

SENATE BILL 421

J1, O1, O4
SB 632/08 – JPR

9lr1214
CF HB 144

By: **Senators Jacobs, Colburn, Forehand, Kelley, King, Kittleman, Mooney,
Munson, Pugh, Raskin, and Stone**

Introduced and read first time: February 2, 2009

Assigned to: Judicial Proceedings

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
26 Annotated Code of Maryland
27 (2006 Replacement Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article - Health - General**

4 **4-222.**

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

11 **4-224.**

12 To protect the integrity of vital records, to insure their proper use, and to insure
13 the efficient and proper administration of the vital records system, a person may not,
14 except as authorized in § 4-217, § 4-220, [or] § 4-221, **OR § 4-222** of this subtitle or §
15 9-1015 of the State Government Article or by the rules and regulations of the
16 Department:

- 17 (1) Permit inspection of or disclose any information contained in a
18 vital record; or
- 19 (2) Copy or issue a copy of all or part of any vital record.

20 **Article - Family Law**

21 **5-715.**

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

28 (B) **IF IN ACCORDANCE WITH § 4-222 OF THE HEALTH - GENERAL**
29 **ARTICLE, THE SECRETARY PROVIDES TO THE EXECUTIVE DIRECTOR BIRTH**
30 **RECORD INFORMATION FOR A CHILD BORN TO AN INDIVIDUAL WHOSE**
31 **IDENTIFYING INFORMATION HAS BEEN PROVIDED UNDER SUBSECTION (A) OF**
32 **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.