

# SENATE BILL 421

J1, O1, O4  
SB 632/08 – JPR

9lr1214  
CF HB 144

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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

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2009

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

1 AN ACT concerning

2 **Social Services Administration – Children at Substantial Risk of Abuse or**  
3 **Neglect – Identification and Notice and Department of Health and Mental**  
4 **Hygiene – Parents Responsible for Child Abuse or Neglect – Birth of**  
5 **Subsequent Child**

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

16 BY adding to  
17 Article – Health – General  
18 Section 4–222  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2008 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – Health – General  
23 Section 4–224

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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 Annotated Code of Maryland  
2 (2005 Replacement Volume and 2008 Supplement)

3 BY adding to  
4 Article – Family Law  
5 Section 5–715  
6 Annotated Code of Maryland  
7 (2006 Replacement Volume and 2008 Supplement)

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

10 **Article – Health – General**

11 **4–222.**

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

18 4–224.

19 To protect the integrity of vital records, to insure their proper use, and to insure  
20 the efficient and proper administration of the vital records system, a person may not,  
21 except as authorized in § 4–217, § 4–220, [or] § 4–221, **OR § 4–222** of this subtitle or §  
22 9–1015 of the State Government Article or by the rules and regulations of the  
23 Department:

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

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

27 **Article – Family Law**

28 **5–715.**

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

1 RESPONSIBLE FOR ABUSE OR NEGLECT IN A CENTRAL REGISTRY AS DESCRIBED  
2 IN § 5-714(E) OF THIS SUBTITLE.

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

10 (2) IMMEDIATELY NOTIFY THE LOCAL DEPARTMENT IN THE  
11 JURISDICTION IN WHICH THE CHILD RESIDES ~~THAT THE CHILD MAY BE AT~~  
12 ~~SUBSTANTIAL RISK OF ABUSE OR NEGLECT~~ SO THAT THE LOCAL DEPARTMENT  
13 MAY REVIEW ITS RECORDS AND, WHEN APPROPRIATE, PROVIDE AN ASSESSMENT  
14 OF THE FAMILY AND OFFER SERVICES IF NEEDED.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.