

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%