

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1071

(Delegate Anderson, *et al.*)

Health and Government Operations

Finance

Child Fatality Review Teams - Access and Disclosure of Information

This bill allows a local child fatality review team to investigate the information and records of a child convicted of a crime or adjudicated as having committed a delinquent act that caused a death or near fatality. Upon request, information maintained by a health care provider has to be provided on such a child. A local team also must have access to all information and records maintained by specified State and local government entities that provided services to such a child or the family of the child.

However, information identifying such a child may not be disclosed during a public meeting. Information also may not be disclosed during a public meeting regarding the involvement of any agency with such a child.

Fiscal Summary

State Effect: None. The bill would not directly affect governmental finances.

Local Effect: None. The bill would not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: There is a State Child Fatality Review Team, which is assisted by local child fatality review teams. The State Child Fatality Review Team helps prevent child deaths by • developing an understanding of the causes and incidence of child deaths; • developing plans for and implementing changes within the agencies on the team to prevent child deaths; and • advising the Governor, the General Assembly, and the public on changes to law, policy, and practice to prevent child deaths.

Local child fatality review teams also help prevent child deaths by • promoting cooperation and coordination among agencies involved in investigating child deaths or in providing services to surviving family members; • developing an understanding of the causes and incidence of child deaths in the county; • developing plans for and recommend changes within the agencies the members represent to prevent child deaths; and • advising the State team on changes to law, policy, or practice to prevent child deaths.

Upon the request of a local team's chair and as necessary to carry out the team's purpose and duties, the team must be immediately provided with access to information and records regarding a child whose death is being reviewed by the team. Medical care providers, including providers of dental and mental health care, must provide all such information – including information on prenatal care. Local teams also must be provided with access to all information and records maintained by any State or local government agency.

Local team meetings must be closed to the public when the State team or local teams are discussing individual cases of child deaths. Meetings of the State team and local teams must be open to the public when individual cases of child deaths are not being discussed. Information identifying a deceased child, a family member, a guardian or caretaker of a deceased child, or an alleged or suspected perpetrator of abuse or neglect upon a child may not be disclosed during a public meeting.

A violation of the meeting policy is a misdemeanor and on conviction is subject to a fine of up to \$500 fine, up to 90 days imprisonment, or both.

Background: In 2005, the infant mortality rate in Maryland was 7.3 deaths per 1,000 live births.

Additional Information

Prior Introductions: None.

Cross File: SB 348 (Senator McFadden) – Finance.

Information Source(s): Wicomico County, Allegany County, Montgomery County, Prince George's County, Baltimore City, Department of Human Resources, Department of Health and Mental Hygiene, Department of Legislative Services

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