

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 369

(Senator Peters)

Judicial Proceedings

Judiciary

Child Abuse and Neglect - Memorandum of Understanding With Military
Family Advocacy Program

This bill requires a local department of social services that has a U.S. military installation located within its jurisdiction to enter into a memorandum of understanding (MOU) with the “Military Family Advocacy Program.”

Fiscal Summary

State Effect: The Department of Human Services can handle the bill’s requirements using existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: “Military Family Advocacy Program” means the program established by the U.S. Department of Defense to address child abuse and neglect and domestic abuse in military families. An MOU must establish procedures and protocols for (1) identifying an individual alleged to have committed abuse or neglect as military personnel; (2) reporting by a local department to a military family advocacy program when an investigation implicating military personnel has been initiated; and (3) maintaining confidentiality requirements under State and federal law.

Current Law: Reports and records concerning child abuse and neglect are confidential and may not be disclosed unless permitted by one of a number of statutory exceptions. The

disclosure of information regarding an applicant for or recipient of social services or child welfare services is not prohibited to an officer or employee of any state or local government, the United States, or a fiduciary institution if the officer or employee is entitled to the information in an official capacity and the disclosure is necessary to administer public assistance, medical assistance, social services, or child welfare service programs.

Federal law requires the Secretary of Defense to request each state to allow for the reporting to the Secretary of any report the state receives of known or suspected instances of child abuse and neglect in which the person having care of the child is a member of the U.S. Armed Forces (or a spouse of the member).

Additional Information

Prior Introductions: HB 937 of 2017 received an unfavorable report from the House Judiciary Committee.

Designated Cross File: HB 646 (Delegate Valentino-Smith) - Judiciary.

Information Source(s): Montgomery County; Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2021
an/lgc Third Reader - March 24, 2021

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