

HOUSE BILL 282

D4, O2

(PRE-FILED)

6lr0024

CF SB 182

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

Requested: September 18, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Adult Protective Services – Modifications**

3 FOR the purpose of altering provisions relating to the reporting and investigation of abuse,
4 neglect, self-neglect, and exploitation of vulnerable adults; and generally relating to
5 adult protective services.

6 BY repealing and reenacting, with amendments,

7 Article – Family Law

8 Section 14-101, 14-302, and 14-303

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2025 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Family Law**

14 14-101.

15 (a) In this title the following words have the meanings indicated.

16 (b) “Abuse” means the sustaining of any physical injury, **PSYCHOLOGICAL**
17 **HARM, OR SEXUAL ABUSE** by a vulnerable adult as a result of cruel or inhumane
18 treatment or as a result of a malicious act by [any person] **AN INDIVIDUAL IN A**
19 **RELATIONSHIP OF TRUST WITH THE VULNERABLE ADULT.**

20 (c) “Director” means the director of the local department in the county where the
21 vulnerable adult lives.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



6 (f) "Exploitation" means any action which involves the NONCONSENSUAL
7 misuse of a vulnerable adult's funds[,] OR property[, or person] BY AN INDIVIDUAL IN A
8 **RELATIONSHIP OF TRUST WITH THE VULNERABLE ADULT.**

13 (2) "Human service worker" includes:

14 (i) any social worker; and

15 (ii) any caseworker.

16 (I) "INDICATED" MEANS A FINDING THAT IT IS MORE LIKELY THAN NOT
17 THAT:

18 (1) THE INDIVIDUAL IS A VULNERABLE ADULT:

19 (2) ABUSE, NEGLECT, SELF-NEGLECT, OR EXPLOITATION HAS
20 OCCURRED; AND

21 (3) THE INDIVIDUAL IS AT RISK OF HARM

22 **(i) (J)** “Law enforcement agency” means a State, county, or municipal police
23 department, bureau, or agency.

24 [j(j)] (k) Except as provided in §§ 14–201, 14–402, and 14–403 of this title, “local
25 department” means the local department that has jurisdiction in the county:

26 (1) where the vulnerable adult lives:

27 (2) for purposes of a notice received under § 11–307 of the Corporations and
28 Associations Article, where an individual who is at least 65 years old lives; or

29 (3) where the abuse is alleged to have taken place.

1 [(k)] (L) “Local State’s Attorney” means the State’s Attorney for the county:

2 (1) where the vulnerable adult lives; or

3 (2) where the abuse is alleged to have taken place.

4 [(l)] (M) (1) “Neglect” means the willful deprivation of a vulnerable adult of
5 adequate food, clothing, essential medical treatment or rehabilitative therapy, shelter, or
6 supervision **BY AN INDIVIDUAL IN A RELATIONSHIP OF TRUST WITH THE VULNERABLE**
7 **ADULT.**

8 (2) “Neglect” does not include the providing of nonmedical remedial care
9 and treatment for the healing of injury or disease, with the consent of the vulnerable adult,
10 recognized by State law instead of medical treatment.

11 (N) “NOT INDICATED” MEANS A FINDING THAT IT IS MORE LIKELY THAN NOT
12 THAT:

13 (1) THE INDIVIDUAL IS NOT A VULNERABLE ADULT;

14 (2) ABUSE, NEGLECT, SELF-NEGLECT, OR EXPLOITATION HAS NOT
15 OCCURRED; OR

16 (3) THE INDIVIDUAL IS NOT AT RISK OF HARM.

17 [(m)] (O) “Police officer” means any State or local officer who is authorized to
18 make arrests as part of the officer’s official duty.

19 (P) “PSYCHOLOGICAL HARM” MEANS THE OBSERVABLE, IDENTIFIABLE,
20 AND SUBSTANTIAL IMPAIRMENT OF A VULNERABLE ADULT’S ABILITY TO FUNCTION
21 DUE TO SEVERE EMOTIONAL DISTRESS CAUSED BY AN INTENTIONAL ACT OR SERIES
22 OF ACTS.

23 (Q) (1) “RELATIONSHIP OF TRUST” MEANS A RELATIONSHIP THAT
24 INCLUDES A RATIONAL EXPECTATION THAT A RELATIVE, FRIEND, HOUSEHOLD
25 MEMBER, CAREGIVER, OR OTHER PERSON WITH WHOM A RELATIONSHIP EXISTS
26 SHOULD BE RELIED ON TO PROTECT THE INTERESTS OF A VULNERABLE ADULT OR
27 PROVIDE FOR THE VULNERABLE ADULT’S CARE.

28 (2) “RELATIONSHIP OF TRUST” INCLUDES A RELATIONSHIP IN WHICH
29 THE RATIONAL EXPECTATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION
30 IS BASED ON AN ASSUMPTION OF RESPONSIBILITY FOR CARE AND PROTECTION OF
31 THE VULNERABLE ADULT OR ON A LEGAL OR SOCIAL CONVENTION.

1 [(n)] (R) “Review board” means the adult public guardianship review board.

2 (S) “RISK OF HARM” MEANS THE STRONG LIKELIHOOD THAT AN
3 INDIVIDUAL WILL IMMINENTLY EXPERIENCE AN EVENT, CONDITION, INJURY, OR
4 OTHER OUTCOME THAT IS ADVERSE OR DETRIMENTAL TO THE INDIVIDUAL.

5 [(o)] (T) “Secretary” means the Secretary of Human Services.

6 [(p)] (U) “Self-neglect” means the inability of a vulnerable adult to provide the
7 vulnerable adult with the services:

8 (1) that are necessary for the vulnerable adult’s physical and mental
9 health; and

10 (2) the absence of which impairs or threatens the vulnerable adult’s
11 well-being.

12 (V) (1) “SEXUAL ABUSE” MEANS NONCONSENSUAL SEXUAL INTERACTION
13 WITH A VULNERABLE ADULT.

14 (2) “SEXUAL ABUSE” INCLUDES:

15 (I) INCEST;

16 (II) RAPE;

17 (III) SEXUAL OFFENSE IN ANY DEGREE; AND

18 (IV) ANY OTHER SEXUAL CONDUCT THAT IS A CRIME.

19 (W) “UNDETERMINED” MEANS A FINDING THAT THERE IS INSUFFICIENT
20 INFORMATION TO DETERMINE WHETHER:

21 (1) THE INDIVIDUAL IS A VULNERABLE ADULT;

22 (2) ABUSE, NEGLECT, SELF-NEGLECT, OR EXPLOITATION HAS
23 OCCURRED; OR

24 (3) THE INDIVIDUAL IS AT RISK OF HARM.

25 [(q)] (X) “Vulnerable adult” means an adult who lacks the physical or mental
26 capacity to provide for the adult’s daily needs.

6 (i) notify the local department; and

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

13 (b) An individual who is required to make a report under subsection (a) of this
14 section shall make the report as soon as possible:

15 (1) by telephone[,];

16 (2) by direct communication[, or];

18 (4) in writing to the local department; or

19 (5) by calling the statewide reporting hotline.

20 (c) Any individual other than a health practitioner, human service worker, or
21 police officer who has reason to believe that an alleged vulnerable adult has been subjected
22 to abuse, neglect, self-neglect, or exploitation may file with the local department an oral or
23 written report of the suspected abuse, neglect, self-neglect, or exploitation.

24 (d) Insofar as is reasonably possible, an individual who makes a report under this
25 section shall include in the report the following information:

(1) the name, age, and home address of the alleged vulnerable adult;

27 (2) the name and home address of the person responsible for the care of the
28 alleged vulnerable adult;

29 (3) the whereabouts of the alleged vulnerable adult;

30 (4) the nature of the alleged vulnerable adult's incapacity;

5 (6) any other information that would help to determine:

6 (i) the cause of the suspected abuse, neglect, self-neglect, or
7 exploitation; and

(ii) the identity of any individual responsible for the abuse, neglect,
[self-neglect,] or exploitation.

10 14-303.

11 (a) To protect the welfare of the alleged vulnerable adult the local department
12 shall begin a thorough investigation:

13 (1) within 5 working days after the receipt of the report of suspected abuse,
14 neglect, self-neglect, or exploitation; or

15 (2) within 24 hours after the receipt of the report of suspected abuse,
16 neglect, self-neglect, or exploitation if the report indicates that an emergency exists.

17 (b) The investigation shall include:

18 (1) a determination of whether:

19 (i) the individual is a vulnerable adult; [and]

20 (ii) there has been abuse, neglect, self-neglect, or exploitation; and

(III) THE INDIVIDUAL IS AT RISK OF HARM; AND

22 (2) if the individual is determined to be a vulnerable adult [and], to have
23 suffered abuse, neglect, self-neglect, or exploitation, **AND TO BE AT RISK OF HARM:**

24 (i) a determination of the nature, extent, and cause of the abuse,
25 neglect, self-neglect, or exploitation:

26 (ii) a determination of the identity of the person or persons
27 responsible for the abuse, neglect, self-neglect, or exploitation;

28 (iii) an evaluation of the home environment; and

29 (iv) a determination of any other pertinent facts.

(3) As appropriate in an investigation, the local department may request the assistance of a federal law enforcement officer, as defined in § 2-104 of the Criminal Procedure Article.

11 (4) Any agencies set out in this subsection may jointly agree to cooperative
12 arrangements for investigation.

13 (d) [An investigation under this section shall be completed] **THE LOCAL**
14 **DEPARTMENT SHALL COMPLETE AN INVESTIGATION AND MAKE AN INDICATED, NOT**
15 **INDICATED, OR UNDETERMINED FINDING** within[:]

16 (1)] 60 days[; or

17 (2) 10 days if the report indicates that an emergency exists].

18 (e) Parties participating in an investigation may share pertinent client
19 information relevant to the investigation.

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