

Chapter 630

(House Bill 1330)

AN ACT concerning

Child Abuse and Neglect – Reports and Records – Disclosure to Division of Parole and Probation

FOR the purpose of requiring the disclosure of a report or record of child abuse or neglect to the Division of Parole and Probation in the Department of Public Safety and Correctional Services if the local department of social services has reason to believe ~~or learns~~ that an individual who is living in or has a regular presence in a child's home is ~~under the supervision of the Division of Parole and Probation~~ registered on the offender registry based on the commission of an offense against a child; and generally relating to disclosure of reports and records of child abuse and neglect.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 1–202(b)

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)

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

Article – Human Services

1–202.

(b) A report or record concerning child abuse or neglect shall be disclosed:

(1) under a court order;

(2) under an order of an administrative law judge, if:

(i) the request for disclosure concerns a case pending before the Office of Administrative Hearings; and

(ii) provisions are made to comply with other State or federal confidentiality laws and to protect the identity of the reporter or other person whose life or safety is likely to be endangered by the disclosure; [or]

(3) on a written request, to the Baltimore City Health Department:

(i) if the Baltimore City Health Department is providing treatment or care to a child who is the subject of a report of child abuse or neglect, for a purpose relevant to the provision of the treatment or care;

(ii) if the record or report concerns a child convicted of a crime or adjudicated delinquent for an act that caused a death or near fatality; or

(iii) if the record or report concerns a victim of a crime of violence, as defined in § 14-101 of the Criminal Law Article, who is a child residing in Baltimore City, for the purpose of developing appropriate programs and policies aimed at reducing violence against children in Baltimore City; **OR**

(4) TO THE DIVISION OF PAROLE AND PROBATION IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IF, AS A RESULT OF A REPORT OR INVESTIGATION OF SUSPECTED CHILD ABUSE OR NEGLECT, THE LOCAL DEPARTMENT OF SOCIAL SERVICES HAS REASON TO BELIEVE ~~OR LEARNS~~ THAT AN INDIVIDUAL WHO LIVES IN OR HAS A REGULAR PRESENCE IN A CHILD'S HOME IS ~~UNDER THE SUPERVISION OF THE DIVISION OF PAROLE AND PROBATION~~ REGISTERED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE BASED ON THE COMMISSION OF AN OFFENSE AGAINST A CHILD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 20, 2010.