

## **Chapter 380**

**(House Bill 631)**

AN ACT concerning

### **Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect**

FOR the purpose of prohibiting an individual from preventing or interfering with the making of a certain report of suspected child abuse or neglect; specifying a penalty for a violation of this Act; and generally relating to the reporting of suspected child abuse or neglect.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–704(a) and 5–705.1(c)(1) and (2)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Family Law  
Section 5–705.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

#### **Article – Family Law**

5–704.

(a) Notwithstanding any other provision of law, including any law on privileged communications, each health practitioner, police officer, educator, or human service worker, acting in a professional capacity in this State:

(1) who has reason to believe that a child has been subjected to abuse or neglect, shall notify the local department or the appropriate law enforcement agency; and

(2) if acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.

## 5-705.1.

(c) (1) If suspected abuse or neglect is alleged to have occurred outside of this State and the victim is currently a child who lives outside of this State, a person who would be required to report suspected abuse or neglect under the provisions of § 5-704 or § 5-705 of this subtitle shall report the suspected abuse or neglect to any local department in accordance with paragraph (2) of this subsection.

(2) A person described in § 5-704 of this subtitle shall make:

(i) an oral report, by telephone or direct communication, as soon as possible; and

(ii) a written report not later than 48 hours after the contact, examination, attention, or treatment that caused the person to believe that the child had been subjected to abuse or neglect.

## 5-705.2.

**(A) AN INDIVIDUAL MAY NOT INTENTIONALLY PREVENT OR INTERFERE WITH THE MAKING OF A REPORT OF SUSPECTED ABUSE OR NEGLECT REQUIRED BY § 5-704 OR § 5-705.1(C)(2) OF THIS ~~ARTICLE~~ SUBTITLE.**

**(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

**Approved by the Governor, May 2, 2013.**