

SENATE BILL 632

J1, O1, O4

8lr1706

By: **Senators Jacobs, Forehand, Jones, Kelley, Kittleman, Kramer, McFadden, Munson, Muse, Pugh, Raskin, and Stone**

Introduced and read first time: February 1, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Social Services Administration – Children Subject to Threatened Injury –**
3 **Identification and Notice**

4 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to allow the
5 disclosure of certain birth records data to the Executive Director of the Social
6 Services Administration in the Department of Human Resources; requiring the
7 Executive Director to use certain birth records data and certain data from the
8 child abuse or neglect central registry to identify certain children who may be
9 subject to threatened injury by a certain individual; requiring the Executive
10 Director to identify a certain child as subject to threatened injury if the
11 individual responsible for the child’s care meets certain criteria; requiring the
12 Administration to send a certain notice to a certain local department in certain
13 circumstances; defining a certain term; and generally relating to the Social
14 Services Administration and children subject to threatened injury.

15 BY adding to
16 Article – Health – General
17 Section 4–222
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 Supplement)

20 BY adding to
21 Article – Family Law
22 Section 5–715
23 Annotated Code of Maryland
24 (2006 Replacement Volume and 2007 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article - Health - General**2 **4-222.**

3 **THE SECRETARY SHALL ALLOW THE DISCLOSURE OF BIRTH RECORDS**
4 **DATA, INCLUDING THE SOCIAL SECURITY NUMBERS OF THE PARENTS, TO THE**
5 **EXECUTIVE DIRECTOR OF THE SOCIAL SERVICES ADMINISTRATION IN THE**
6 **DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF IDENTIFYING**
7 **CHILDREN WHO ARE SUBJECT TO THREATENED INJURY, AS DEFINED IN § 5-715**
8 **OF THE FAMILY LAW ARTICLE, BY AN INDIVIDUAL RESPONSIBLE FOR THE**
9 **CHILD'S CARE.**

10 **Article - Family Law**11 **5-715.**

12 **(A) IN THIS SECTION, "THREATENED INJURY" MEANS A STATEMENT,**
13 **OVERT ACT, CONDITION, OR STATUS THAT REPRESENTS A SUBSTANTIAL RISK OF**
14 **PHYSICAL OR SEXUAL ABUSE OR MENTAL INJURY.**

15 **(B) (1) THE EXECUTIVE DIRECTOR SHALL USE THE BIRTH RECORDS**
16 **DATA AS AUTHORIZED UNDER § 4-222 OF THE HEALTH - GENERAL ARTICLE**
17 **AND DATA FROM THE CHILD ABUSE OR NEGLECT CENTRAL REGISTRY**
18 **ESTABLISHED UNDER § 5-714 OF THIS SUBTITLE TO IDENTIFY CHILDREN WHO**
19 **ARE SUBJECT TO THREATENED INJURY BY AN INDIVIDUAL RESPONSIBLE FOR**
20 **THE CHILD'S CARE.**

21 **(2) THE EXECUTIVE DIRECTOR SHALL IDENTIFY A CHILD AS**
22 **SUBJECT TO THREATENED INJURY IF THE INDIVIDUAL RESPONSIBLE FOR THE**
23 **CHILD'S CARE IS LISTED IN THE CHILD ABUSE OR NEGLECT CENTRAL REGISTRY**
24 **AND THE INDIVIDUAL:**

25 **(I) HAS HAD THE INDIVIDUAL'S PARENTAL RIGHTS**
26 **TERMINATED;**

27 **(II) HAS HAD PERMANENT LEGAL AND PHYSICAL CUSTODY**
28 **OF A CHILD INVOLUNTARILY TRANSFERRED TO A RELATIVE; OR**

29 **(III) HAS BEEN FOUND RESPONSIBLE FOR THE ABUSE OR**
30 **NEGLECT OF A CHILD.**

31 **(C) IF A CHILD IS IDENTIFIED AS A CHILD SUBJECT TO THREATENED**
32 **INJURY UNDER SUBSECTION (B) OF THIS SECTION, THE ADMINISTRATION**
33 **SHALL IMMEDIATELY NOTIFY THE LOCAL DEPARTMENT OF THE COUNTY IN**

1 WHICH THE CHILD RESIDES THAT THERE IS A NEWBORN RESIDING IN THE
2 COUNTY WHO IS SUBJECT TO THREATENED INJURY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.