

SENATE BILL 214

O4, D4

2lr0049

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Human Services)**

Requested: October 5, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Disclosure of Reports and Records**

3 FOR the purpose of expanding the circumstances under which a report or record concerning
4 child abuse or neglect may be disclosed to certain school personnel or to a director of
5 a licensed child care facility or licensed child placement agency; and generally
6 relating to child abuse and neglect reports and records.

7 BY repealing and reenacting, with amendments,

8 Article – Human Services

9 Section 1–202(c)(1)(vii) through (xi)

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2021 Supplement)

12 BY adding to

13 Article – Human Services

14 Section 1–202(c)(1)(ix)

15 Annotated Code of Maryland

16 (2019 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Human Services

19 Section 1–202(c)(2)

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2021 Supplement)

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

24 **Article – Human Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1-202.

2 (c) A report or record concerning child abuse or neglect:

3 (1) may be disclosed on request to:

4 (vii) 1. the appropriate public school superintendent or the
5 principal or equivalent employee of a nonpublic school that holds a certificate of approval
6 from the State or is registered with the State Department of Education to carry out
7 appropriate personnel or administrative actions following a report of suspected child abuse
8 [involving a student] **OR NEGLECT** committed by:

9 A. a public school employee in that school system;

10 B. an employee of that nonpublic school;

11 C. an independent contractor who supervises or works
12 directly with students in that school system or that nonpublic school; or

13 D. an employee of an independent contractor, including a bus
14 driver or bus assistant, who supervises or works directly with students in that school
15 system or that nonpublic school; and

16 2. if the report concerns suspected child abuse [involving a
17 student] **OR NEGLECT** committed by an employee, independent contractor, or employee of
18 an independent contractor described in item 1 of this item and employed by a nonpublic
19 school under the jurisdiction of the superintendent of schools for the Archdiocese of
20 Baltimore, the Archdiocese of Washington, or the Catholic Diocese of Wilmington, the
21 appropriate superintendent of schools;

22 (viii) the director of a licensed child care facility or licensed child
23 placement agency to carry out appropriate personnel actions following a report of suspected
24 child abuse or neglect alleged to have been committed by an employee of the facility or
25 agency [and involving a child who is currently or was previously under the care of that
26 facility or agency];

27 **(IX) THE DIRECTOR OF A LICENSED CHILD PLACEMENT AGENCY**
28 **FOLLOWING A REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT ALLEGED TO**
29 **HAVE BEEN COMMITTED BY A HOUSEHOLD MEMBER, A FAMILY MEMBER, OR ANY**
30 **PERSON WHO HAS RESPONSIBILITY FOR SUPERVISION OF A CHILD IN A HOME THAT**
31 **IS APPROVED BY THAT AGENCY FOR THE PLACEMENT OF CHILDREN;**

32 [(ix)] **(X)** the Juvenile Justice Monitoring Unit of the Office of the
33 Attorney General established under Title 6, Subtitle 4 of the State Government Article;

1 [(x)] (XI) subject to subsection (d) of this section, a licensed
2 practitioner of a hospital or birthing center to make discharge decisions concerning a child,
3 when the practitioner suspects that the child may be in danger after discharge based on
4 the practitioner's observation of the behavior of the child's parents or immediate family
5 members; or

6 [(xi)] (XII) the president of a Maryland public institution of higher
7 education, as defined in § 10–101 of the Education Article, or the Chancellor of the
8 University System of Maryland, to carry out appropriate personnel or administrative
9 actions following a report of child abuse committed:

10 1. by an employee of the institution who has on-campus
11 contact with children; or

12 2. by a contractor, an employee of a contractor, or a volunteer
13 of the institution who has on-campus contact with children; and

14 (2) may be disclosed by the Department of Human Services to the operator
15 of a child care center that is required to be licensed or to hold a letter of compliance under
16 Title 9.5, Subtitle 4 of the Education Article or to a family child care provider who is
17 required to be registered under Title 9.5, Subtitle 3 of the Education Article, to determine
18 the suitability of an individual for employment in the child care center or family child care
19 home.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2022.