

HOUSE BILL 245

D4

6lr1560
CF SB 310

By: **Delegates Dumais, Atterbeary, Glass, McComas, Moon, Rey, Smith, Sydnor, Valentino-Smith, and B. Wilson**

Introduced and read first time: January 25, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Failure to Report**

3 FOR the purpose of requiring an agency that is participating in a child abuse or neglect
4 investigation and that has substantial grounds to believe that a person has
5 knowingly failed to report child abuse as required under a certain provision of law
6 to file a certain complaint with a certain board, agency, institution, or facility; and
7 generally relating to child abuse and neglect.

8 BY adding to

9 Article – Family Law

10 Section 5–705.3

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Family Law**

16 **5–705.3.**

17 **IF AN AGENCY PARTICIPATING IN AN INVESTIGATION UNDER § 5–706 OF THIS**
18 **SUBTITLE HAS SUBSTANTIAL GROUNDS TO BELIEVE THAT A PERSON HAS**
19 **KNOWINGLY FAILED TO REPORT SUSPECTED ABUSE OR NEGLECT AS REQUIRED BY §**
20 **5–704 OF THIS SUBTITLE, THE AGENCY SHALL:**

21 **(1) FILE A COMPLAINT WITH THE APPROPRIATE LICENSING BOARD IN**
22 **ACCORDANCE WITH THE PROVISIONS OF THE HEALTH OCCUPATIONS ARTICLE IF**
23 **THE PERSON IS A HEALTH PRACTITIONER;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) FILE A COMPLAINT WITH THE APPROPRIATE LAW ENFORCEMENT**
2 **AGENCY IF THE PERSON IS A POLICE OFFICER; OR**

3 **(3) FILE A COMPLAINT WITH THE COUNTY BOARD OF EDUCATION OR**
4 **THE APPROPRIATE AGENCY, INSTITUTION, OR LICENSED FACILITY AT WHICH THE**
5 **PERSON IS EMPLOYED IF THE PERSON IS AN EDUCATOR OR A HUMAN SERVICE**
6 **WORKER.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2016.