

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 542 - L.D. 1325

**An Act to Make Permanent the Submission of Certain Reports Concerning
Child Welfare to the Legislature**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §4004, sub-§1, ¶E, as amended by PL 2021, c. 550, §1, is further amended to read:

E. Establishing a child death and serious injury review panel for reviewing deaths and serious injuries to children. The panel consists of the following members: the Chief Medical Examiner, a pediatrician, a public health nurse, forensic and community mental health clinicians, law enforcement officers, departmental child welfare staff, district attorneys, criminal or civil assistant attorneys general and the ombudsman pursuant to section 4087-A or a designee of the ombudsman.

The purpose of the panel is to recommend to state and local agencies methods of improving the child protection system, including modifications of statutes, rules, policies and procedures. Beginning January 1, 2023 and every 2 years thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters;

The panel shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters at least every 3 months. The panel may submit a combined report with the child welfare advisory panel established in section 4010-D or any judicial branch task force or panel with a focus on the child welfare system or child protective proceedings. Any presentation of the report to the committee must be presented by the citizen members of the panels to the extent possible. Each quarterly report must contain, at a minimum, the following:

- (1) A summary of generalized and anonymized observations in the prior 3-month period regarding efforts by the Office of Child and Family Services to improve the child welfare system;
- (2) A summary of the collaboration between the child welfare advisory panel and the child death and serious injury review panel as well as any judicial branch task

force or panel with a focus on the child welfare system or child protective proceedings; and

(3) Any recommendations on how to further protect the State's children through department policy and rulemaking and through legislation;

Sec. 2. 22 MRSA §4010-D, as enacted by PL 2019, c. 28, §1, is repealed and the following enacted in its place:

§4010-D. Child welfare advisory panel; annual report

1. Annual report. The child welfare advisory panel shall submit a report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the activities of and reports produced by the child welfare advisory panel formed pursuant to the federal Children's Justice Act, 42 United States Code, Section 5106a to make policy and training recommendations for system improvements in the investigative, administrative and judicial handling of child abuse, neglect and exploitation cases and child maltreatment-related fatalities.

2. Child welfare advisory panel quarterly report. The child welfare advisory panel shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters at least every 3 months. The advisory panel may submit a combined report with the child death and serious injury review panel established in section 4004, subsection 1, paragraph E or any judicial branch task force or panel with a focus on the child welfare system or child protective proceedings. Any presentation of the report to the committee must be presented by the citizen members of the panels to the extent possible. Each quarterly report must contain, at a minimum, the following:

A. A summary of generalized and anonymized observations in the prior 3-month period regarding efforts by the Office of Child and Family Services to improve the child welfare system;

B. A summary of the collaboration between the child welfare advisory panel and the child death and serious injury review panel as well as any judicial branch task force or panel with a focus on the child welfare system or child protective proceedings; and

C. Any recommendations on how to further protect the State's children through department policy and rulemaking and through legislation.

Sec. 3. 22 MRSA §4010-E is enacted to read:

§4010-E. Office of Child and Family Services report

The Office of Child and Family Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters at least every 3 months. Each quarterly report shall describe the department's efforts to protect the State's children and may include but is not limited to prevention efforts; training programs; development and implementation of strategic plans, priorities and initiatives; data reports; staffing updates; child placements; implementation of requirements in prior enacted bills or budgets; interactions with citizen review panels established pursuant to the federal Children's Justice Act, 42 United States Code, Section 5106a; and any other subject matter requested by the joint standing committee.