

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 78 (Chairman, Judicial Proceedings Committee)
(Departmental - Human Resources)

Judicial Proceedings

Family Law - Child Abuse and Neglect - Definition of Neglect

This departmental bill expands the definition of child neglect to include providing improper care or attention to a child by a parent or other person who has permanent or temporary custody of the child. The current definition of neglect specifies only acts of omission.

Fiscal Summary

State Effect: Potential minimal increase in general and federal fund expenditures. Revenues would not be affected.

Local Effect: None.

Small Business Effect: The Department of Human Resources (DHR) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment as discussed below.

Fiscal Analysis

State Expenditures: DHR advises that the bill seeks to affect the appeals made by individuals alleged to have committed neglect by increasing the number of findings of neglect that are upheld by the Office of Administrative Hearings as “indicated” or “unsubstantiated” and decreasing the number that are “ruled out”. The number of neglect findings to which the bill would apply is small.

Although DHR already makes a finding of neglect regarding certain acts of commission, it is

possible that the bill's broadened definition may generate additional findings of neglect. This could increase the number of children found to be neglected by the local departments of social services, which in turn could increase services provided to those children and the number of Child in Need of Assistance (CINA) petition filings. An increase in the number of CINA filings would increase the workload of DHR, the Office of the Public Defender, and the courts. Any such effect is assumed to be minimal.

Small Business Effect: Day care homes and child care centers could be adversely affected by more rulings of indicated or unsubstantiated upheld by the Office of Administrative Hearings. There are approximately 14,300 regulated child care facilities in Maryland - 12,300 homes and 2,000 child care centers.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Human Resources, Office of Administrative Hearings, Office of the Public Defender, Department of Legislative Services

Fiscal Note History: First Reader - January 25, 1999

Inc/jr

Analysis by: Sue Friedlander

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 946-5510

(301) 970-5510