



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 21, 2025

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401-1991

RE: Senate Bill (SB) 770 – Applicants for Positions Involving Direct Contact With Minors - Required Information, Review Process, and Reporting - Alterations - Letter of Information

Dear Chair Feldman and Committee members:

The Maryland Department of Health (the Department) respectfully submits this letter of information for Senate Bill (SB) 770 – Applicants for Positions Involving Direct Contact With Minors - Required Information, Review Process, and Reporting - Alterations. SB 770 mandates child care centers and youth-serving organizations to: a) require applicants for positions involving direct contact with minors to submit certain information relating to “certain boundary-violating behaviors,” b) follow certain procedures when hiring applications for positions involving direct contact with minors.

The bill defines “youth-serving organization” as including “summer camps.” While “summer camps” is not defined in the current text, the Department interprets this to potentially apply to youth camps, which are regulated by the Department under §14-403 (et seq.) of the Health-General Article. The Department supports the goal of SB 770 to improve the safety of Maryland’s youth from abuse from adults. However, a similar system of safeguards as proposed by this bill already exists for youth camps, and the overlapping requirements of this bill may cause many unintended issues.

Youth camps operate seasonally and almost all employees and volunteers work for only a handful of months or weeks out of the year; returning employees and volunteers must reapply for employment again in subsequent years. Currently, if a prospective youth camp employee or volunteer will have access to a minor, the applicant must undergo the same criminal history records check and child protective services background clearance required by this bill.

The Department is concerned most regarding language used to define “boundary-violating behavior,” which includes “unwanted physical contact, emotional manipulation or abuse, or sharing inappropriate information.” The bill requires employers to contact all employment references to certify that an applicant has not been accused or disciplined for such behavior.

However, the provided definition of “boundary-violating behavior” may be interpreted counter to intended meaning by individuals, businesses and agencies. The Department applauds and agrees with including “unwanted physical contact” and “sharing inappropriate information” as needed for higher scrutiny, but is concerned that these terms could unintentionally cover legitimate and necessary actions.

The seasonal nature, stringent regulatory requirements already in place under the authority of the Health-General Article, and significant operating costs of youth camps make hiring challenging for the industry. The Department believes that requiring youth camp employers to contact an applicant’s prior employers annually may place a large burden on the already-strained industry. If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Laura Herrera Scott, M.D., M.P.H.
Secretary