A BILL ENTITLED

AN ACT concerning

Child Abuse and Neglect – Training of Health Care Professionals

FOR the purpose of requiring the Maryland Department of Health to provide certain boards
with a list of certain recommended courses relating to the obligation to report child
abuse and neglect and the identification of abused and neglected children; requiring
certain boards to post a certain list prominently on each board’s website, provide
information about certain recommended courses to certain health care professionals
at a certain time, and advertise the availability of certain recommended courses in
certain media; defining certain terms; and generally relating to child abuse and
neglect and the training of certain health care professionals.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 5–704
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to

Article – Health Occupations
Section 1–225
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
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.

(b) (1) An individual who notifies the appropriate authorities under subsection
(a) of this section shall make:

(i) an oral report, by telephone or direct communication, as soon as
possible to the local department or appropriate law enforcement agency; and

(ii) a written report:

1. to the local department not later than 48 hours after the
contact, examination, attention, or treatment that caused the individual to believe that the
child had been subjected to abuse or neglect; and

2. with a copy to the local State’s Attorney.

(2) (i) An agency to which an oral report of suspected abuse or neglect
is made under paragraph (1) of this subsection shall immediately notify the other agency.

(ii) This paragraph does not prohibit a local department and an
appropriate law enforcement agency from agreeing to cooperative arrangements.

(c) Insofar as is reasonably possible, an individual who makes a report under this
section shall include in the report the following information:

(1) the name, age, and home address of the child;

(2) the name and home address of the child’s parent or other person who is
responsible for the child’s care;

(3) the whereabouts of the child;

(4) the nature and extent of the abuse or neglect of the child, including any
evidence or information available to the reporter concerning possible previous instances of
abuse or neglect; and

(5) any other information that would help to determine:
(i) the cause of the suspected abuse or neglect; and
(ii) the identity of any individual responsible for the abuse or neglect.

Article – Health Occupations

1–225.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BOARD” MEANS:

(I) THE STATE BOARD OF DENTAL EXAMINERS;

(II) THE STATE BOARD OF NURSING;

(III) THE STATE BOARD OF EXAMINERS IN OPTOMETRY;

(IV) THE STATE BOARD OF PHARMACY;

(V) THE STATE BOARD OF PHYSICIANS;

(VI) THE STATE BOARD OF PODIATRIC MEDICAL EXAMINERS;

(VII) THE STATE BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS;

(VIII) THE STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS;

(IX) THE STATE BOARD OF SOCIAL WORK EXAMINERS; AND

(X) ANY OTHER BOARD AUTHORIZED UNDER THIS ARTICLE TO TAKE ACTION AGAINST AN APPLICANT, A LICENSEE, A CERTIFICATE HOLDER, A REGISTRANT, OR A PERMIT HOLDER WHO KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF § 5–704 OF THE FAMILY LAW ARTICLE.

(3) “HEALTH CARE PROFESSIONAL” MEANS:

(I) A DENTIST LICENSED BY THE STATE BOARD OF DENTAL EXAMINERS;

(II) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE LICENSED BY THE STATE BOARD OF NURSING;
(III) An optometrist licensed by the State Board of Examiners in Optometry;

(iv) A pharmacist licensed by the State Board of Pharmacy;

(v) A physician licensed by the State Board of Physicians;

(vi) A podiatrist licensed by the State Board of Podiatric Medical Examiners;

(vii) An individual licensed by the State Board of Professional Counselors and Therapists;

(viii) A psychologist licensed by the State Board of Examiners of Psychologists;

(ix) An associate social worker, a graduate social worker, a certified social worker, or a certified social worker–clinical licensed by the State Board of Social Work Examiners; and

(x) Any other applicant, licensee, certificate holder, registrant, or permit holder governed by a board.

(B) The Department shall provide to each board a list of recommended courses on:

(1) The obligation to report abuse and neglect as required by § 5–704 of the Family Law Article; and

(2) The identification of abused and neglected children.

(C) Each board shall:

(1) Post the list of recommended courses provided to the board under subsection (B) of this section prominently on the board’s website;

(2) Provide information about the recommended courses to health care professionals at the time of renewal of licensure; and

(3) Advertise the availability of the recommended courses
IN THE NEWSLETTERS AND ANY OTHER MEDIA PUBLISHED BY THE BOARD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.