START\_STATUTE8-466.  Child and family advocacy center; requirements for funding; immunity; definition

A.  To be considered for funding from the child and family advocacy center fund established by section 41‑191.11, a child and family advocacy center must be a private, nonprofit incorporated agency or a governmental entity that either:

1.  Is accredited by a national organization that is organized to promote multidisciplinary child abuse investigation and prosecution programs as outlined in 42 United States Code sections 13001 through 13005 and is a member of or affiliated with an organization that has set core standards for best practices of a child and family advocacy center.

2.  Annually certifies to the attorney general that the center meets all of the following:

(a)  Maintains and provides services at a neutral facility that is focused on victims and that allows:

(i)  Evidence‑based forensic interviews by a trained forensic interviewer of victims or witnesses of one or more suspected offenses.

(ii)  Interaction with a victim as investigative or treatment needs or victim services require.

(b)  Has a multidisciplinary case review team that meets on a regular basis and that consists of members who are appropriate for serving a victim of a suspected offense. Membership of the team may include:

(i)  A representative of the department.

(ii)  A representative of the county attorney.

(iii)  A mental health service provider.

(iv)  A representative of law enforcement.

(v)  A victim advocate.

(vi)  A forensic medical professional.

(vii)  A forensic interviewer.

(c)  Provides medical evaluations or referrals for medical evaluations by a health care provider who has specific training in child or adult sexual abuse.

(d)  Provides mental health therapy or referrals for mental health therapy by professionals who have training in and who provide trauma‑focused and evidence‑supported mental health treatment.

(e)  Facilitates evidence‑based training for various disciplines in the community that respond to reports of one or more suspected offenses.

(f)  Has a written commitment from any agency that is participating in the multidisciplinary approach to handling one or more suspected offenses.

(g)  Provides the attorney general with proof of compliance with standards prescribed pursuant to this section.

(h)  Complies with the relevant safety assessment and investigation protocols developed pursuant to section 8‑817.

B.  An employee or designated agent of a child and family advocacy center that meets the requirements of subsection A of this section is immune from any civil liability that arises from the employee's or designated agent's participation in the investigation process and services provided by the child and family advocacy center, unless the employee or designated agent acted with malice or has been charged with or is suspected of abusing or neglecting the child who is the subject of the investigation or services provided. This subsection does not displace or limit any other immunity provided by law.

C.  For the purposes of this section, "suspected offense" means one or more of the following:

1.  Child abuse or neglect.

2.  Abuse of an adult or a vulnerable adult.

3.  Sexual assault.

4.  Domestic violence.

5.  Juvenile sex trafficking.

6.  Homicide. END\_STATUTE