

SHR

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 512
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “period;” in line 10 and substitute “altering certain conditions regarding the termination of certain parental rights for certain children to include children born addicted to, dependent on, or with a significant presence in the child’s blood of certain controlled dangerous substances and the parent refused admission or failed to fully participate in certain drug treatment programs; requiring the Department of Human Resources, in cooperation with the Department of Health and Mental Hygiene, to develop certain intervention systems in at least a certain number of counties designated by the Secretary of Human Resources that include certain drug treatment for certain mothers; requiring the initiation of certain intervention under certain circumstances; requiring a CINA petition to be filed on behalf of certain children under certain circumstances;”; strike in their entirety lines 23 through 27, inclusive; and in line 30, strike “, 5-317.”.

On page 2, after line 6, insert:

“BY adding to

Article - Family Law

Section 5-706.3

Annotated Code of Maryland

(1991 Replacement Volume and 1996 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 15, strike “(I)”; strike beginning with the first “is” in line 15 down through “; and” in line 16 and substitute “:

(I) IS MENTALLY HANDICAPPED;

(Over)

(II) WAS BORN ADDICTED TO OR DEPENDENT ON COCAINE, THE FORM OF COCAINE KNOWN AS “CRACK”, OR HEROIN;

(III) WAS BORN WITH A SIGNIFICANT PRESENCE OF COCAINE, THE FORM OF COCAINE KNOWN AS “CRACK”, OR HEROIN IN THE CHILD’S BLOOD AS EVIDENCED BY TOXICOLOGY OR OTHER APPROPRIATE TESTS; OR

(IV) IS NOT RECEIVING ORDINARY AND PROPER CARE AND ATTENTION; AND”;

in line 17, strike “(II)” and substitute “(2)”; in line 21, strike “; OR” and substitute a period; and strike in their entirety lines 22 through 32, inclusive.

On page 4, in line 24, strike “or”; in line 28, strike the period and substitute “; OR”; strike in their entirety lines 29 through 39, inclusive, and substitute:

“(IV) 1. THE CHILD WAS BORN:

A. ADDICTED TO OR DEPENDENT ON COCAINE, THE FORM OF COCAINE KNOWN AS “CRACK”, OR HEROIN; OR

B. WITH A SIGNIFICANT PRESENCE OF COCAINE, THE FORM OF COCAINE KNOWN AS “CRACK”, OR HEROIN IN THE CHILD’S BLOOD AS EVIDENCED BY TOXICOLOGY OR OTHER APPROPRIATE TESTS; AND

2. THE NATURAL PARENT REFUSED ADMISSION INTO A DRUG TREATMENT PROGRAM OR FAILED TO FULLY PARTICIPATE IN A DRUG TREATMENT PROGRAM.”.

On page 5, in line 1, strike the brackets; in the same line, strike “(3)”; in line 4, strike the brackets; and in the same line, strike “(4)”.

AMENDMENT NO. 3

On page 6, after line 18, insert:

“5-706.3.

(A) THE DEPARTMENT OF HUMAN RESOURCES, IN COOPERATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, SHALL DEVELOP INTERVENTION SYSTEMS IN AT LEAST FOUR COUNTIES DESIGNATED BY THE SECRETARY OF HUMAN RESOURCES THAT:

(1) INCLUDE DRUG TREATMENT FOR A MOTHER OF A CHILD WHO IS BORN DRUG EXPOSED AND SUPPORTIVE SERVICES FOR THE FAMILY OF THE CHILD;
AND

(2) SERVE 300 FAMILIES.

(B) AN INTERVENTION SHALL BE INITIATED WHEN:

(1) A CHILD IS BORN DRUG EXPOSED; AND

(2) MEDICAL PERSONNEL HAVE DETERMINED THAT THE CHILD IS AT A HIGH RISK OF ABUSE OR NEGLECT.

(C) THE LOCAL DEPARTMENT OF SOCIAL SERVICES AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ASSIST THE MOTHER OF A CHILD WHO IS BORN DRUG EXPOSED IN:

(1) OBTAINING DRUG TREATMENT; AND

(2) PROVIDING SUPPORTIVE SERVICES TO MAINTAIN FAMILY UNITY.

(D) A CINA PETITION SHALL BE FILED ON BEHALF OF A CHILD WHO IS BORN DRUG EXPOSED, IF:

(1) THE MOTHER REFUSES DRUG TREATMENT OR DOES NOT SUCCESSFULLY COMPLETE DRUG TREATMENT;

(2) THE MOTHER IS UNABLE TO PROVIDE ADEQUATE CARE FOR THE CHILD; AND

(Over)

(3) THE FATHER IS UNABLE TO PROVIDE ADEQUATE CARE.”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 33 through 38, inclusive.

On pages 5 and 6, strike in their entirety the lines beginning with line 9 on page 5 through line 6 on page 6, inclusive.