

# HOUSE BILL 246

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(PRE-FILED)

5lr0344  
CF SB 205

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

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2025

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Human Services – Adult Protective Services**

3 FOR the purpose of specifying that certain provisions of law relating to confidentiality do  
4 not prohibit the disclosure of certain information relating to adult protective services  
5 or the disclosure of the identity of certain persons making certain reports under  
6 certain circumstances; expanding the definition of “health practitioner” to include  
7 certain emergency medical services providers in certain provisions of law relating to  
8 adult protective services; authorizing certain individuals who are required under  
9 certain circumstances to report certain information regarding alleged vulnerable  
10 adults to make a report by calling the statewide reporting hotline; and generally  
11 relating to vulnerable adults and adult protective services.

12 BY repealing and reenacting, with amendments,  
13 Article – Human Services  
14 Section 1–201  
15 Annotated Code of Maryland  
16 (2019 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Family Law  
19 Section 14–101(g), 14–302(b), and 14–308  
20 Annotated Code of Maryland  
21 (2019 Replacement Volume and 2024 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,

2 Article – Family Law

3 Section 14–302(a)

4 Annotated Code of Maryland

5 (2019 Replacement Volume and 2024 Supplement)

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

8 **Article – Human Services**

9 1–201.

10 (a) Except as provided in subsection (b) of this section, a person may not disclose  
11 any information concerning an applicant for or recipient of social services, child welfare  
12 services, cash assistance, food stamps, or medical assistance that is directly or indirectly  
13 derived from the records, investigations, or communications of the State, a county, or a  
14 municipal corporation or a unit of the State, a county, or a municipal corporation or that is  
15 acquired in the course of the performance of official duties.

16 (b) This section does not prohibit the disclosure of information:

17 (1) in accordance with a court order;

18 (2) to an officer or employee of any state or local government[,] **OR** the  
19 United States, [or a fiduciary institution,] if the officer or employee is entitled to the  
20 information in an official capacity and the disclosure is necessary to administer:

21 (i) public assistance, medical assistance, social services, or child  
22 welfare services programs; or

23 (ii) voter registration in accordance with § 3–203 of the Election Law  
24 Article; [or]

25 (3) to a fiduciary institution that reported suspected financial abuse or  
26 financial exploitation, if the fiduciary institution is authorized to request the information  
27 under § 1–306(h) of the Financial Institutions Article; **OR**

28 **(4) RELATING TO ADULT PROTECTIVE SERVICES, TO AN OFFICER OR**  
29 **EMPLOYEE OF ANY STATE OR LOCAL GOVERNMENT OR THE UNITED STATES IF THE**  
30 **OFFICER OR EMPLOYEE IS RESPONSIBLE FOR CONDUCTING AN INVESTIGATION IN**  
31 **AN OFFICIAL CAPACITY AND THE DISCLOSURE IS RELEVANT TO THE INVESTIGATION.**

32 (c) A person who violates this section is guilty of a misdemeanor and on conviction  
33 is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
2 as follows:

3 **Article – Family Law**

4 14–101.

5 (g) (1) “Health practitioner” includes any person who is authorized to practice  
6 healing under the Health Occupations Article **OR, EXCEPT AS PROVIDED IN PARAGRAPH**  
7 **(2) OF THIS SUBSECTION, § 13–516 OF THE EDUCATION ARTICLE.**

8 (2) **“HEALTH PRACTITIONER” DOES NOT INCLUDE AN EMERGENCY**  
9 **MEDICAL DISPATCHER, AS DEFINED IN § 13–516 OF THE EDUCATION ARTICLE.**

10 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
11 as follows:

12 **Article – Family Law**

13 14–302.

14 (a) (1) Except as provided in paragraph (2) of this subsection, notwithstanding  
15 any law on privileged communications, each health practitioner, police officer, or human  
16 service worker who contacts, examines, attends, or treats an alleged vulnerable adult, and  
17 who has reason to believe that the alleged vulnerable adult has been subjected to abuse,  
18 neglect, self–neglect, or exploitation shall:

19 (i) notify the local department; and

20 (ii) if acting as a staff member of a hospital or public health agency,  
21 immediately notify and give all the information required by this section to the head of the  
22 institution or the designee of the head.

23 (2) An ombudsman, as defined in § 10–901 of the Human Services Article,  
24 shall comply with 42 U.S.C. § 3058g(d)(2) and may not disclose the identity of a resident or  
25 complainant except as authorized under 42 U.S.C. § 3058g(d)(2).

26 (b) An individual who is required to make a report under subsection (a) of this  
27 section shall make the report AS SOON AS POSSIBLE by telephone, BY direct  
28 communication, or in writing to the local department [as soon as possible] OR BY CALLING  
29 THE STATEWIDE REPORTING HOTLINE.

30 14–308.

31 (a) Subject to the provisions of subsection (b) of this section, the identity of any  
32 person who makes a report under § 14–302 of this subtitle shall be confidential.

1 (b) The identity of a person who makes a report under § 14–302 of this subtitle  
2 may be disclosed if:

3 (1) the person consents; [or]

4 (2) the court orders the disclosure; OR

5 (3) THE DISCLOSURE OCCURS IN ACCORDANCE WITH § 1–201 OF THE  
6 HUMAN SERVICES ARTICLE.

7 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
8 effect July 1, 2026.

9 SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That, except as provided in  
10 Section 4 of this Act, this Act shall take effect October 1, 2025.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.