

HOUSE BILL 1100

E3, J1

4lr2167
CF SB 1110

By: **Delegate Cardin**

Introduced and read first time: February 7, 2024

Assigned to: Health and Government Operations and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Child Advocacy Centers – Reporting Requirements and Investigations**

3 FOR the purpose of requiring child advocacy centers to report annually to the Behavioral
4 Health Administration certain information related to behavioral health care services
5 provided at the center; requiring the Administration to include in its annual report
6 certain information related to child advocacy centers; authorizing the Secretary of
7 Health to investigate certain complaints related to child advocacy centers; and
8 generally relating to child advocacy centers.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 2–503(a) and 7.5–209(b)(7) and (8)
12 Annotated Code of Maryland
13 (2023 Replacement Volume)

14 BY repealing and reenacting, without amendments,
15 Article – Health – General
16 Section 7.5–209(a) and (e)
17 Annotated Code of Maryland
18 (2023 Replacement Volume)

19 BY adding to
20 Article – Health – General
21 Section 7.5–209(b)(9) and 7.5–209.1; and 24–2401 through 24–2404 to be under the
22 new subtitle “Subtitle 24. Child Advocacy Centers”
23 Annotated Code of Maryland
24 (2023 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Health – General

2–503.

(a) The Inspector General:

(1) May investigate fraud, waste, abuse of departmental funds, and behavior in the Department that threatens public safety or demonstrates negligence, incompetence, or malfeasance;

(2) Shall cooperate with and coordinate investigative efforts with the Medicaid Fraud Control Unit and where a preliminary investigation establishes a sufficient basis to warrant referral, shall refer such matters to the Medicaid Fraud Control Unit; [and]

(3) IF AUTHORITY IS DELEGATED BY THE SECRETARY UNDER § 24–2402 OF THIS ARTICLE, MAY INVESTIGATE A COMPLAINT AGAINST A FACILITY, AN ENTITY, OR AN INDIVIDUAL THAT OPERATES OR PROVIDES SERVICES AT A CHILD ADVOCACY CENTER; AND

~~(3)~~ (4) Shall cooperate with and coordinate investigative efforts with departmental programs and other State and federal agencies to ensure a provider is not subject to duplicative audits.

7.5–209.

(a) In consultation with interested stakeholders, the Director shall prepare an annual report on behavioral health services for children and young adults in the State.

(b) The report shall include:

(7) The median length of stay for children and young adults at:

(i) A residential treatment center;

(ii) A psychiatric unit at a hospital; and

(iii) A residential substance–related disorders program; [and]

(8) For residential treatment centers:

(i) The total number of children and young adults admitted during the report year; and

1 (ii) The total number of children and young adults discharged during
2 the report year; AND

3 **(9) THE INFORMATION RECEIVED FROM CHILD ADVOCACY CENTERS**
4 **UNDER § 7.5–209.1 OF THIS SUBTITLE.**

5 (e) On or before December 1 each year, the Director shall submit the report
6 required under this section to the Governor and, in accordance with § 2–1257 of the State
7 Government Article, the General Assembly.

8 **7.5–209.1.**

9 **(A) IN THIS SECTION, “CHILD ADVOCACY CENTER” MEANS A**
10 **CHILD–FOCUSED ENTITY WITHIN OR OUTSIDE A HEALTH CARE FACILITY THAT**
11 **INVESTIGATES, DIAGNOSES, AND TREATS CHILDREN WHO MAY HAVE BEEN ABUSED**
12 **OR NEGLECTED THAT:**

13 **(1) INCLUDES LOCAL LAW ENFORCEMENT OFFICERS, LOCAL**
14 **CRIMINAL PROSECUTORS, AND THE LOCAL DEPARTMENT OF SOCIAL SERVICES; AND**

15 **(2) MAY INCLUDE CHILD MENTAL HEALTH SERVICE PROVIDERS AND**
16 **OTHER CHILDREN AND FAMILY SERVICE PROVIDERS.**

17 **(B) EACH CHILD ADVOCACY CENTER SHALL REPORT ANNUALLY TO THE**
18 **ADMINISTRATION:**

19 **(1) THE NAMES AND LICENSE NUMBERS OF THE BEHAVIORAL**
20 **HEALTH CARE PROVIDERS WHO ARE PROVIDING SERVICES IN THE CHILD ADVOCACY**
21 **CENTER;**

22 **(2) THE SCOPE OF THE BEHAVIORAL HEALTH CARE SERVICES BEING**
23 **PROVIDED BY THE CHILD ADVOCACY CENTER; AND**

24 **(3) THE CHILD ADVOCACY CENTER’S OPERATING POLICIES AND**
25 **GUIDELINES FOR PROVIDING QUALITY OF CARE AND CONTINUITY OF CARE,**
26 **INCLUDING THE TRANSITION OF CARE BETWEEN BEHAVIORAL HEALTH CARE**
27 **PROVIDERS.**

28 **(C) THE PURPOSE OF THE REPORT REQUIRED UNDER SUBSECTION (B) OF**
29 **THIS SECTION IS TO:**

30 **(1) PROVIDE INFORMATION TO THE STATE REGARDING THE**
31 **BEHAVIORAL HEALTH CARE SERVICES BEING PROVIDED OUTSIDE A REGULATED**
32 **HEALTH CARE FACILITY; AND**

1 **(2) ENSURE THAT STANDARDS ARE IN PLACE TO PROTECT**
2 **INDIVIDUALS RECEIVING AND PROVIDING BEHAVIORAL HEALTH CARE SERVICES AT**
3 **A CHILD ADVOCACY CENTER.**

4 **SUBTITLE 24. CHILD ADVOCACY CENTERS.**

5 **24-2401.**

6 **IN THIS SUBTITLE, “CHILD ADVOCACY CENTER” MEANS A CHILD-FOCUSED**
7 **ENTITY WITHIN OR OUTSIDE A HEALTH CARE FACILITY THAT INVESTIGATES,**
8 **DIAGNOSES, AND TREATS CHILDREN WHO MAY HAVE BEEN ABUSED OR NEGLECTED**
9 **THAT:**

10 **(1) INCLUDES LOCAL LAW ENFORCEMENT OFFICERS, LOCAL**
11 **CRIMINAL PROSECUTORS, AND THE LOCAL DEPARTMENT OF SOCIAL SERVICES; AND**

12 **(2) MAY INCLUDE CHILD MENTAL HEALTH SERVICE PROVIDERS AND**
13 **OTHER CHILDREN AND FAMILY SERVICE PROVIDERS.**

14 **24-2402.**

15 **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY**
16 **INVESTIGATE A COMPLAINT AGAINST:**

17 **(1) A FACILITY OR AN ENTITY THAT OPERATES AS A CHILD ADVOCACY**
18 **CENTER; OR**

19 **(2) AN INDIVIDUAL WHO PROVIDES BEHAVIORAL HEALTH CARE**
20 **SERVICES IN A CHILD ADVOCACY CENTER.**

21 **(B) THE SECRETARY MAY DELEGATE THE AUTHORITY PROVIDED UNDER**
22 **SUBSECTION (A) OF THIS SECTION TO:**

23 **(1) A HEALTH OCCUPATIONS BOARD;**

24 **(2) THE OFFICE OF HEALTH CARE QUALITY; OR**

25 **(3) THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR**
26 **HEALTH.**

27 **24-2403.**

1 **A PERSON SUBJECT TO A COMPLAINT UNDER THIS SUBTITLE MAY BE SUBJECT**
2 **TO A CIVIL FINE NOT EXCEEDING \$5,000.**

3 **24-2404.**

4 **THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2024.