

HB0834/182018/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 834

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Child Welfare –”; in line 5, after “Department” insert “of Human Resources”; in the same line, strike “an” and substitute “a certain”; strike beginning with the second “to” in line 5 down through “plan” in line 6 and substitute “; specifying the composition and duties of the advisory council; providing for the chair of the advisory council”; in line 13, strike “and” and substitute a comma; in the same line, after “maintenance” insert “, and expungement”; strike beginning with “Social” in line 13 down through “the” in line 14; in line 14, after “process” insert “requiring the Department to contract with an independent agency to conduct an evaluation of the alternative response program; prohibiting the Department from beginning actual implementation of alternative response before a certain date”; in line 15, after “certain” insert “preliminary”; in line 16, after “the” insert “Governor and the”; in the same line, after “Assembly” insert “on or before a certain date; requiring the Department to submit a certain final report to the Governor and the General Assembly on or before a certain date”; in line 16, after the second “to” insert “child abuse and neglect and”; and in line 17, strike “plans with respect to reports of child abuse and neglect”.

AMENDMENT NO. 2

On page 5, in lines 6, 11, 16, 18, 19, 23, and 24, in each instance, strike “CHILD”.

On page 6, in line 17, strike the first “CHILD”.

On page 7, in line 11, strike “CHILD”.

AMENDMENT NO. 3

(Over)

On page 5, in line 7, after “(M)” insert “(1)”; in the same line, strike “AN” and substitute “A MULTIDISCIPLINARY ALTERNATIVE RESPONSE”; strike beginning with “CONSISTING” in line 8 down through “PLAN” in line 10; and after line 10, insert:

“(2) THE ADVISORY COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

(I) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY’S DESIGNEE;

(II) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY’S DESIGNEE;

(III) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE SUPERINTENDENT’S DESIGNEE;

(IV) A REPRESENTATIVE FROM THE MARYLAND DISABILITY LAW CENTER;

(V) A REPRESENTATIVE FROM A CHILD ADVOCACY ORGANIZATION;

(VI) A REPRESENTATIVE FROM A COMMUNITY PARTNER OR A LOCAL SERVICE PROVIDER;

(VII) A PEDIATRICIAN WITH EXPERIENCE IN DIAGNOSING AND TREATING INJURIES RELATED TO ABUSE AND NEGLECT;

(VIII) AN ATTORNEY WITH EXPERIENCE REPRESENTING CHILDREN OR ADULTS IN ABUSE AND NEGLECT CASES;

(IX) A REPRESENTATIVE FROM THE OFFICE OF THE PUBLIC DEFENDER;

(X) A PARENT OR GUARDIAN WHO HAS PERSONAL EXPERIENCE WITH THE CHILD PROTECTIVE SERVICES SYSTEM;

(XI) A CHILD WHO HAS PERSONAL EXPERIENCE WITH THE CHILD PROTECTIVE SERVICES SYSTEM;

(XII) TWO REPRESENTATIVES FROM LOCAL DEPARTMENTS OF SOCIAL SERVICES; AND

(XIII) TWO REPRESENTATIVES FROM LOCAL CITIZENS REVIEW PANELS.

(3) THE SECRETARY OF HUMAN RESOURCES OR THE SECRETARY'S DESIGNEE SHALL BE THE CHAIR OF THE ADVISORY COUNCIL.

(4) THE ADVISORY COUNCIL SHALL ADVISE THE DEPARTMENT ON:

(I) THE DEVELOPMENT OF THE ALTERNATIVE RESPONSE IMPLEMENTATION PLAN, WHICH MAY INCLUDE A PILOT PROGRAM;

(II) OVERSIGHT AND MONITORING OF THE ALTERNATIVE RESPONSE IMPLEMENTATION PLAN;

(Over)

(III) CONSULTING WITH LOCAL CITIZENS REVIEW PANELS, LOCAL SERVICES AFFILIATES, AND OTHER LOCAL PARTNERS FOR FEEDBACK AND RECOMMENDATIONS ON THE ALTERNATIVE RESPONSE IMPLEMENTATION PLAN;

(IV) DEFINING THE SCOPE OF THE INDEPENDENT EVALUATION OF THE IMPLEMENTATION OF THE ALTERNATIVE RESPONSE PROGRAM; AND

(V) DEFINING THE SCOPE OF THE ONGOING EVALUATION OF THE ALTERNATIVE RESPONSE PROGRAM.”

AMENDMENT NO. 4

On page 5, in line 11, strike “A” and substitute “ONLY A LOW RISK”; strike beginning with “IN” in line 11 down through “CHILD” in line 12; after line 19, insert:

“(I) OCCURRING IN AN OUT-OF-HOME PLACEMENT;”;

in line 20, strike “(I)” and substitute “(II)”; in line 21, strike “OR”; in line 22, strike “(II)” and substitute “(III)”; in the same line, strike “WHEN” and substitute “IF”; and in line 25, after “DEPARTMENT” insert “; OR”

(IV) IF THE INDIVIDUAL SUSPECTED OF ABUSE OR NEGLECT HAS HAD ONE REPORT ASSIGNED FOR AN ALTERNATIVE RESPONSE WITHIN THE PAST 12 MONTHS OR TWO REPORTS ASSIGNED FOR AN ALTERNATIVE RESPONSE WITHIN THE PAST 24 MONTHS”.

AMENDMENT NO. 5

On page 6, in line 3, after “FAMILY’S” insert “INABILITY OR”; and strike beginning with “COOPERATE” in line 3 down through “RESPONSE” in line 11 and substitute “PARTICIPATE IN THE ALTERNATIVE RESPONSE ASSESSMENT”.

AMENDMENT NO. 6

On page 6, in line 14, after “FACTS” insert “THAT DEMONSTRATE THAT THE CASE MEETS THE CRITERIA FOR AN ALTERNATIVE RESPONSE”; in line 15, strike “AND”; and in line 18, after “SAFETY” insert “; AND”.

(3) APPROVAL BY A CASEWORKER SUPERVISOR”.

AMENDMENT NO. 7

On page 6, in line 19, strike “CASE” and substitute “REPORT”; in lines 21 and 24, in each instance, strike “MEET WITH” and substitute “SEE”; after line 25, insert:

“(3) ATTEMPT TO HAVE AN ON-SITE INTERVIEW WITH THE CHILD’S PARENT OR PRIMARY CARETAKER;

(4) EVALUATE THE CHILD’S HOME ENVIRONMENT;

(5) DECIDE ON THE SAFETY OF THE CHILD, WHEREVER THE CHILD IS, AND OF OTHER CHILDREN IN THE HOUSEHOLD;

(6) DECIDE ON THE SAFETY OF OTHER CHILDREN IN THE CARE OR CUSTODY OF THE INDIVIDUAL SUSPECTED OF ABUSE OR NEGLECT;”;

in lines 26 and 28, strike “(3)” and “(4)”, respectively, and substitute “(7)” and “(8)”, respectively; and in line 27, after “RESPONSE” insert “, IF THE LAW ENFORCEMENT AGENCY MADE THE REPORT OF ABUSE OR NEGLECT”.

On page 7, in lines 3 and 5, strike “(5)” and “(6)”, respectively, and substitute “(9)” and “(10)”, respectively; in lines 3 and 6, in each instance, after “RESPONSE” insert “ASSESSMENT”; in line 4, strike “AND”; in line 7, strike “PLAN” and substitute “ASSESSMENT”; strike beginning with “AND” in line 9 down through “MEMBERS” in line 10 and substitute “OR OTHER CHILDREN IN THE HOUSEHOLD”; and in line 11, after “NEGLECT” insert “; AND”

(11) CONSISTENT WITH THE ASSESSMENT AND ANY SAFETY OR SERVICES PLANS:

(I) RENDER ANY APPROPRIATE SERVICES IN THE BEST INTERESTS OF THE CHILD;

(II) REFER THE FAMILY OR CHILD FOR ADDITIONAL SERVICES; OR

(III) AS NECESSARY FOR THE SAFETY OF THE CHILD OR OTHER CHILDREN IN THE HOUSEHOLD, ESTABLISH A PLAN TO MONITOR THE SAFETY PLAN AND THE PROVISION OR COMPLETION OF APPROPRIATE SERVICES”.

AMENDMENT NO. 8

On page 7, in line 13, after “SHALL” insert “;”

(I);

and in line 15, after “RECEIVED” insert “IF THERE IS NO SUBSEQUENT CHILD WELFARE INVOLVEMENT; AND”

(II) EXPUNGE COMPLETE RECORDS RELATED TO AN ALTERNATIVE RESPONSE AND SERVICES IF THERE IS NO SUBSEQUENT CHILD WELFARE INVOLVEMENT AFTER 3 YEARS.

AMENDMENT NO. 9

On page 7, strike beginning with “Social” in line 22 down through “Maryland” in line 23; after line 27, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Human Resources shall contract with an independent agency to conduct an evaluation of the alternative response program.

SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Human Resources may not begin actual implementation of alternative response in local departments of social services before July 1, 2013.”;

in line 28, strike “3.” and substitute “5.”; in line 29, strike “to the General Assembly”; and in line 31, after “Act” insert “to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly”.

On page 8, strike in their entirety lines 1 through 3, inclusive, and substitute:

“SECTION 6. AND BE IT FURTHER ENACTED, That on or before October 1, 2015, the Department of Human Resources shall submit a final report on the alternative response program to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 4, strike “5.” and substitute “7.”; and in line 5, strike “October” and substitute “July”.