

# SENATE BILL 490

O1, O4, J1

(8lr1740)

## ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by **Senators Kelley, Astle, Brochin, Currie, Eckardt, Feldman, Guzzone, Kagan, Kasemeyer, Lee, Muse, Nathan-Pulliam, Oaks, Robinson, Smith, Young, and Zucker**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Child Abuse and Neglect – Disclosure of Identifying Information ~~and~~**  
3 **Investigations**

4 FOR the purpose of requiring a court to provide the Secretary of Health with identifying  
5 information regarding an individual who has been convicted under certain provisions  
6 of law of the murder, attempted murder, or manslaughter of a child; ~~requiring a local~~  
7 ~~department to open an investigation of child abuse or neglect if the local department~~  
8 ~~is prevented from accessing a child born to an individual whose identifying~~  
9 ~~information has been provided to the Secretary under certain provisions of law while~~  
10 ~~providing a certain assessment;~~ altering the period of time for which the Secretary  
11 must provide certain birth record information to the Executive Director of the Social  
12 Services Administration; requiring the Department of Human Services, in  
13 coordination with the Vital Statistics Administration of the Maryland Department

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 of Health, to contract with an independent organization to develop a data collection  
 2 process in order to assess, using certain criteria, the effectiveness of certain required  
 3 record sharing in predicting and preventing various forms of child abuse and neglect,  
 4 to explore other predictors of child abuse and neglect, and to make certain  
 5 recommendations; making stylistic changes; and generally relating to child abuse  
 6 and neglect.

7 BY repealing and reenacting, with amendments,  
 8 Article – Family Law  
 9 Section 5–715  
 10 Annotated Code of Maryland  
 11 (2012 Replacement Volume and 2017 Supplement)

12 BY repealing and reenacting, with amendments,  
 13 Article – Health – General  
 14 Section 4–222  
 15 Annotated Code of Maryland  
 16 (2015 Replacement Volume and 2017 Supplement)

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

19 **Article – Family Law**

20 5–715.

21 (a) **(1)** The Executive Director of the Administration shall provide the  
 22 Secretary of Health with identifying information regarding [individuals] **AN INDIVIDUAL**  
 23 who, as to any child, [have] **HAS** had [their] **THE INDIVIDUAL’S** parental rights terminated  
 24 under § 5–322 or § 5–323 of this title and [have] **HAS** been identified as responsible for  
 25 abuse or neglect in a central registry as described in § 5–714(d) of this subtitle.

26 **(2) A COURT SHALL PROVIDE THE SECRETARY OF HEALTH WITH**  
 27 **IDENTIFYING INFORMATION REGARDING AN INDIVIDUAL WHO HAS BEEN**  
 28 **CONVICTED UNDER TITLE 2, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE OF THE**  
 29 **MURDER, ATTEMPTED MURDER, OR MANSLAUGHTER OF A CHILD.**

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

34 (1) verify that the parent of the child is the same individual described in  
 35 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[, when appropriate,] provide an assessment of the family and offer services if needed.

~~(C) A LOCAL DEPARTMENT SHALL OPEN AN INVESTIGATION IF THE LOCAL DEPARTMENT IS PREVENTED FROM ACCESSING THE CHILD WHILE PROVIDING AN ASSESSMENT UNDER SUBSECTION (B) OF THIS SECTION.~~

**Article – Health – General**

4–222.

The Secretary shall provide to the Executive Director of the Social Services Administration in the Department of Human Services birth record information for a child born to an individual whose identifying information has been provided to the Secretary within the previous [5] ~~20~~ 10 years by the Executive Director **OR A COURT** under § 5–715 of the Family Law Article.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Human Services, in coordination with the Vital Statistics Administration of the Maryland Department of Health, shall contract with an independent entity to develop a data collection process to assess the effectiveness of current procedures requiring the sharing of certain records between the Social Services Administration and the Maryland Department of Health in predicting and preventing child abuse and neglect by calculating the sensitivity, specificity, and the positive or negative predictive value of current procedures, exploring other predictors of child abuse and neglect, and making recommendations on how to better target record-sharing activities.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.