

SENATE BILL 1041

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CF HB 887

By: **Senator Hayes**

Introduced and read first time: February 17, 2020

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Disclosure of Identifying Information**

3 FOR the purpose of requiring the Executive Director of the Social Services Administration
4 to provide the Secretary of Health with identifying information regarding an
5 individual who has had the individual's parental rights terminated under a certain
6 provision of law and who has been suspected of abuse or neglect; requiring the
7 Department of Human Services to report certain information to the Governor and
8 the General Assembly on or before a certain date; and generally relating to the
9 disclosure of identifying information relating to child abuse and neglect.

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 5–715
13 Annotated Code of Maryland
14 (2019 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Family Law**

18 5–715.

19 (a) (1) The Executive Director of the Administration shall provide the
20 Secretary of Health with identifying information regarding an individual who, as to any
21 child, has had the individual's parental rights terminated under § 5–322 or § 5–323 of this
22 title and:

23 (I) has been identified as responsible for abuse or neglect in a
24 central registry as described in § 5–714(d) of this subtitle; OR

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) HAS BEEN SUSPECTED OF ABUSE OR NEGLECT.

(2) A court shall provide the Secretary of Health with identifying information regarding an individual who has been convicted under Title 2, Subtitle 2 of the Criminal Law Article of the murder, attempted murder, or manslaughter of a child.

(b) If in accordance with § 4-222 of the Health – General Article, the Secretary provides to the Executive Director birth record information for a child born to an individual whose identifying information has been provided under subsection (a) of this section, the Executive Director shall:

(1) verify that the parent of the child is the same individual described in subsection (a) of this section; and

(2) immediately notify the local department in the jurisdiction in which the child resides so that the local department may review its records and provide an assessment of the family and offer services if needed.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2021, the Department of Human Services shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on how the State may implement a plan to search the databases of other states for the purpose of identifying individuals in the State who have been identified as responsible for abuse or neglect or have been suspected of abuse or neglect in other states.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.