

SENATE BILL 131

D4
SB 679/17 – JPR

8lr1320

By: **Senators Zirkin and Lee**

Introduced and read first time: January 11, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Child Abuse and Neglect – Training**

3 FOR the purpose of requiring that each health practitioner, police officer, educator, and
4 human service worker in this State receive periodic training on the obligation to
5 report child abuse and neglect and on the identification of abused and neglected
6 children; and generally relating to child abuse and neglect.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 5–704
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2017 Supplement)

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

14 **Article – Family Law**

15 5–704.

16 (a) Notwithstanding any other provision of law, including any law on privileged
17 communications, each health practitioner, police officer, educator, or human service
18 worker, acting in a professional capacity in this State:

19 (1) who has reason to believe that a child has been subjected to abuse or
20 neglect, shall notify the local department or the appropriate law enforcement agency; and

21 (2) if acting as a staff member of a hospital, public health agency, child care
22 institution, juvenile detention center, school, or similar institution, shall immediately
23 notify and give all information required by this section to the head of the institution or the
24 designee of the head.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) An individual who notifies the appropriate authorities under subsection
2 (a) of this section shall make:

3 (i) an oral report, by telephone or direct communication, as soon as
4 possible to the local department or appropriate law enforcement agency; and

5 (ii) a written report:

6 1. to the local department not later than 48 hours after the
7 contact, examination, attention, or treatment that caused the individual to believe that the
8 child had been subjected to abuse or neglect; and

9 2. with a copy to the local State's Attorney.

10 (2) (i) An agency to which an oral report of suspected abuse or neglect
11 is made under paragraph (1) of this subsection shall immediately notify the other agency.

12 (ii) This paragraph does not prohibit a local department and an
13 appropriate law enforcement agency from agreeing to cooperative arrangements.

14 (c) Insofar as is reasonably possible, an individual who makes a report under this
15 section shall include in the report the following information:

16 (1) the name, age, and home address of the child;

17 (2) the name and home address of the child's parent or other person who is
18 responsible for the child's care;

19 (3) the whereabouts of the child;

20 (4) the nature and extent of the abuse or neglect of the child, including any
21 evidence or information available to the reporter concerning possible previous instances of
22 abuse or neglect; and

23 (5) any other information that would help to determine:

24 (i) the cause of the suspected abuse or neglect; and

25 (ii) the identity of any individual responsible for the abuse or neglect.

26 **(D) EACH HEALTH PRACTITIONER, POLICE OFFICER, EDUCATOR, AND**
27 **HUMAN SERVICE WORKER IN THIS STATE SHALL RECEIVE PERIODIC TRAINING ON:**

28 **(1) THE OBLIGATION TO REPORT ABUSE AND NEGLECT AS REQUIRED**
29 **BY THIS SECTION; AND**

1 **(2) THE IDENTIFICATION OF ABUSED AND NEGLECTED CHILDREN.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2018.