



DEPARTMENT OF HUMAN SERVICES

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

February 10, 2026

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
11 Bladen Street
Annapolis, Maryland 21401

RE: TESTIMONY ON SB 447 - CHILD ABUSE AND NEGLECT – DISCLOSURE OF REPORTS AND RECORDS - POSITION: INFORMATION

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully submits information that may be helpful in its consideration of Senate Bill 447 (SB 447).

With offices in every jurisdiction of Maryland, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) is responsible for managing Child Protective Services (CPS), which assists children believed to be neglected or abused by parents or other adults.

SB 447 would permit DHS to disclose records when individuals are alleged to have abused or neglected a child, or are involved in child abuse or neglect investigations. It would authorize records disclosure to state and local government-operated childcare centers, youth sports programs, and organizations responsible for supervising children.

The bill would authorize disclosing investigation records before CPS determines whether child maltreatment occurred. The bill would also authorize DHS to disclose investigation records to certain organizations even when disclosure is not requested.

The federal law only authorizes records disclosure for a statutorily identified legitimate state purpose. Under the [Child Abuse Prevention and Treatment Act \(CAPTA\)](#) in [42 U.S.C. §5106a\(B\)\(2\)\(b\)\(viii\)](#), a state may not permit disclosure of child protective services records to non-governmental entities unless they are "statutorily

authorized by the state to receive such information under a legitimate state purpose." The state has a legitimate purpose in protecting children from abuse or neglect by disclosing records when an investigation results in a finding of abuse or neglect and the individual responsible is screened for a position working directly with children. Currently Maryland [Family Law § 5-714](#) conforms with federal law by limiting the scope of disclosures to records for completed investigations where a person screened for employment working directly with children is found to be responsible for abuse or neglect.

The Committee might consider clarifying language to outline legislative intent, bring the bill into federal compliance with CAPTA, and address confidentiality concerns. Clarification around the disclosure of information will ensure Maryland's continued eligibility for CAPTA funding. Defining a "specified legitimate state purpose" of the disclosure of information would provide clarity around when and to whom records and reports should be disclosed.

We appreciate the opportunity to provide informational testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael López', written in a cursive style.

Rafael López
Secretary