

Department of Legislative Services  
Maryland General Assembly  
2001 Session

FISCAL NOTE

House Bill 501 (Delegate Montague)  
Judiciary

---

**Children in Need of Assistance - Repeal of Exemption for Nonmedical Remedial Care**

---

This bill repeals the exemption that a court may not find that a child is in need of assistance solely because that child is being furnished nonmedical remedial care and treatment that is recognized by State law.

---

**Fiscal Summary**

**State Effect:** The bill would not materially affect governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** A court may not deem a child to be a child in need of assistance for the sole reason that the child is being furnished nonmedical remedial care and treatment recognized by State law.

A child in need of assistance is a child who requires the assistance of the court because: (1) the child is mentally handicapped or is not receiving ordinary and proper care and attention; and (2) the child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and the child's problems provided, however, a child shall not be deemed to be in need of assistance for the sole reason that the child is being furnished nonmedical remedial care and treatment recognized by State law.

**Background:** Nonmedical remedial care and treatment recognized by State law refers to faith healing. According to the Department of Human Resources, the language sought to be repealed is commonly referred to as the “religious exemption.”

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader – March 6, 2001  
cm/jr

---

Analysis by: Sandra Steele

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510