

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 968 (Delegate Simonaire)
 Judiciary

Children - Health and Safety - Child Abuse and Neglect Hotline and Signage

This bill requires the Social Services Administration (SSA) within the Department of Human Resources (DHR) to establish a statewide, toll-free, 24-hour Child Abuse and Neglect Hotline that an individual may use to make a report of suspected child abuse or neglect. SSA must also create a sign with the telephone number of the hotline and information on how to properly report a suspicion of child abuse, neglect, or sexual abuse. Each public school must post the sign conspicuously in a high-traffic, widely used area of the school. DHR must adopt regulations to carry out the bill’s requirements.

The bill takes effect July 1, 2017.

Fiscal Summary

State Effect: General fund expenditures increase by an estimated \$767,000 annually beginning in FY 2018 for DHR to establish a statewide hotline capable of handling calls regarding child abuse and neglect 24 hours per day. Revenues are not affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	767,000	767,000	767,000	767,000	767,000
Net Effect	(\$767,000)	(\$767,000)	(\$767,000)	(\$767,000)	(\$767,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: School systems can meet the bill’s requirements with existing budgeted resources.

Small Business Effect: None.

Analysis

Bill Summary: SSA must (1) develop a methodology to track the numbers and types of calls received by the hotline and (2) put a record of each call made to the hotline in the child abuse or neglect central registry.

The sign that SSA is required to create must be provided in each language that is spoken by more than 1% of the State's population. SSA must make the sign available electronically to each local school system.

Current Law:

Child Abuse and Neglect Reporting

Health care practitioners, police officers, educators, and human service workers who are acting in a professional capacity, and who have reason to believe that a child has been subjected to abuse or neglect, must notify the local department of social services or the appropriate law enforcement agency. An "educator or human service worker" includes any teacher, counselor, social worker, caseworker, and parole or probation officer. If the worker is acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, then the individual must notify the head of the institution or the designee.

A worker who notifies the appropriate authorities must make an oral report by telephone or direct communication as soon as possible to the local department or the appropriate law enforcement agency if the worker has reason to believe the child has been subjected to abuse or neglect. A written report to the local department is required not later than 48 hours after the contact, examination, or treatment that caused the worker to believe that the child had been subjected to abuse or neglect. A copy of the written report must be provided to the local State's Attorney. An agency that receives an oral report of suspected abuse or neglect must immediately notify the other agency.

As far as reasonably possible, a worker who makes a report must include specified information. In general, a person other than a health care practitioner, police officer, educator, or human service worker who has reason to believe that a child has been subjected to abuse or neglect must notify the local department of social services or the appropriate law enforcement agency.

Child Abuse and Neglect Investigations

After receiving a report of suspected abuse or neglect of a child who lives in Maryland, that is alleged to have occurred in the State, the local department of social services and/or

the appropriate law enforcement agency must promptly investigate the report to protect the health, safety, and welfare of the child or children. Within 24 hours after receiving a report of suspected physical or sexual child abuse, and within five days after receiving a report of suspected child neglect or mental injury, the local department or law enforcement agency must (1) see the child; (2) attempt to have an on-site interview with the child's caretaker; (3) decide on the safety of the child and of other children in the household; and (4) decide on the safety of the other children in the care or custody of the alleged abuser. The determinations and assessments that are required during an abuse or neglect investigation are specified in statute.

The local State's Attorney must assist in a child abuse or neglect investigation if requested to do so by a local department of social services. The local departments, appropriate law enforcement agencies, the State's Attorneys in the counties and Baltimore City, and the local health officers must enter into a written agreement pertaining to standard operating procedures for investigations of suspected abuse or neglect. A joint investigation procedure must be implemented for conducting investigations of sexual abuse, which must include techniques for expediting validation of sexual abuse complaints and other techniques to decrease trauma to the child.

To the extent possible, a child abuse or neglect investigation must be completed within 10 days after receiving the notice of the suspected abuse or neglect. Within 10 days after receiving the first notice of suspected abuse or neglect of a child, the local department of social services or law enforcement agency must report the preliminary investigation findings to the local State's Attorney. Within 5 business days after the investigation is completed, the local department and the law enforcement agency, if the law enforcement agency participated in the investigation, must make a complete written report of findings to the local State's Attorney.

Pursuant to § 5-714 of the Family Law Article, SSA may maintain a centralized confidential database of reported child abuse and neglect cases. Each local department of social services must enter and have access to information in the database related to reports, investigations, and assessments of suspected abuse and neglect.

State Expenditures: General fund expenditures increase by an estimated \$766,971 in fiscal 2018 and annually thereafter for the establishment of a statewide 24-hour hotline. While DHR currently contracts with a call center to receive reports of child abuse and neglect, the call center is only operable from 8:00 a.m. to 5:30 p.m. Accordingly, DHR needs to expand its contract with the call center to include additional hours and an increased volume of calls. DHR reports that in fiscal 2015, local jurisdictions received more than 114,000 calls regarding child abuse and neglect after hours. While individuals can call and report child abuse and neglect at any point, the process is not centralized and local departments of social services route after hours calls in different manners. For example,

some have calls to go to local law enforcement, while others use individual call centers. Although DHR advises that it needs 18 additional staff within specified jurisdictions to cover additional calls, this estimate assumes that existing procedures in place within local jurisdictions for responding to after hour reports of child abuse and neglect (*e.g.*, designating staff to be “on call”) generally continue. However, local staff will now receive notice from the central call center staff instead of through the methods currently in place.

The bill also requires DHR to create a sign associated with the new hotline number and make it available electronically to local school systems. This can be handled with existing resources. However, DHR estimates expenditures of more than \$1.8 million annually to inform the public about the new hotline number. Although the Department of Legislative Services agrees that DHR likely wants to engage in efforts to increase awareness of the new hotline number and that producing informational signs (in addition to those made available electronically to the school systems) increases expenditures, this is not specifically required by the bill. Furthermore, it can be done without the significant expenditures estimated by DHR. For example, once a sign is created for distribution to each local school system, DHR can produce 500 posters and 5,000 brochures for approximately \$6,500, based on estimates provided by DHR. Accordingly, the estimate above includes expenditures of \$6,500 annually to produce posters and brochures and assumes that DHR uses those funds to ensure that signs and information regarding the hotline are routinely updated and made available for placement in public places.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Harford, Montgomery, and Queen Anne’s counties; Maryland State Department of Education; Department of Human Resources; Department of Legislative Services

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mm/jc

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