



## PROVIDER ALERT

### CHILD ABUSE AND NEGLECT INFORMATION

SEPTEMBER 10, 2013

#### Summary of Maryland law on reporting child abuse & neglect:

#### DHMH staff and DHMH –licensed agencies

1. All persons are required to report suspected child abuse or neglect. However, certain professionals must report it to specific agencies, orally and in writing. Other persons can make an oral or written report to a local department of social services or to the local police.

2. Fam. Law Art., §5-704: Professional reporters (“mandatory reporters”): **Health practitioners** and “**human services workers**” (see below for whom this includes) must report:

- (a) If, in their professional capacity,
- (b) They obtain **reason to believe** a child has been subjected to abuse or neglect.

They shall make the report to the local department of social services (LDSS) or police;

**AND**

**They must make both an oral AND a written report, as follows:**

- (a) an oral report as soon as possible to LDSS or police; **AND**
- (b) a written report within 48 hours after the contact to LDSS, with copy to the local State’s Attorney. **ALSO**, if they learn of suspected abuse or neglect



## PROVIDER ALERT

while acting as a staff member of a health facility or public health agency, they must report it to the head of the facility or agency, in accordance with the facility's or agency's procedures.

“**Human service workers**” are: professional employees of a public OR private health facility, a social services agency or institution, **or a licensed facility**. Fam. Law Art., §5-701(g).

3. Fam. Law Art., §5-705: applies to **everyone else**:
  - (a) Shall notify LDSS OR police,
  - (b) Orally or in writing.
4. There is NO criminal penalty at this time for not reporting child abuse or neglect in Maryland.
5. There is NO civil penalty at this time for not reporting child abuse or neglect in Maryland.
6. However, failure to report could result in a complaint to the professional's licensing board.
7. Also, effective October 1, 2013, it is a criminal misdemeanor to **intentionally prevent** someone from reporting abuse or neglect, or to intentionally interfere with someone making such a report. The penalty is five years in prison and/or a \$10,000 fine. Family Law Art., §5-705.2.