

HOUSE BILL 1326

D4, O4

(6lr2628)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by ~~Delegate Wilson~~ Delegates Wilson, Cardin, Phillips, Nkongolo, Simmons, McComas, Moreno, Simpson, Mangione, Conaway, Woods, and Williams

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

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 by the Department of Human Services to
5 certain individuals; and generally relating to disclosure of reports and records of
6 child abuse and neglect.

7 BY repealing and reenacting, without amendments,
8 Article – Human Services
9 Section 1–202(a)
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2025 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Human Services
 3 Section ~~1-202(e)~~ 1-202(c) through (e)
 4 Annotated Code of Maryland
 5 (2019 Replacement Volume and 2025 Supplement)

6 BY adding to
 7 Article – Human Services
 8 Section 1-202(d)
 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 – Human Services**

14 1-202.

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

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

19 (1) may be disclosed on request to:

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

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

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

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

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

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

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

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

14 B. an employee of that nonpublic school;

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

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

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

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

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

34 (x) subject to subsection (d) of this section, a licensed practitioner of
35 a hospital or birthing center to make discharge decisions concerning a child, when the
36 practitioner suspects that the child may be in danger after discharge based on the

1 practitioner's observation of the behavior of the child's parents or immediate family
2 members; or

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

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

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

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

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

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

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

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

31 ~~(H)~~ **(3) THE ADMINISTRATOR OR OTHER APPROPRIATE**
32 **PERSONNEL OF ANY ORGANIZATION THAT PROVIDES ADULT SUPERVISION OR CARE**
33 **AND CONTROL OF CHILDREN HAS TEMPORARY CARE OR CUSTODY OF A CHILD OR**
34 **RESPONSIBILITY FOR THE SUPERVISION OF A CHILD, TO DETERMINE THE**

1 SUITABILITY OF AN INDIVIDUAL FOR EMPLOYMENT OR VOLUNTARY SERVICE WITH
2 THE ORGANIZATION.

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.