



TO: The Honorable Sandy Bartlett, Chair
Members, Judiciary Committee

FROM: Wendy Lane, MD, MPH
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RE: **OPPOSE** – House Bill 890 – *Family Law – Child Abuse and Neglect Investigations (“Know Before They Knock” Family Right to Notice Act)*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **opposition** to House Bill 890.

The intent of HB 890 is to require that Child Protective Services personnel tasked with investigating a report of suspected child abuse or neglect provide a parent or legal guardian with oral and written notice of their rights. Of specific concern to MDAAP is one provision in the list of required notifications:

(E) (1) (IV) “The parent or legal guardian is not required to allow the employee of the Department or the Local Department to interview or examine a child, unless the interview or examination is ordered by a court or is required under subsection (C) or (K) of this section;”

This is confusing because it contradicts requirements for the local department to see the child. Current Maryland law stipulates that **the “local department or appropriate law enforcement...shall see the child...(and) decide on the safety of the child, and of other children in the household”** within 24 hours when abuse is alleged and 5 days for neglect or mental injury. This becomes impossible if the parent or guardian refuses access and the Department employee is unable to speak with and observe the child. A child with severe abuse or neglect will then remain unidentified and at ongoing risk of harm unless the Department obtains a court order or returns with a police officer who may use force to gain entry. This response may not be rapid enough to ensure the safety of infants and children in danger of continuing harm. In addition, forced entry by police may be more traumatic to a child than speaking to a Child Protective Services worker. Likewise, removal from the home for lack of parental cooperation will surely be traumatic.

MDAAP supports the concept of people knowing their rights. However, the above provision could pose a serious threat to child safety. **It places the rights of parents above the rights of their children to health, safety, and protection.**

The provisions of HB 890 place children at risk of ongoing abuse and neglect and possible death from maltreatment. Maryland children deserve better but cannot speak on their own behalf. **For these reasons, we urge an unfavorable report.**