

Date: March 4, 2021

Bill number: House Bill 1281

Committee: Judiciary

Bill title: Adult Protective Services - Vulnerable Adults Registry - Investigations and Records of Abuse and Neglect and Workgroup Study

DHS Position: Favorable with Amendments

The Department of Human Services (Department) respectfully offers this letter of support, with amendments, regarding House Bill 1281 (HB 1281). This bill would create a workgroup to study the implementation of a centralized confidential database for vulnerable adults.

If this bill passes, it will greatly benefit the clients served under the Department's state-mandated Adult Protective Services (APS) Program, which serves vulnerable adults aged 18 years of age & older through. Presently, there is no central statewide confidential database of adult abuse or neglect.

In March of 2018, the National Adult Protective Services Association (NAPSA) completed a 50 state survey indicating which states currently operate an APS abuse registry. The report noted that 26 states across the country currently operate some form of an APS Abuse Registry or background check system. Establishing an APS Abuse Registry in Maryland would function as an added layer of protection for possible future victims of abuse and neglect.

These protections would extend to guardianship cases, as the court would receive notification of an individual's registry status. An APS registry would also increase accountability for the perpetrator's actions, and act as a deterrent to keep perpetrators from further abusing more victims. Through enhanced data collection, the Department would also be able to capture any history of recidivism.

While the Department is fully supportive of the spirit of the bill, we believe the overall goal of implementing an adult services registry would be better served if the bill was amended. As written, the bill provides an infrastructure for the registry that is very similar to the one established by the Family Law Article, under §5-714, as it relates to child abuse and neglect investigations. The Department believes it is important that the framework for the registry be informed by the research of the workgroup, rather than current child welfare practice. Therefore, the Department would recommend striking page 1 line 34, through page 14, line 22.

Moreover, the Department believes the workgroup would require more time to do a thorough investigation of best practices for implementation of a vulnerable adult registry. As such, we would ask that the bill be amended to allow the workgroup until December 1, 2022 to provide its final report to the Department of Legislative Services.



The Department remains committed to protecting vulnerable adults from abuse or neglect. We look forward to joining the majority of states nationwide, who have successfully implemented an APS registry. As such, the Department respectfully requests a favorable report, with amendments, on HB 1281.