

**SB710 MASSD Written Testimony .pdf**

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Position: FAV

**Date:** February 22, 2023  
**Bill Number:** SB710  
**Committee:** Judicial Proceedings Committee  
**Bill Title:** Child Abuse and Neglect- Discharge of Reports and Records  
**Position:** Support

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The Maryland Association of Social Services Directors (MASSD) comprised of the state's twenty-four Directors of the Local Departments of Social Services are responsible for administering a complex array of programs and services through the Maryland Department of Human Services. These programs are designed to strengthen and protect the vulnerable in Maryland. The Local Departments of Social Services, through their Child Protective Services' units, are responsible for the assessment, investigation and intervention regarding cases of suspected child abuse and neglect.

The Department of Human Services (The Department) currently has the authority to disclose reports of suspected child abuse by an employee or independent contractor to authorized personnel of public and non-public school systems and childcare facilities. Sharing these reports serves as an important tool to prevent further abuse, as it allows appropriate personnel action to be taken, if warranted.

Senate Bill 710 expands The Department's authority to include disclosure of reports of neglect by employees or independent contractors, regardless of whether the victim (child) attends the specific school system or childcare facility. The passage of this legislation would also allow Child Protective Services to disclose a report of abuse and neglect to a child placement agency when the alleged maltreater is someone other than the foster parent but resides within a licensed foster care household, is a family member or someone in the home that has responsibility for providing care and/or supervision.

Available data from 2016 to present shows that more than 60% of Child Protective Services investigations statewide were the result of reports of suspected neglect. MASSD believes the expanded disclosure authority will increase the safety of all children in Maryland by helping to inform and mitigate the risk of harm. This includes the ability to suspend any placements with a licensed foster home until a Child Protective Services investigation is completed.

The Maryland Association of Social Services Directors strongly supports Senate Bill 710 and respectfully requests its passage.

# **Testimony Mark Millspaugh**

Uploaded by: Mark Millspaugh

Position: FAV

Testimony of Mark Millspaugh, Deputy Director, Baltimore County Department of  
Social Services  
Hearing for Senate Bill 710 - *Child Abuse and Neglect - Disclosure of Reports and  
Records*

Senate Judicial Proceedings Committee

Wednesday, February 22, 2023

Chairman Smith, Vice Chair Waldstreicher and Members of the Committee, I am  
Mark Millspaugh, Deputy Director for Social Services with Baltimore County  
Health and Human Services. I thank you for the opportunity to support Senate Bill  
710 - Child Abuse and Neglect - Disclosure of Reports and Records (SB 710).

Our Department's Mission is to 1) Promote individual well-being, stronger  
families and communities; 2) Protect vulnerable children and adults from abuse  
and neglect; and, 3) Provide support to help people achieve and sustain  
independence. We work strategically and tirelessly to protect children from abuse  
and neglect and we strive to engage our community partners to create a safe and  
caring environment for children. Our ability to share critical information, within  
reason, is essential to achieving this goal. This bill closes gaps in our child  
protection system.

Baltimore County Department of Social Services has a strong partnership with our local school system. We routinely work together to assist families in need, and, when necessary, to protect children who are being abused. However, the current law does not allow us to do the same when an adult caregiver has been indicated for neglect of a child or for abuse of a child that is not a student. When that person works for the local school system we are unable to notify the superintendent or other school leadership of the potential risk. It is important to note that we experience more child fatalities as a result of neglect rather than abuse so there are sometimes serious child safety risks for which the employing school system should be made aware.

Similarly, Treatment Foster Care homes that are “employed” through a child placement agency licensed by the Department of Human Services are vital partners in our work. Children placed in these homes have already experienced the trauma of being removed from a caregiver and placed into out of home care. There are significant licensing requirements intended to ensure these vulnerable children are safe in their temporary homes. However, current law leaves a gap where visitors to that home or people who provide temporary child care to the children placed in that home may have an indicated finding for neglect or abuse and the local department cannot share that information with the licensed child placement agency

since the individual is not an “employee.” Surely, we can better protect children by allowing local departments to share appropriate information about adults who are engaged in children’s lives who have harmed children and may present a risk to other children placed in these homes.

These are very real concerns. Our local departments experience cases that fall into these gaps, thus leaving children vulnerable and schools and other child-serving entities unaware of the risks. I ask for a favorable report on SB 710 and am happy to take any questions at this time. Thank you.

**SB0710\_DHS\_FAV.pdf**

Uploaded by: Rachel Sledge

Position: FAV

**Date:** February 22, 2023

**Bill number:** SB0710

**Committee:** Senate Judicial Proceedings Committee

**Bill title:** **Child Abuse and Neglect – Disclosure of Reports and Records**

**DHS Position:** **FAVORABLE**

In out of home settings, children should be cared for by individuals who are not a threat to the child’s safety and where there is no risk of child maltreatment. For Child Protective Services (CPS) to share information about certain CPS investigations with the Maryland State Department of Education (MSDE) public school systems and non-public schools, The Maryland Human Services Article would need to be amended to include sharing reports of neglect investigations with schools. The sharing of child abuse reports is already permitted. In addition, the statute would need to allow information sharing with child placement agencies regarding any CPS Response that has occurred involving a child who is currently placed or had been placed with a child placement agency regardless of the identity of the alleged maltreater.

At present, Human Services Article §1–202 authorizes the disclosure of reports of suspected child abuse to be shared with MSDE public schools and non-public schools in situations involving school staff or independent contractors of the school system. The public school superintendent or the principal or equivalent employee of a certified or registered non-public school can then carry out appropriate personnel or administrative actions following a report of suspected child abuse involving a student committed by an employee or independent contractor, including a bus driver or bus assistant in that school system. Child neglect allegations are equally important for school administrators to be notified about and to take personnel action on, if warranted.

Maryland Department of Human Services contracts with several child placement agencies for foster home services when a public foster home is not appropriate or available. Currently CPS is only allowed to share CPS information with child placement agencies involving employees (i.e., the foster parent) for purposes of a personnel action. The statute does not allow CPS to share information involving other household members including, in the case of a private foster home, backup babysitters or frequent household members who may be determined to be an alleged maltreater. By allowing a child placement agency to know at the initiation of the investigation that a report was received, all placements can be suspended until the investigation is concluded and CPS can share all details of the finding with the child placement agency for further action.

This legislation allows the Maryland Department of Human Services and our community partners to work together to promote children attending school or living in situations where they can grow and thrive in a safe environment. I thank you for your time and request a favorable report for SB 710.

**SFY 2022 CPS cases**

	Total Instances	% of total instances
Abuse	10,261	45%
Neglect	12,485	55%