

# SENATE BILL 632

J1, O1, O4

8lr1706

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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

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Social Services Administration – Children Subject to ~~Threatened Injury~~**  
3 **Substantial Risk of Abuse or Neglect – 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~~ provide certain birth record information  
6 to the Executive Director of the Social Services Administration in the  
7 Department of Human Resources; requiring the Executive Director to ~~use~~  
8 ~~certain birth records data and certain data from the child abuse or neglect~~  
9 ~~central registry to identify certain children who may be subject to threatened~~  
10 ~~injury by a certain individual; requiring the Executive Director to identify a~~  
11 ~~certain child as subject to threatened injury if the individual responsible for the~~  
12 ~~child's care meets certain criteria; requiring the Administration to send a~~  
13 ~~certain notice to a certain local department in certain circumstances; defining a~~  
14 ~~certain term~~ provide certain information regarding certain individuals to the  
15 Secretary; requiring the Executive Director to take certain action following the  
16 receipt of certain information from the Secretary; providing a certain exception  
17 to the confidentiality of certain vital records; and generally relating to the Social  
18 Services Administration and children subject to ~~threatened injury~~ substantial  
19 risk of abuse or neglect.

20 BY adding to

21 Article – Health – General

22 Section 4-222

23 Annotated Code of Maryland

24 (2005 Replacement Volume and 2007 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
 2 Article – Health – General  
 3 Section 4-224  
 4 Annotated Code of Maryland  
 5 (2005 Replacement Volume and 2007 Supplement)

6 BY adding to  
 7 Article – Family Law  
 8 Section 5-715  
 9 Annotated Code of Maryland  
 10 (2006 Replacement Volume and 2007 Supplement)

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

13 **Article – Health – General**

14 ~~**4-222.**~~

15 ~~**THE SECRETARY SHALL ALLOW THE DISCLOSURE OF BIRTH RECORDS**~~  
 16 ~~**DATA, INCLUDING THE SOCIAL SECURITY NUMBERS OF THE PARENTS, TO THE**~~  
 17 ~~**EXECUTIVE DIRECTOR OF THE SOCIAL SERVICES ADMINISTRATION IN THE**~~  
 18 ~~**DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF IDENTIFYING**~~  
 19 ~~**CHILDREN WHO ARE SUBJECT TO THREATENED INJURY, AS DEFINED IN § 5-715**~~  
 20 ~~**OF THE FAMILY LAW ARTICLE, BY AN INDIVIDUAL RESPONSIBLE FOR THE**~~  
 21 ~~**CHILD'S CARE.**~~

22 **4-222.**

23 **THE SECRETARY SHALL PROVIDE TO THE EXECUTIVE DIRECTOR OF THE**  
 24 **SOCIAL SERVICES ADMINISTRATION IN THE DEPARTMENT OF HUMAN**  
 25 **RESOURCES BIRTH RECORD INFORMATION FOR A CHILD BORN TO AN**  
 26 **INDIVIDUAL WHOSE IDENTIFYING INFORMATION HAS BEEN PROVIDED TO THE**  
 27 **SECRETARY BY THE EXECUTIVE DIRECTOR UNDER § 5-715 OF THE FAMILY**  
 28 **LAW ARTICLE.**

29 **4-224.**

30 To protect the integrity of vital records, to insure their proper use, and to insure  
 31 the efficient and proper administration of the vital records system, a person may not,  
 32 except as authorized in § 4-217, § 4-220, [or] § 4-221, OR § 4-222 of this subtitle or §  
 33 9-1015 of the State Government Article or by the rules and regulations of the  
 34 Department:



1 IDENTIFYING INFORMATION REGARDING INDIVIDUALS WHO HAVE HAD THEIR  
2 PARENTAL RIGHTS TERMINATED.

3 (B) IF IN ACCORDANCE WITH § 4-222 OF THE HEALTH - GENERAL  
4 ARTICLE, THE SECRETARY PROVIDES TO THE EXECUTIVE DIRECTOR BIRTH  
5 RECORD INFORMATION FOR A CHILD BORN TO AN INDIVIDUAL WHOSE  
6 IDENTIFYING INFORMATION HAS BEEN PROVIDED UNDER SUBSECTION (A) OF  
7 THIS SECTION, THE EXECUTIVE DIRECTOR SHALL:

8 (1) IDENTIFY THE CHILD AS SUBJECT TO SUBSTANTIAL RISK OF  
9 ABUSE OR NEGLECT;

10 (2) VERIFY THE IDENTITY OF THE BIRTH PARENT; AND

11 (3) IMMEDIATELY NOTIFY THE LOCAL DEPARTMENT OF THE  
12 COUNTY IN WHICH THE CHILD RESIDES THAT THERE IS A NEWBORN RESIDING IN  
13 THE COUNTY WHO IS SUBJECT TO SUBSTANTIAL RISK OF ABUSE OR NEGLECT.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.