

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 254
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “medical or human services personnel” and substitute “a licensed practitioner”; and in line 6, after “circumstances” insert “; requiring the Department of Human Resources to submit certain reports to the General Assembly on or before certain dates; and generally relating to the disclosure of certain information concerning child abuse and neglect”.

AMENDMENT NO. 2

On page 3, in line 17, strike “TO MEDICAL OR HUMAN SERVICES PERSONNEL” and substitute “SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, TO A LICENSED PRACTITIONER”; strike beginning with “MEDICAL” in line 19 down through “DISCHARGE” in line 21 and substitute “PRACTITIONER SUSPECTS THAT THE CHILD MAY BE IN DANGER AFTER DISCHARGE BASED ON THE PRACTITIONER’S OBSERVATION OF THE BEHAVIOR OF THE CHILD’S PARENTS OR IMMEDIATE FAMILY MEMBERS”; after line 21, insert:

“(C) ONLY THE FOLLOWING INFORMATION CONCERNING CHILD ABUSE AND NEGLECT MAY BE DISCLOSED TO A PRACTITIONER OF A HOSPITAL OR BIRTHING CENTER UNDER SUBSECTION (B)(2)(X) OF THIS SECTION:

(1) WHETHER THERE IS A PRIOR FINDING OF INDICATED CHILD ABUSE OR NEGLECT BY EITHER PARENT; AND

(2) WHETHER THERE IS AN OPEN INVESTIGATION OF CHILD ABUSE OR NEGLECT PENDING AGAINST EITHER PARENT.”;

and in lines 22, 31, and 34, strike “(c)”, “(d)”, and “(e)”, respectively, and substitute “(D)”, “(E)”,

(Over)

and “(F)”, respectively.

AMENDMENT NO. 3

On page 3, after line 36, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Human Resources shall report to the General Assembly on or before October 1, 2005, in accordance with § 2-1246 of the State Government Article, on the feasibility of offering family counseling services to individuals who have had a finding of indicated child abuse or neglect. The report shall contain information regarding a family counseling services program that provides family support services, family planning services, abstinence education, and adoption services for at-risk individuals and their children. The report shall include information on the use of community nurses or substance abuse counselors to provide family counseling services and on the feasibility of offering family counseling services in local departments of social services. In considering alternatives for providing family counseling services, the Department shall consider partnerships with State agencies and local health departments, similar to the partnership that currently exists in Baltimore City.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Human Resources shall report to the General Assembly on or before December 31, 2007, in accordance with § 2-1246 of the State Government Article, on the use and effectiveness of the disclosure of information concerning child abuse or neglect to licensed practitioners of hospitals or birthing centers under the provisions of this Act.”.

On page 4, in line 1, strike “2.” and substitute “4.”.