



SB 818 – Residential Treatment Centers and Facilities – Sexual Abuse and Harassment – Reporting and Prevention

Committee: Finance

Date: March 11, 2020

POSITION: Support

The Maryland Coalition of Families: Maryland Coalition of Families (MCF) helps families who care for someone with behavioral health needs. Using personal experience as parents, caregivers and other loved ones, our staff provide one-to-one peer support and navigation services to parents and caregivers of young people with mental health issues and to any loved one who cares for someone with a substance use or gambling issue.

MCF strongly supports SB 818.

SB 818 requires forensic residential centers and private residential treatment centers for children with mental health disorders to report incidents of sexual abuse or sexual harassment to *specific* entities, namely:

- The Office of Health Care Quality
- The Child Protective Services Unit in DHS
- The Maryland Disability Law Center

SB 818 clarifies the very vague language that is currently in statute. By naming and expanding the specific entities that are to receive reports of incidents, HB 1558 strengthens current laws and ensures that the existing law will be better enforced, complaints will be thoroughly investigated, and strong remedial actions will be taken.

SB 818 also expands the facilities that must report incidents of sexual abuse or harassment, to private residential treatment centers and forensic residential centers, rather than just state facilities. In addition, it requires these newly defined facilities to develop and implement strong policies and procedures to address allegations or complaints. This just makes sense – the children and youth in these other centers are just as vulnerable to sexual assault or harassment as youth in state facilities and should be entitled to equal protections.

SB 818 is needed: just this last year very serious incidents of sexual abuse occurred in a private Residential Treatment Center. A few years ago another private Residential Treatment Center was forced to close amid complaints of sexual abuse. Other less publicized incidents are not infrequent.

Finally, SB 818 requires both state facilities and residential centers to take preventative measures, by requiring that they develop treatment plans for residents that take into account their risk of being a victim of sexual or physical abuse, or being a sexual or physical abuser. Based on a youth's history, these things can be anticipated – they should be written into a resident's treatment plan.

Therefore we urge a favorable report on SB 818.

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