

DATE: March 11, 2020

BILL NUMBER: SB818

COMMITTEE: Finance

BILL TITLE: Residential Treatment Centers and Facilities - Sexual Abuse and Harassment - Reporting and Prevention

DHS POSITION: Letter of Information

The Department of Human Services (the Department) respectfully submits this letter of information regarding Senate Bill 818. Senate Bill 818 would require State facilities, forensic residential centers, and residential treatment centers for emotionally disturbed children and adolescents to report complaints of sexual abuse and sexual harassment.

The bill would broaden the scope of facilities required to make reports of complaints of sexual abuse and sexual harassment. The bill requires mandatory reporting in two additional types of facilities than previously named. As a result of this legislation, children in these facilities, including foster children, would be provided greater protection from sexual abuse and harassment. Senate Bill 818 requires the named entities in the bill to make reports as appropriate to the Child Protective Services unit under the Department of Human Services. The bill requires the facilities to develop and implement policies and procedures on making and responding to allegations and complaints of sexual abuse or harassment. Additionally they must adopt a written protection plan as a part of a patient's treatment plan.

Senate Bill 818 would establish requirements of facilities caring for our State's youth to properly address sexual abuse and harassment. For Maryland's vulnerable children in foster care this is particularly important as these children have already experienced a number of Adverse Childhood Experiences. All vulnerable youths in these facilities, including foster youth, would have specific provisions in their treatment plans to prevent sexual abuse or harassment. This is valuable as we continue to address the needs of the children in these facilities and work with these facilities. For the first time covered entities must have a written protection plan documented in a resident's treatment plan as warranted by the patient's risk, which would benefit all vulnerable minors in these facilities. Uniform requirements used to meet the development and implementation of policies and procedures across the named "covered entities" in Maryland would create stability of oversight and care for those in these facilities.

The Department appreciates the opportunity to share this information with the Committee. The Department respectfully requests that this information be seriously considered during Committee deliberations.