



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

**Board of Examiners for Audiologists,
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**2020 SESSION
POSITION PAPER**

BILL NO: HB 1282
COMMITTEE: Judiciary
POSITION: Support with attached Amendments (SWA)

TITLE: – Criminal Procedure – Vulnerable Adult Abuse Registry

BILL ANALYSIS: The purpose of House Bill 1282 (HB 1282) is to establish a vulnerable adult abuse registry which the Maryland Department of Health (Department) will maintain, of which the individuals on the registry will be made available to the public. State agencies will be responsible for notifying the Department of the individuals convicted of certain crimes to be entered in the registry. State agencies will also be authorized to recommend the removal of an individual’s name from the registry under certain circumstances. State agencies will be required to consult the registry before hiring an employee or utilizing volunteer services and will be prohibited from hiring or using any volunteer service from an individual listed in the registry.

POSITION AND RATIONALE: The Maryland Board of Audiologists, Hearing Aid Dispensers & Speech-Language Pathologists (Board) supports the bill with the attached Board-approved amendment.

The language in Section 11-1201 of Subtitle 12, “Vulnerable Adult Abuse Registry, (E), defines “offense against a vulnerable adult” as an act that constitutes abuse, neglect, or misappropriation or exploitation of the property of a vulnerable adult, even if the act does not constitute a criminal act or a crime, the elements of which constitute abuse, neglect, or misappropriation or exploitation of the property of the vulnerable adult.”

The Board is in support of the language under Sections 11-1201 – 11-1205 of Subtitle 12, “Vulnerable Adult Abuse Registry,” with an amendment to Section 11-1201(E)(p)(2). Specifically, the definition of “offense against a vulnerable adult” should strike the words “even

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if the act does not constitute a criminal act or crime” from the definition. The Board feels that although this is a definition, it could place an individual on the vulnerable adult abuse registry who has allegedly committed such a crime, without actually being convicted of such.

The Board’s proposed amendment to HB 1282 is listed at the end of this position paper. The Board respectfully requests a favorable report on HB 1282 with the requested amendment.

For more information, please contact the Board’s Executive Director, Candace Robinson, Au.D., at 410-764-4723 or candace.robinson@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

AMENDMENT TO HOUSE BILL 1282
(First Reader File Bill)

On page 2, in lines 24 through 25, strike “**EVEN IF THE ACT DOES NOT CONSTITUTE A CRIMINAL ACT OR A CRIME**”.