

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 1222 (Delegate Montgomery, et al)
Health and Government Operations

Child Abuse and Neglect Centers of Excellence Initiative

This bill expands the purposes of the Child Abuse and Neglect Centers of Excellence Initiative.

Fiscal Summary

State Effect: The bill's changes could be implemented with existing resources of the Department of Human Resources and the Department of Health and Mental Hygiene (DHMH).

Local Effect: The bill's changes could be implemented with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill alters the definition of "Center of Excellence" to mean a multidisciplinary *clinical* team of health care professionals and health care facilities. The definition of "Centers of Excellence faculty" is altered to mean a core group of clinical experts who provide training, consultation, and support to child advocacy centers in addition to health care professionals. The definition of "Child Advocacy Center" is expanded to mean a child-focused entity that investigates, as well as diagnoses child abuse and neglect. Law enforcement personnel, local departments of social services caseworkers, child mental health care service providers, and other child and family service providers would be included in that entity.

The bill expands the purposes of the Child Abuse and Neglect Centers of Excellence Initiative as follows: • cooperate with child advocacy centers; • protect children from trauma during a child abuse or neglect investigation and prosecution; • minimize the times each child is interviewed and examined during an abuse or neglect investigation; and • minimize the potential for influencing a child's statement to investigators about an allegation of child abuse or neglect. In addition to its other duties, the Centers of Excellence faculty would be required to collaborate and coordinate activities with child advocacy centers and communicate and cooperate with the State Council on Child Abuse and Neglect.

Current Law: The purposes of the Child Abuse and Neglect Centers of Excellence Initiative are to (1) improve the protection of children in Maryland; (2) recruit local physicians to gain clinical expertise in the diagnosis and treatment of child abuse and neglect; (3) develop and guide the practice of local or regional multidisciplinary teams to improve the assessment and treatment of children who are the subject of a child abuse or neglect investigation or a child in need of assistance (CINA) finding; (4) facilitate the appropriate prosecution of criminal child abuse and neglect; and (5) provide expert consultation and training to local or regional multidisciplinary teams in the diagnosis and treatment of physical child abuse and neglect and sexual abuse through teleconferencing and onsite services.

Centers of excellence faculty must (1) assist local and regional jurisdictions to develop standards and protocols for the composition and operation of local or regional centers of excellence; (2) provide training and consultation to local or regional centers of excellence in the diagnosis and treatment of child abuse and neglect; (3) inventory existing academic and emergency resources available for teleconferencing and facilitate the use of these resources for child abuse and neglect investigations and treatment plans; and (4) provide financial support to part-time local and regional expert clinical staff for the diagnosis and treatment of child abuse or neglect. DHMH must designate the participants in the centers of excellence facility.

A center of excellence may receive information from DHMH and may consult with DHMH on any case (1) referred from the CINA program; (2) concerning a child committed to DHMH or a local department of social services; or (3) concerning a child who is the subject of a child abuse or neglect investigation. The Secretary of Health and Mental Hygiene must appoint and convene an expert panel on child abuse and neglect relating to research and data collection at least once each year. By December 1 annually, the panel must submit a report to the General Assembly on the data collected on child abuse and neglect diagnosis and treatment and the activities of the initiative.

Under the Family Law statute relating to a physician's examination and treatment of abused or neglected children, emergency medical treatment includes medical or surgical care to a child rendered by a provider in a laboratory, health care facility, or child advocacy center. The care can be to relieve any injury or severe emotional distress or to determine the existence of any possible abuse or neglect. The treatment may include, if appropriate, the use of telemedicine to achieve a timely expert diagnosis of child abuse or neglect. Expert child abuse or neglect care is defined as diagnosis or treatment of child abuse or neglect provided by a physician, a multidisciplinary team or a team member, a health care facility, or a health care facility staff member who is an expert in the field of child abuse and neglect.

Background: According to the Maryland Children's Alliance and the Maryland Coalition Against Sexual Abuse, child advocacy centers are one-stop shops where children who have disclosed sexual or serious physical abuse are interviewed and receive counseling and other services, including medical examinations. Child advocacy centers include child protective services professionals and law enforcement personnel that work in multidisciplinary teams to help ensure that children are not interviewed on multiple occasions and to keep the process focused on the well-being of the child.

According to revised fiscal 2005 information available from the Department of Human Resources (the latest information available) 31,501 child protective services investigations occurred statewide. Investigations of physical abuse totaled 10,751, neglect investigations totaled 14,413 and sexual abuse investigations totaled 3,819. The remaining 2,518 investigations occurred due to other types of allegations. Of the completed investigations, 6,196 were closed with indicated findings of abuse or neglect and 7,553 were closed with unsubstantiated findings of abuse or neglect.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Services, Department of Human Resources, Governor's Office, Department of Health and Mental Hygiene, Maryland Children's Alliance, Maryland Coalition Against Sexual Abuse, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2007
mll/jr

Analysis by: Karen D. Morgan

Direct Inquiries to:
(410) 946-5510
(301) 970-5510