

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 958

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “teams” insert “or panels”; in the same line, after “cases;” insert “requiring the State Board to develop certain protocols governing local citizens review panels;”; in line 9, after “include” insert “training local citizens review panels and”; in line 16, after “Children,” insert “local citizens review panels;”; in line 18, after “activities;” insert “authorizing local governments to establish local citizens review panels; establishing the membership of the local panels; specifying the duties of the local panels;”; and in line 25, after “Council;” insert “authorizing the Council to request that certain actions be taken by local citizens review panels;”.

On page 2, in line 2, strike “Governor” and substitute “State team”; in line 7, strike “providing for staffing;”; strike beginning with “requiring” in line 9 down through “death;” in line 10; in line 21, after “5-538(a)” insert “, 5-539”; strike in their entirety lines 24 through 28, inclusive; and in line 31, strike “and 5-539.2;” and substitute “through 5-539.3; and”.

On page 3, in line 3, strike “5-710” and substitute “5-709”.

AMENDMENT NO. 2

On page 5, in line 16, after “boards” insert “AND LOCAL CITIZENS REVIEW PANELS”.

On page 6, in line 15, after “(2)” insert “TO ASSIST THE STATE BOARD IN ITS REVIEWS OF SPECIFIC CASES;”; in the same line, after “DESIGNATE” insert “:”

(I) “;

strike beginning with “TO” in line 16 down through “CASES” in line 17 and substitute “; OR

(II) LOCAL CITIZENS REVIEW PANELS ESTABLISHED UNDER

(Over)

§ 5-539.2 OF THIS SUBTITLE”;

in line 18, after “(C)” insert “IN CONSULTATION WITH LOCAL CITIZENS REVIEW PANELS AND THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT, THE STATE BOARD SHALL DEVELOP PROTOCOLS THAT GOVERN THE SCOPE OF ACTIVITIES OF LOCAL CITIZENS REVIEW PANELS TO REFLECT THE PROVISIONS OF THE FEDERAL CHILD ABUSE PREVENTION AND TREATMENT ACT (42 U.S.C. §5101 ET SEQ.)”.

(D)”;

in line 19, after “NEGLECT” insert “, LOCAL CITIZENS REVIEW PANELS,”; in line 22, strike “(D)” and substitute “(E)”; and after line 25, insert:

“(A) (1) A LOCAL GOVERNMENT MAY ESTABLISH A LOCAL CITIZENS REVIEW PANEL TO ASSIST AND ADVISE THE STATE BOARD AND THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT.

(2) TWO OR MORE COUNTIES MAY ESTABLISH A MULTICOUNTY LOCAL CITIZENS REVIEW PANEL, IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING EXECUTED BY THE MULTICOUNTY LOCAL PANEL.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, THE MEMBERS AND CHAIRMAN OF A LOCAL CITIZENS REVIEW PANEL SHALL BE APPOINTED BY THE LOCAL GOVERNING BODY.

(C) MEMBERSHIP ON A LOCAL CITIZENS REVIEW PANEL SHALL BE REPRESENTATIVE OF THE LOCAL JURISDICTION AND INCLUDE:

(1) INDIVIDUALS WITH EXPERTISE IN THE PREVENTION AND TREATMENT OF CHILD ABUSE AND NEGLECT, SUCH AS CHILD ADVOCATES, VOLUNTEERS OF THE COURT-APPOINTED SPECIAL ADVOCATE PROGRAM, ATTORNEYS WHO REPRESENT CHILDREN, PARENT AND CONSUMER REPRESENTATIVES, LAW ENFORCEMENT REPRESENTATIVES, AND HEALTH AND HUMAN SERVICES PROFESSIONALS; AND

(2) ONE MEMBER FROM THE LOCAL JURISDICTION, WHO IS APPOINTED BY THE STATE BOARD AND ONE WHO IS APPOINTED BY THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT.

(D) A LOCAL PANEL SHALL:

(1) EVALUATE THE EXTENT TO WHICH STATE AND LOCAL AGENCIES IN THAT JURISDICTION ARE EFFECTIVELY FULFILLING THEIR RESPONSIBILITIES IN ACCORDANCE WITH THE CHILD PROTECTION STANDARDS AND THE STATE PLAN UNDER 42 U.S.C. §5106A(B) AND ANY OTHER CRITERIA THAT THE PANEL CONSIDERS IMPORTANT FOR THE PROTECTION OF CHILDREN;

(2) ISSUE REPORTS ON ITS FINDINGS TO THE STATE BOARD AND THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT; AND

(3) CARRY OUT OTHER DUTIES AS REQUESTED TO ASSIST THE STATE BOARD AND THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT.

5-539.3.”.

On page 9, in line 38, after “(B)” insert “THE COUNCIL MAY REQUEST THAT A LOCAL CITIZENS REVIEW PANEL ESTABLISHED UNDER § 5-539.2 OF THIS TITLE CONDUCT A REVIEW UNDER THIS SECTION AND REPORT ITS FINDINGS TO THE COUNCIL.

(C)”.

On page 9 in line 39, and on page 17 in line 26, in each instance, after “CHILDREN” insert “, LOCAL CITIZENS REVIEW PANELS.”.

On page 10, in line 3, strike “(C)” and substitute “(D)”.

AMENDMENT NO. 3

On page 14, strike beginning with ““WORKING” in line 17 down through “(H)” in line 19.

On page 20, strike in their entirety lines 7 through 25, inclusive; and in line 26, strike “5-708.” and substitute “5-707.”.

(Over)

On page 21, in lines 1 and 23, strike “5-709.” and “5-710.”, respectively, and substitute “5-708.” and “5-709.”, respectively.

AMENDMENT NO. 4

On page 15, strike beginning with the first “THE” in line 9 down through “SYSTEM” in line 11 and substitute “A REPRESENTATIVE OF THE STATE SIDS INFORMATION AND COUNSELING PROGRAM”; in line 33, strike “GOVERNOR” and substitute “STATE TEAM”; in the same line, strike the second “THE” and substitute “ITS”; and in line 34, strike “OF THE STATE TEAM”.

AMENDMENT NO. 5

On page 16, in line 19, after “(4)” insert “IN COOPERATION WITH LOCAL TEAMS.”.

On page 17, in line 20, strike the second “AND”; and in line 24, after “RECOMMENDATIONS” insert “;AND”

(13) IN CONSULTATION WITH LOCAL TEAMS:

(I) DEFINE “NEAR FATALITY”; AND

(II) DEVELOP PROCEDURES AND PROTOCOLS THAT LOCAL TEAMS AND THE STATE TEAM MAY USE TO REVIEW CASES OF NEAR FATALITY”.

AMENDMENT NO. 6

On page 18, in line 9, after “TEAM” insert “MEMBERSHIP”; strike beginning with “COMPOSED” in line 9 down through “INCLUDING” in line 10 and substitute “DRAWN FROM THE FOLLOWING INDIVIDUALS, ORGANIZATIONS, AGENCIES, AND AREAS OF EXPERTISE, WHEN AVAILABLE”; strike beginning with “THE” in line 12 down through “(3)” in line 13; in lines 14, 15, 16, 17, 19, 21, 23, 25, 28, and 31, strike “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, and “(13)”, respectively, and substitute “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 30, strike “AND”; and in line 33, after “OFFICER” insert “;AND”

(13) ANY OTHER INDIVIDUAL NECESSARY TO THE WORK OF THE LOCAL TEAM, RECOMMENDED BY THE LOCAL TEAM AND APPOINTED BY THE COUNTY HEALTH OFFICER".

On page 19, in line 1, strike "(10)" and substitute "(9)"; and strike beginning with "EACH" in line 4 down through "(E)" in line 7.

AMENDMENT NO. 7

On page 19, strike beginning with "PROVIDING" in line 11 down through "(2)" in line 13; in lines 16, 18, and 20, strike "(3)", "(4)", and "(5)", respectively, and substitute "(2)", "(3)", and "(4)", respectively; strike beginning with "WITHIN" in line 23 down through "SUBTITLE" in line 24 and substitute "IN CONSULTATION WITH THE STATE TEAM"; strike beginning with "RESPOND" in line 26 down through "SUBTITLE" in line 27 and substitute "SET AS ITS GOAL THE INVESTIGATION OF CHILD DEATHS IN ACCORDANCE WITH NATIONAL STANDARDS"; strike beginning with "IN" in line 28 down through "SUBTITLE," in line 29; in line 29, after "MEET" insert "AT LEAST"; in line 30, strike "FACILITATE THE IMPLEMENTATION OF METHODS TO"; strike beginning with "TO" in line 32 down through "CHANGES" in line 33; and in line 35, strike "AND".

On page 20, in line 1, after "PROVIDE" insert "REQUESTED"; strike beginning with "AT" in line 1 down through "TEAM," in line 2; in line 4, after "CHANGES" insert "RECOMMENDED BY THE LOCAL TEAM"; in line 5, after the first "TO" insert "STATE AND LOCAL"; and in line 6, after "DEATHS" insert "; AND

(6) IN CONSULTATION WITH THE STATE TEAM:

(I) DEFINE "NEAR FATALITY"; AND

(II) DEVELOP PROCEDURES AND PROTOCOLS THAT LOCAL TEAMS AND THE STATE TEAM MAY USE TO REVIEW CASES OF NEAR FATALITY".