

Department of Legislative Services  
 Maryland General Assembly  
 2005 Session

FISCAL AND POLICY NOTE  
 Revised

House Bill 839 (Delegate Nathan-Pulliam, *et al.*)  
 Health and Government Operations and Judiciary      Education, Health, & Environmental Affairs

**Integration of Child Welfare and Substance Abuse Treatment Services**

This bill allows a child abuse or neglect record and report to be disclosed to an addiction specialist under specified conditions. The addiction specialist must receive the information regarding the family’s circumstances and any evidence that substance abuse exists.

The bill takes effect June 1, 2005.

**Fiscal Summary**

**State Effect:** No effect in FY 2006. General fund expenditures could increase by \$95,000 in FY 2007 to award a contract for the required evaluation. No effect on expenditures in future years. No effect on revenues.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
GF Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	95,000	0	0	0
Net Effect	\$0	(\$95,000)	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** In fiscal 2007, the Governor must include \$95,000 for an independent, results-based evaluation of the integration of substance abuse treatment and child welfare services in Maryland. The bill extends an annual reporting requirement for three additional years. Accordingly, annually until December 15, 2007, the Secretary of Human Resources and the Secretary of Health and Mental Hygiene must report to the Governor; the Senate Budget and Taxation Committee; the Senate Education, Health, and Environmental Affairs Committee; the House Appropriations Committee; and the House Health and Government Operations Committee on their progress in complying with the statute relating to the integration of child welfare and substance abuse treatment services. The results of the evaluation required by this bill must be included in the final annual report due December 15, 2007.

**Current Law:** Except as otherwise provided in statute, all records and reports of child abuse or neglect are confidential, and their unauthorized disclosure is a criminal offense subject to a penalty. The offense is a misdemeanor and is punishable upon conviction of a fine not exceeding \$500 or imprisonment of up to 90 days, or both.

Reports or records of child abuse or neglect must be disclosed under court order or under an order of an administrative law judge, if the request for disclosure concerns a case pending before the Office of Administrative Hearings and provisions are made to comply with other State or federal confidentiality laws and to protect the identity of the reporter or other person whose life or safety is likely to be endangered by disclosure.

Reports of child abuse or neglect may be disclosed on request to various personnel or officials, including to personnel of local or State departments of social services, law enforcement personnel, and members of multidisciplinary case consultation teams who are investigating a report of known or suspected child abuse or neglect or who are providing services to a child or family that is the subject of the report.

The Secretary of Human Resources and the Secretary of Health and Mental Hygiene are required to develop a statewide protocol that includes placing qualified addiction specialists in all child welfare offices, based on a caseload formula.

By December 15, 2000, and annually thereafter until December 15, 2004, the Secretary of Human Resources and the Secretary of Health and Mental Hygiene are required to report on their progress in complying with the provisions of statute relating to the integration of child welfare and substance abuse treatment services.

**Background:** In fiscal 2004, 30,237 child protective service investigations occurred statewide, according to DHR. Of these investigations, 6,342 of the cases were closed

with indications of abuse or neglect and 8,435 cases were closed as unsubstantiated with regard to abuse or neglect.

Seven out of 10 children served by child welfare agencies have parents with substance abuse problems, according to a September 2004 report by Veritas, a New York family-focused substance abuse services agency. Incidences of child abuse and neglect drop significantly when these parents receive substance abuse services. Through a partnership between the New York State Office of Children and Family Services and the state Office of Alcoholism and Substance Abuse Services, more than 100 substance abuse therapists were placed into more than 30 child welfare programs.

This partnership resulted in: (1) fewer than 5% of the substance abuse cases reporting incidences of child abuse and neglect, compared with more than 50% previously; (2) a 25% increase in birth parents reuniting with their children who had been placed in foster care for participating child welfare programs; (3) a 25% reduction in the amount of time children spent in foster care; and (4) two-thirds of parents referred to substance abuse treatment continuing their treatment, compared to less than 25% of parents prior to the partnership.

**State Expenditures:** No effect on expenditures in fiscal 2006 because most of the bill's provisions could be implemented without directly affecting governmental finances. General fund expenditures could increase by \$95,000 in fiscal 2007 for DHR to award a contract for an independent, results-based evaluation of the integration of substance abuse treatment and child welfare services in Maryland. No effect on expenditures in future years.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources; Department of Health and Mental Hygiene; Veritas, *Healing Families by Breaking the Link between Child Abuse and Substance Abuse*, September 2004; Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2005  
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