONTROLLED SUBSTANCES DATABASE.

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

SECTION 1. Arkansas Code § 12-18-604 is amended to read as follows:  
12-18-604. Services during the investigation.

(a) The Department of Human Services shall have the authority to make referrals or provide services during the course of the child maltreatment investigation.

(b) The Department of Human Services may petition a circuit court to allow an investigator to access the controlled substance database.

(2) The court may grant a petition under this subsection if the Department of Human Services demonstrated probable cause that:

(A) The person has one (1) or more prescription drugs; and

(B) The baby or the person tested positive for prescription drugs at the time of the birth of the baby.

SECTION 2. Arkansas Code § 20-7-606(b)(2), concerning the confidentiality of information from the controlled substances database, is amended to add an additional subdivision to read as follows:

(D) The Department of Human Services or the Crimes Against



Children Division of the Department of State Police if:

(i) The purpose of the database access is related to an investigation under the Child Maltreatment Act, § 12-18-101 et seq., and not pursuant to a criminal investigation by a certified law enforcement officer; and

(ii) The Department of Human Services has obtained a court order to access the database under § 12-18-604.

**APPROVED: 04/11/2013**