

Chapter 790

(House Bill 1326)

AN ACT concerning

Child Abuse and Neglect – Disclosure of Reports and Records

FOR the purpose of expanding the circumstances under which a report or record concerning child abuse or neglect may be disclosed by the Department of Human Services to certain individuals; and generally relating to disclosure of reports and records of child abuse and neglect.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a)
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section ~~1–202(e)~~ 1–202(c) through (e)
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)

BY adding to
Article – Human Services
Section 1–202(d)
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)

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

Article – Human Services

1–202.

(a) Except as otherwise provided in Title 5, Subtitles 7 and 12 of the Family Law Article, § 1–203 of this subtitle, and this section, a person may not disclose a report or record concerning child abuse or neglect.

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

(1) may be disclosed on request to:

(i) personnel of the Social Services Administration or a local department of social services, law enforcement personnel, and members of multidisciplinary case consultation teams, including an addiction specialist as defined in Title 5, Subtitle 12 of the Family Law Article or § 5–314 of this article, who are investigating a report of known or suspected child abuse or neglect or providing services to or assessing a child or family that is the subject of the report;

(ii) local or State officials responsible for the administration of child protective services, juvenile services, or child care, foster care, or adoption licensing, approval, or regulations, as necessary to carry out their official functions;

(iii) the State Council on Child Abuse and Neglect or its designee, the State Citizens Review Board for Children or its designee, or a child fatality review team, as necessary to carry out their official functions;

(iv) a person who is the alleged abuser or neglector, if that person is responsible for the child's welfare and provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;

(v) a licensed practitioner who, or an agency, institution, or program that, is providing treatment or care to a child who is the subject of a report of child abuse or neglect for a purpose relevant to the treatment or care;

(vi) a parent or other person who has permanent or temporary care and custody of the child, if provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;

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

A. a public school employee in that school system;

B. an employee of that nonpublic school;

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

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

2. if the report concerns suspected child abuse involving a student committed by an employee, independent contractor, or employee of an independent contractor described in item 1 of this item and employed by a nonpublic school under the jurisdiction of the superintendent of schools for the Archdiocese of Baltimore, the Archdiocese of Washington, or the Catholic Diocese of Wilmington, the appropriate superintendent of schools;

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

(ix) the Juvenile Justice Monitoring Unit of the Office of the [Attorney General] **CORRECTIONAL OMBUDSMAN** established under [Title 6, Subtitle 4] **TITLE 9, SUBTITLE 4** of the State Government Article;

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

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

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

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

(2) may be disclosed by the Department of Human Services to:

~~(i)~~ the operator of a child care center that is required to be licensed or to hold a letter of compliance under Title 9.5, Subtitle 4 of the Education Article or to a family child care provider who is required to be registered under Title 9.5, Subtitle 3 of the Education Article, to determine the suitability of an individual for employment in the child care center or family child care home;

(D) A REPORT OR RECORD CONCERNING CHILD ABUSE OR NEGLECT MAY BE DISCLOSED BY THE DEPARTMENT OF HUMAN SERVICES TO THE FOLLOWING INDIVIDUALS ONLY AFTER A FINALIZED FINDING OF INDICATED CHILD ABUSE OR NEGLECT:

~~(H)~~ **(1)** THE ADMINISTRATOR OF A CHILD CARE CENTER OPERATED BY OR ON BEHALF OF A UNIT OF STATE OR LOCAL GOVERNMENT OR IN A STATE-OCCUPIED BUILDING UNDER TITLE 9.5, SUBTITLE 5 OF THE EDUCATION ARTICLE, TO DETERMINE THE SUITABILITY OF AN INDIVIDUAL FOR EMPLOYMENT IN THE CHILD CARE CENTER;

~~(H)~~ **(2)** THE COACH, TEAM ADMINISTRATOR, OR MANAGER OF A YOUTH SPORTS PROGRAM FOR RECREATIONAL ATHLETIC COMPETITION OR INSTRUCTION FOR PARTICIPANTS WHO ARE MINORS, TO DETERMINE THE SUITABILITY OF AN INDIVIDUAL FOR EMPLOYMENT OR VOLUNTARY SERVICE IN THE YOUTH SPORTS PROGRAM; AND

~~(IV)~~ **(3)** THE ADMINISTRATOR OR OTHER APPROPRIATE PERSONNEL OF ANY ORGANIZATION THAT ~~PROVIDES ADULT SUPERVISION OR CARE AND CONTROL OF CHILDREN~~ HAS TEMPORARY CARE OR CUSTODY OF A CHILD OR RESPONSIBILITY FOR THE SUPERVISION OF A CHILD, TO DETERMINE THE SUITABILITY OF AN INDIVIDUAL FOR EMPLOYMENT OR VOLUNTARY SERVICE WITH THE ORGANIZATION.

~~[(d)]~~ **(E)** Only the following information concerning child abuse and neglect may be disclosed to a practitioner of a hospital or birthing center under subsection (c)(1)(x) of this section:

(1) whether there is a prior finding of indicated child abuse or neglect by either parent; and

(2) whether there is an open investigation of child abuse or neglect pending against either parent.

~~[(e)]~~ **(F)** A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 26, 2026.