

SENATE BILL 490

O1, O4, J1

8lr1740
CF HB 454

By: **Senators Kelley, Astle, Brochin, Currie, Eckardt, Feldman, Guzzone, Kagan, Kasemeyer, Lee, Muse, Nathan–Pulliam, Oaks, Robinson, Smith, Young, and Zucker**

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

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 21, 2018

CHAPTER _____

1 AN ACT concerning

2 **Child Abuse and Neglect – Disclosure of Identifying Information and**
3 **Investigations**

4 FOR the purpose of requiring a court to provide the Secretary of Health with identifying
5 information regarding an individual who has been convicted under certain provisions
6 of law of the murder, attempted murder, or manslaughter of a child; ~~requiring a local~~
7 ~~department to open an investigation of child abuse or neglect if the local department~~
8 ~~is prevented from accessing a child born to an individual whose identifying~~
9 ~~information has been provided to the Secretary under certain provisions of law while~~
10 ~~providing a certain assessment~~; altering the period of time for which the Secretary
11 must provide certain birth record information to the Executive Director of the Social
12 Services Administration; requiring the Department of Human Services, in
13 coordination with the Vital Statistics Administration of the Maryland Department
14 of Health, to contract with an independent organization to develop a data collection
15 process in order to assess, using certain criteria, the effectiveness of certain required
16 record sharing in predicting and preventing various forms of child abuse and neglect,
17 to explore other predictors of child abuse and neglect, and to make certain
18 recommendations; making stylistic changes; and generally relating to child abuse
19 and neglect.

20 BY repealing and reenacting, with amendments,
21 Article – Family Law
22 Section 5–715

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 Annotated Code of Maryland
2 (2012 Replacement Volume and 2017 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Health – General
5 Section 4–222
6 Annotated Code of Maryland
7 (2015 Replacement Volume and 2017 Supplement)

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

10 **Article – Family Law**

11 5–715.

12 (a) (1) The Executive Director of the Administration shall provide the
13 Secretary of Health with identifying information regarding [individuals] **AN INDIVIDUAL**
14 who, as to any child, [have] **HAS** had [their] **THE INDIVIDUAL’S** parental rights terminated
15 under § 5–322 or § 5–323 of this title and [have] **HAS** been identified as responsible for
16 abuse or neglect in a central registry as described in § 5–714(d) of this subtitle.

17 (2) **A COURT SHALL PROVIDE THE SECRETARY OF HEALTH WITH**
18 **IDENTIFYING INFORMATION REGARDING AN INDIVIDUAL WHO HAS BEEN**
19 **CONVICTED UNDER TITLE 2, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE OF THE**
20 **MURDER, ATTEMPTED MURDER, OR MANSLAUGHTER OF A CHILD.**

21 (b) If in accordance with § 4–222 of the Health – General Article, the Secretary
22 provides to the Executive Director birth record information for a child born to an individual
23 whose identifying information has been provided under subsection (a) of this section, the
24 Executive Director shall:

25 (1) verify that the parent of the child is the same individual described in
26 subsection (a) of this section; and

27 (2) immediately notify the local department in the jurisdiction in which the
28 child resides so that the local department may review its records and[, when appropriate,]
29 provide an assessment of the family and offer services if needed.

30 ~~(c) A LOCAL DEPARTMENT SHALL OPEN AN INVESTIGATION IF THE LOCAL~~
31 ~~DEPARTMENT IS PREVENTED FROM ACCESSING THE CHILD WHILE PROVIDING AN~~
32 ~~ASSESSMENT UNDER SUBSECTION (B) OF THIS SECTION.~~

33 **Article – Health – General**

34 4–222.

1 The Secretary shall provide to the Executive Director of the Social Services
 2 Administration in the Department of Human Services birth record information for a child
 3 born to an individual whose identifying information has been provided to the Secretary
 4 within the previous **[5] 20** years by the Executive Director **OR A COURT** under § 5–715 of
 5 the Family Law Article.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Human
 7 Services, in coordination with the Vital Statistics Administration of the Maryland
 8 Department of Health, shall contract with an independent entity to develop a data
 9 collection process to assess the effectiveness of current procedures requiring the sharing of
 10 certain records between the Social Services Administration and the Maryland Department
 11 of Health in predicting and preventing child abuse and neglect by calculating the
 12 sensitivity, specificity, and the positive or negative predictive value of current procedures,
 13 exploring other predictors of child abuse and neglect, and making recommendations on how
 14 to better target record-sharing activities.

15 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 16 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.