

CHAPTER 260

(House Bill 144)

AN ACT concerning

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

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

BY adding to

Article – Health – General
Section 4-222
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4-224
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Family Law
Section 5-715
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~~ 5 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 AS RESPONSIBLE FOR ABUSE OR NEGLECT IN A CENTRAL REGISTRY AS DESCRIBED IN § 5-714(E) OF THIS SUBTITLE.~~

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

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

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

Approved by the Governor, May 7, 2009.