



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

January 30, 2025

The Honorable Luke Clippinger, Chair
House Judiciary Committee
House Office Building, Room 100
6 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB 246 - HUMAN SERVICES - ADULT PROTECTIVE SERVICES –
POSITION: FAVORABLE**

Dear Chair Clippinger and Members of the House Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable report for House Bill 246 (HB 246).

With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. The Social Services Administration within DHS leads the Adult Protective Services (APS) program affected by HB 246.

House Bill 246 amends the confidentiality requirements found in Human Services Article § 1-201. It would authorize release of APS records to governmental entities conducting investigations related to their governmental function, when such records are relevant to an investigation. Currently, information sharing can only occur via court order, delaying timely investigations.

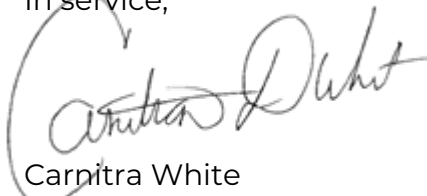
HB 246 would streamline information sharing between government agencies, improve collaboration, and ultimately improve the State's ability to address and prosecute the maltreatment of adults. For example, HB 246 would authorize sharing APS information with the Office of Chief Medical Examiner, the Medicaid Fraud & Vulnerable Victim Unit within the Office of the Attorney General, or the Securities Commissioner. Improved collaboration increases protections for the adults we serve

and assists in prosecuting perpetrators of abuse by enabling the coordination of federal, state, and local governmental entities during the course of a governmental investigation. HB 246 creates timely access to information critical for protecting adults in suspected cases of abuse, neglect, or exploitation.

The current statute prevents the release of social services records, including APS records to certain agencies without a court order. The records cannot be disclosed, creating delays and barriers for investigatory agencies in accessing and sharing crucial information necessary to protect the Marylanders we serve. Although Family Law § 14-305 does allow APS to release records to local law enforcement during ongoing investigations, the provision does not cover closed cases, reports that did not prompt investigatory responses, or engagement with non-local law enforcement, such as the Postal Investigator. As a result, collaboration among governmental investigative bodies is hindered, stymying efforts these agencies could take to protect Marylanders. Many cases deal with Maryland seniors facing alleged mail fraud and abuse that requires collaboration between local social services and the federal Postal Investigator.

We appreciate the opportunity to provide favorable testimony to the Committee for consideration during your deliberations. We look forward to your partnership in helping us make sure to leave no one behind through your support of House Bill 246. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read "Carnitra White". The signature is written in a cursive style and is enclosed within a faint, hand-drawn circular outline.

Carnitra White
Principal Deputy Secretary