

# HOUSE BILL 600

D4  
HB 1198/17 – JUD

8lr2177  
CF SB 131

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By: Delegates McComas, Afzali, Arentz, Buckel, Clark, Corderman, Folden, Ghrist, Glass, Hornberger, Kipke, Kittleman, Long, Malone, McConkey, McKay, Metzgar, W. Miller, Reilly, Saab, Shoemaker, Vogt, West, and Wivell

Introduced and read first time: January 29, 2018  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 14, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Child Abuse and Neglect – Training**

3 FOR the purpose of requiring ~~that each health practitioner, police officer, educator, and~~  
4 ~~human service worker in this State receive periodic training on the obligation to~~  
5 ~~report child abuse and neglect and on the identification of abused and neglected~~  
6 ~~children;~~ the Maryland Department of Health to provide certain boards with a list of  
7 certain recommended courses; requiring certain boards to post a certain list  
8 prominently on the board's website, provide information about certain recommended  
9 courses to certain health care professionals at a certain time, and advertise the  
10 availability of certain recommended courses in certain media; defining certain terms;  
11 and generally relating to child abuse and neglect.

12 ~~BY repealing and reenacting, with amendments,~~  
13 ~~Article – Family Law~~  
14 ~~Section 5-704~~  
15 ~~Annotated Code of Maryland~~  
16 ~~(2012 Replacement Volume and 2017 Supplement)~~

17 BY adding to  
18 Article – Health Occupations  
19 Section 1-224  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2017 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 ~~Article — Family Law~~

4 ~~5-704.~~

5 ~~(a) Notwithstanding any other provision of law, including any law on privileged~~  
6 ~~communications, each health practitioner, police officer, educator, or human service~~  
7 ~~worker, acting in a professional capacity in this State:~~

8 ~~(1) who has reason to believe that a child has been subjected to abuse or~~  
9 ~~neglect, shall notify the local department or the appropriate law enforcement agency; and~~

10 ~~(2) if acting as a staff member of a hospital, public health agency, child care~~  
11 ~~institution, juvenile detention center, school, or similar institution, shall immediately~~  
12 ~~notify and give all information required by this section to the head of the institution or the~~  
13 ~~designee of the head.~~

14 ~~(b) (1) An individual who notifies the appropriate authorities under subsection~~  
15 ~~(a) of this section shall make:~~

16 ~~(i) an oral report, by telephone or direct communication, as soon as~~  
17 ~~possible to the local department or appropriate law enforcement agency; and~~

18 ~~(ii) a written report:~~

19 ~~1. to the local department not later than 48 hours after the~~  
20 ~~contact, examination, attention, or treatment that caused the individual to believe that the~~  
21 ~~child had been subjected to abuse or neglect; and~~

22 ~~2. with a copy to the local State's Attorney.~~

23 ~~(2) (i) An agency to which an oral report of suspected abuse or neglect~~  
24 ~~is made under paragraph (1) of this subsection shall immediately notify the other agency.~~

25 ~~(ii) This paragraph does not prohibit a local department and an~~  
26 ~~appropriate law enforcement agency from agreeing to cooperative arrangements.~~

27 ~~(e) Insofar as is reasonably possible, an individual who makes a report under this~~  
28 ~~section shall include in the report the following information:~~

29 ~~(1) the name, age, and home address of the child;~~

30 ~~(2) the name and home address of the child's parent or other person who is~~  
31 ~~responsible for the child's care;~~

1           ~~(3) the whereabouts of the child;~~

2           ~~(4) the nature and extent of the abuse or neglect of the child, including any~~  
3 ~~evidence or information available to the reporter concerning possible previous instances of~~  
4 ~~abuse or neglect; and~~

5           ~~(5) any other information that would help to determine:~~

6                   ~~(i) the cause of the suspected abuse or neglect; and~~

7                   ~~(ii) the identity of any individual responsible for the abuse or neglect.~~

8           ~~(D) EACH HEALTH PRACTITIONER, POLICE OFFICER, EDUCATOR, AND~~  
9 ~~HUMAN SERVICE WORKER IN THIS STATE SHALL RECEIVE PERIODIC TRAINING ON:~~

10                   ~~(1) THE OBLIGATION TO REPORT ABUSE AND NEGLECT AS REQUIRED~~  
11 ~~BY THIS SECTION; AND~~

12                   ~~(2) THE IDENTIFICATION OF ABUSED AND NEGLECTED CHILDREN.~~

13                                   Article – Health Occupations

14           1-224.

15           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
16 INDICATED.

17                   (2) “BOARD” MEANS:

18                           (I) THE STATE BOARD OF DENTAL EXAMINERS;

19                           (II) THE STATE BOARD OF NURSING;

20                           (III) THE STATE BOARD OF EXAMINERS IN OPTOMETRY;

21                           (IV) THE STATE BOARD OF PHARMACY;

22                           (V) THE STATE BOARD OF PHYSICIANS;

23                           (VI) THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS;

24                           (VII) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND  
25 THERAPISTS;

1                   **(VIII) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS;**

2                   **(IX) THE STATE BOARD OF SOCIAL WORK EXAMINERS; AND**

3                   **(X) ANY OTHER BOARD AUTHORIZED UNDER THIS ARTICLE TO**  
4 **TAKE ACTION AGAINST AN APPLICANT, A LICENSEE, A CERTIFICATE HOLDER, A**  
5 **REGISTRANT, OR A PERMIT HOLDER WHO KNOWINGLY FAILS TO REPORT SUSPECTED**  
6 **CHILD ABUSE IN VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE.**

7                   **(3) "HEALTH CARE PROFESSIONAL" MEANS:**

8                   **(I) A DENTIST LICENSED BY THE STATE BOARD OF DENTAL**  
9 **EXAMINERS;**

10                   **(II) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE**  
11 **LICENSED BY THE STATE BOARD OF NURSING;**

12                   **(III) AN OPTOMETRIST LICENSED BY THE STATE BOARD OF**  
13 **EXAMINERS IN OPTOMETRY;**

14                   **(IV) A PHARMACIST LICENSED BY THE STATE BOARD OF**  
15 **PHARMACY;**

16                   **(V) A PHYSICIAN LICENSED BY THE STATE BOARD OF**  
17 **PHYSICIANS;**

18                   **(VI) A PODIATRIST LICENSED BY THE STATE BOARD OF**  
19 **PODIATRIC MEDICAL EXAMINERS;**

20                   **(VII) AN INDIVIDUAL LICENSED BY THE STATE BOARD OF**  
21 **PROFESSIONAL COUNSELORS AND THERAPISTS;**

22                   **(VIII) A PSYCHOLOGIST LICENSED BY THE STATE BOARD OF**  
23 **EXAMINERS OF PSYCHOLOGISTS;**

24                   **(IX) AN ASSOCIATE SOCIAL WORKER, A GRADUATE SOCIAL**  
25 **WORKER, A CERTIFIED SOCIAL WORKER, OR A CERTIFIED SOCIAL**  
26 **WORKER-CLINICAL LICENSED BY THE STATE BOARD OF SOCIAL WORK EXAMINERS;**  
27 **AND**

28                   **(X) ANY OTHER APPLICANT, LICENSEE, CERTIFICATE HOLDER,**  
29 **REGISTRANT, OR PERMIT HOLDER GOVERNED BY A BOARD.**

1           **(B) THE DEPARTMENT SHALL PROVIDE TO EACH BOARD A LIST OF**  
2 **RECOMMENDED COURSES ON:**

3                   **(1) THE OBLIGATION TO REPORT ABUSE AND NEGLECT AS REQUIRED**  
4 **BY § 5-704 OF THE FAMILY LAW ARTICLE; AND**

5                   **(2) THE IDENTIFICATION OF ABUSED AND NEGLECTED CHILDREN.**

6           **(C) EACH BOARD SHALL:**

7                   **(1) POST THE LIST OF RECOMMENDED COURSES PROVIDED TO THE**  
8 **BOARD UNDER SUBSECTION (B) OF THIS SECTION PROMINENTLY ON THE BOARD'S**  
9 **WEBSITE;**

10                   **(2) PROVIDE INFORMATION ABOUT THE RECOMMENDED COURSES TO**  
11 **HEALTH CARE PROFESSIONALS AT THE TIME OF RENEWAL OF LICENSURE; AND**

12                   **(3) ADVERTISE THE AVAILABILITY OF THE RECOMMENDED COURSES**  
13 **IN THE NEWSLETTERS AND ANY OTHER MEDIA PUBLISHED BY THE BOARD.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.