



**HB 881 – Health Care Facilities –
Sexual Abuse and Harassment – Reporting and Prevention**

Health and Government Operations Committee

March 2, 2021

POSITION: FAVORABLE

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 HB 881.

HB 881 expands the facilities that must report incidents of sexual abuse or harassment to include private Residential Treatment Centers for children with mental health disorders and private hospitals with separate inpatient psychiatric units. Reports must be made to:

- The Behavioral Health Administration
- The Office of Health Care Quality
- Disability Rights Maryland
- The Child Protective Services Unit in the Department of Human Services if the complaint involves a minor

By expanding and naming the specific entities that are to receive reports of incidents, HB 881 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.

HB 881 is needed: in 2019 very a serious incident of sexual abuse occurred in a private Residential Treatment Center involving staff and youth. In 2017 another private Residential Treatment Center was forced to close amid a variety of complaints that included allegations of sexual assault. Other less publicized incidents are not infrequent. Disability Rights Maryland (DRM) reports that after a the law was passed that went into effect in July 2018, which required private Residential Treatment Centers to report incidents of sexual abuse to DRM, they received 47 reports of sexual abuse from the private Residential Treatment Centers.

Finally, HB 881 requires that preventative measures be taken, by requiring that Residential Treatment Centers, state facilities, and hospitals that have a separately identified inpatient psychiatric unit develop treatment plans for residents that take into account their risk of being a victim of sexual or physical abuse, or of being a sexual or physical abuser. Based on an individual's history, these things can be anticipated – they should be written into a resident's treatment plan.

Therefore we urge a favorable report on HB 881.

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