

# HOUSE BILL 144

J1, O1, O4  
SB 632/08 – JPR

9lr1352  
CF 9lr1214

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By: **Delegates Waldstreicher, Anderson, Barnes, Benson, Carr, Dumais, Haynes, Hecht, Ivey, Kramer, Kullen, Lee, McConkey, Montgomery, Pena-Melnyk, Ramirez, Rosenberg, Ross, Simmons, Tarrant, and Valderrama**

Introduced and read first time: January 23, 2009

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Social Services Administration – Children at Substantial Risk of Abuse or**  
3 **Neglect – Identification and Notice**

4 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to provide  
5 certain birth record information to the Executive Director of the Social Services  
6 Administration in the Department of Human Resources under certain  
7 circumstances; requiring the Executive Director to provide certain information  
8 regarding certain individuals to the Secretary; requiring the Executive Director  
9 to take certain action following the receipt of certain information from the  
10 Secretary; providing a certain exception to the confidentiality of certain vital  
11 records; and generally relating to the Social Services Administration and  
12 children at substantial risk of abuse or neglect.

13 BY adding to  
14 Article – Health – General  
15 Section 4–222  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume and 2008 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Health – General  
20 Section 4–224  
21 Annotated Code of Maryland  
22 (2005 Replacement Volume and 2008 Supplement)

23 BY adding to  
24 Article – Family Law  
25 Section 5–715

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Article – Health – General**

**4–222.**

**THE SECRETARY SHALL PROVIDE TO THE EXECUTIVE DIRECTOR OF THE  
SOCIAL SERVICES ADMINISTRATION IN THE DEPARTMENT OF HUMAN  
RESOURCES BIRTH RECORD INFORMATION FOR A CHILD BORN TO AN  
INDIVIDUAL WHOSE IDENTIFYING INFORMATION HAS BEEN PROVIDED TO THE  
SECRETARY WITHIN THE PREVIOUS FIVE YEARS BY THE EXECUTIVE DIRECTOR  
UNDER § 5–715 OF THE FAMILY LAW ARTICLE.**

**4–224.**

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

(1) Permit inspection of or disclose any information contained in a  
vital record; or

(2) Copy or issue a copy of all or part of any vital record.

**Article – Family Law**

**5–715.**

**(A) THE EXECUTIVE DIRECTOR OF THE ADMINISTRATION SHALL  
PROVIDE THE SECRETARY OF HEALTH AND MENTAL HYGIENE WITH  
IDENTIFYING INFORMATION REGARDING INDIVIDUALS WHO, AS TO ANY CHILD,  
HAVE HAD THEIR PARENTAL RIGHTS TERMINATED UNDER § 5–322 OR § 5–323  
OF THIS TITLE AND HAVE BEEN IDENTIFIED BY A LOCAL DEPARTMENT OF  
SOCIAL SERVICES AS RESPONSIBLE FOR INDICATED ABUSE OR NEGLECT.**

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

1                   (1)    VERIFY THAT THE PARENT OF THE CHILD IS THE SAME  
2   INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION; AND

3                   (2)    IMMEDIATELY NOTIFY THE LOCAL DEPARTMENT IN THE  
4   JURISDICTION IN WHICH THE CHILD RESIDES THAT THE CHILD MAY BE AT  
5   SUBSTANTIAL RISK OF ABUSE OR NEGLECT.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7   October 1, 2009.