

HOUSE BILL 790

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By: **Delegates Montgomery, Ali, Barkley, Benson, Bronrott, Carr, Dumais, Feldman, Gutierrez, Haddaway, Hecht, Hubbard, Hucker, Kipke, Kullen, Lee, Mizeur, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, and Simmons**

Introduced and read first time: February 6, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Child Abuse Medical Providers**
3 **Initiative**

4 FOR the purpose of altering the name of a certain initiative in the Department of
5 Health and Mental Hygiene; altering the duties of the Child Abuse Medical
6 Providers (Maryland CHAMP) Faculty; authorizing Maryland CHAMP to
7 receive certain information from and consult with the Department; altering the
8 name of a certain initiative that the Governor is required to include funding for
9 in the State budget in a certain fiscal year; altering the name of a certain
10 initiative that the Governor is required to include certain amounts for in the
11 annual budget bill in certain fiscal years; and generally relating to the Child
12 Abuse Medical Providers (Maryland CHAMP) Initiative in the Department of
13 Health and Mental Hygiene.

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 13–2201, 13–2202, 13–2203, 13–2204, 13–2206, and 13–2207(c)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2007 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Health – General
21 Section 13–2207(a) and (b)
22 Annotated Code of Maryland
23 (2005 Replacement Volume and 2007 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Health – General**

2 13–2201.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) [“Center of Excellence”] **“CHILD ABUSE MEDICAL PROVIDERS**
5 **(MARYLAND CHAMP)”** means a [local or regional multidisciplinary team of]
6 **NETWORK OF MARYLAND** health care professionals [and health care facilities] with
7 the expertise to [diagnose] **ADDRESS THE PREVENTION, DIAGNOSIS** and [treat]
8 **TREATMENT OF** child abuse and neglect **WHILE WORKING CLOSELY WITH OTHER**
9 **DISCIPLINES AND ORGANIZATIONS ADDRESSING THESE ISSUES, INCLUDING**
10 **CHILD ADVOCACY CENTERS.**

11 (c) [“Centers of Excellence”] **“CHILD ABUSE MEDICAL PROVIDERS**
12 **(MARYLAND CHAMP) faculty”** means a core group of clinical experts, as designated
13 by the Department, who provide training, consultation, and support for the diagnosis
14 and treatment of child abuse and neglect to health care professionals.

15 (d) “Child advocacy center” means [an] **A CHILD–FOCUSED** entity within or
16 outside a health care facility that [diagnoses] **INVESTIGATES, DIAGNOSES,** and
17 treats [child abuse and neglect] **CHILDREN WHO MAY HAVE BEEN ABUSED OR**
18 **NEGLECTED THAT:**

19 **(1) INCLUDES LOCAL LAW ENFORCEMENT OFFICERS, LOCAL**
20 **CRIMINAL PROSECUTORS, AND THE LOCAL DEPARTMENT OF SOCIAL SERVICES;**
21 **AND**

22 **(2) MAY INCLUDE CHILD MENTAL HEALTH SERVICE PROVIDERS**
23 **AND OTHER CHILDREN AND FAMILY SERVICE PROVIDERS.**

24 (e) “Initiative” means the Child Abuse [and Neglect Centers of Excellence]
25 **MEDICAL PROVIDERS (MARYLAND CHAMP) Initiative.**

26 (f) “Multidisciplinary team” means a group of professionals with expertise in
27 various health care and social service professional disciplines who provide
28 consultation, treatment, and planning in cases of child abuse and neglect.

29 13–2202.

30 (a) There is a Child Abuse [and Neglect Centers of Excellence] **MEDICAL**
31 **PROVIDERS (MARYLAND CHAMP) Initiative** in the Department.

32 (b) The purposes of the Initiative are:

- 1 (1) To improve the protection of children in the State;
- 2 (2) To recruit local physicians to gain clinical expertise in the
3 diagnosis and treatment of child abuse and neglect;
- 4 (3) To develop and guide the practice of local or regional
5 multidisciplinary teams to improve the **MEDICAL** assessment and treatment of
6 children who are the subject of a child abuse or neglect investigation or a child in need
7 of assistance;
- 8 (4) To facilitate the appropriate prosecution of criminal child abuse
9 and neglect; and
- 10 (5) To provide expert consultation and training to local or regional
11 multidisciplinary teams in the diagnosis and treatment of physical child abuse and
12 neglect and sexual abuse through teleconferencing and on-site services.

13 13-2203.

14 The [Centers of Excellence] **CHILD ABUSE MEDICAL PROVIDERS**
15 **(MARYLAND CHAMP)** faculty shall:

- 16 (1) Assist local and regional jurisdictions to develop standards and
17 protocols for the composition and operation of local or regional [Centers of Excellence]
18 **CHILD ABUSE MEDICAL PROVIDERS (MARYLAND CHAMP)**;
- 19 (2) Provide training and consultation to local or regional [Centers of
20 Excellence] **CHILD ABUSE MEDICAL PROVIDERS (MARYLAND CHAMP)** in the
21 diagnosis and treatment of child abuse and neglect;
- 22 (3) [Inventory existing academic and emergency resources available
23 for teleconferencing and facilitate the use of these resources for child abuse and
24 neglect investigations and treatment plans; and
- 25 (4)] Provide financial support to part-time local and regional expert
26 clinic staff for the diagnosis and treatment of child abuse and neglect;
- 27 (4) **COLLABORATE WITH LOCAL OR REGIONAL CHILD ADVOCACY**
28 **CENTERS AND FORENSIC NURSE EXAMINER PROGRAMS; AND**
- 29 (5) **HELP ASSURE THAT MEDICAL PROFESSIONALS HAVE ACCESS**
30 **TO INFORMATION ON HOW TO COOPERATE WITH LOCAL DEPARTMENTS OF**
31 **SOCIAL SERVICES, CHILD ADVOCACY CENTERS, AND LOCAL LAW ENFORCEMENT**
32 **OFFICERS TO:**

1 (I) PROTECT CHILDREN FROM TRAUMA DURING THE
2 PROCESS OF CHILD ABUSE AND NEGLECT INVESTIGATIONS AND PROSECUTION;

3 (II) MINIMIZE THE NUMBER OF TIMES EACH CHILD IS
4 INTERVIEWED AND EXAMINED; AND

5 (III) MINIMIZE THE POTENTIAL FOR INFLUENCING A CHILD'S
6 STATEMENT.

7 13-2204.

8 A [Center of Excellence] CHILD ABUSE MEDICAL PROVIDER (MARYLAND
9 CHAMP) may receive information from the Department and may consult with the
10 Department on any case:

11 (1) Referred from the Children in Need of Assistance program;

12 (2) Concerning a child committed to the Department or a local
13 department of social services; or

14 (3) Concerning a child who is the subject of a child abuse or neglect
15 investigation.

16 13-2206.

17 (a) In fiscal year 2007, the Governor shall include in the State budget an
18 appropriation in the amount of \$225,000 for the Child Abuse [and Neglect Centers of
19 Excellence] MEDICAL PROVIDERS (MARYLAND CHAMP) Initiative.

20 (b) In each fiscal year beginning with fiscal 2008, the Governor shall include
21 in the annual budget bill submitted to the General Assembly a General Fund
22 appropriation for the Child Abuse [and Neglect Centers of Excellence] MEDICAL
23 PROVIDERS (MARYLAND CHAMP) Initiative in an amount not less than the
24 amount of the General Fund appropriation for the Initiative as approved in the State
25 budget as enacted by the General Assembly for the prior fiscal year, increased by not
26 less than the percentage by which the projected total General Fund revenues for the
27 upcoming fiscal year exceed the revised estimate of total General Fund revenues for
28 the current fiscal year, as contained in the report of the estimated State revenues
29 submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of the
30 State Finance and Procurement Article.

31 (c) The Office of Legislative Audits shall audit the accounts and transactions
32 of the Child Abuse [and Neglect Centers of Excellence] MEDICAL PROVIDERS
33 (MARYLAND CHAMP) Initiative in accordance with §§ 2-1220 through 2-1227 of
34 the State Government Article.

1 13-2207.

2 (a) In this section, "Fund" means the Children's Trust Fund.

3 (b) There is a Children's Trust Fund.

4 (c) The purpose of the Fund is to provide funding for the Child Abuse [and
5 Neglect Centers of Excellence] **MEDICAL PROVIDERS (MARYLAND CHAMP)**
6 Initiative.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2008.