

MedChi

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TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable April Rose

FROM: J. Steven Wise
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DATE: February 27, 2020

RE: **SUPPORT WITH AMENDMENT** – House Bill 1551 – *Health Practitioners – Minor Patients – Child Abuse Reporting*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports with amendment** House Bill 1551.

House Bill 1551 requires every health practitioner, including a physician, to inform a minor patient that the patient may report abuse to the health practitioner. While MedChi supports efforts to identify child abuse and report it, we have concerns with the command of the bill stating that the practitioner “shall” inform the patient, which would make the law apply regardless of the circumstances. However, there are circumstances where this would not be appropriate and may even be counterproductive. For example, it is typical that the parent of a minor patient is in the examination or emergency room with the minor and the practitioner. In a situation where the practitioner suspects abuse by the parent, raising the issue with the parent in the room would not likely illicit useful information from the minor due to their fear of the parent. Furthermore, it may result in further harm to the child if the abusive parent did not like how the child responded to the practitioner and exacts further abuse at a later time as a result.

MedChi suggests that “shall” be replaced with “may” on page 3 at line 17. This would allow practitioners to factor in the circumstances of the patient encounter and to inform the patient that they may report abuse when appropriate.

For these reasons, MedChi supports House Bill 1551 with this amendment.

For more information call:

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