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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 542, L.D. 1325, “An Act to Make Permanent the Submission of Certain Reports to the Legislature Concerning Child Welfare”

Amend the bill by striking out the title and substituting the following:

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

Amend the bill by striking out everything after the enacting clause and inserting the following:

'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:

COMMITTEE AMENDMENT

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

4 (2) A summary of the collaboration between the child welfare advisory panel and
5 the child death and serious injury review panel as well as any judicial branch task
6 force or panel with a focus on the child welfare system or child protective
7 proceedings; and

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

10 **Sec. 2. 22 MRSA §4010-D**, as enacted by PL 2019, c. 28, §1, is repealed and the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

12 **§4010-D. Child welfare advisory panel; annual report**

13 **1. Annual report.** The child welfare advisory panel shall submit a report annually to
14 the joint standing committee of the Legislature having jurisdiction over health and human
15 services matters on the activities of and reports produced by the child welfare advisory
16 panel formed pursuant to the federal Children's Justice Act, 42 United States Code, Section
17 5106a to make policy and training recommendations for system improvements in the
18 investigative, administrative and judicial handling of child abuse, neglect and exploitation
19 cases and child maltreatment-related fatalities.

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

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

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

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

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

37 **§4010-E. Office of Child and Family Services report**

38 The Office of Child and Family Services shall submit a report to the joint standing
39 committee of the Legislature having jurisdiction over health and human services matters at
40 least every 3 months. Each quarterly report shall describe the department's efforts to protect
41 the State's children and may include but is not limited to prevention efforts; training
42 programs; development and implementation of strategic plans, priorities and initiatives;
43 data reports; staffing updates; child placements; implementation of requirements in prior

1 enacted bills or budgets; interactions with citizen review panels established pursuant to the
2 federal Children's Justice Act, 42 United States Code, Section 5106a; and any other subject
3 matter requested by the joint standing committee.'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
5 number to read consecutively.

6 **SUMMARY**

7 This amendment replaces the bill. It replaces references to the Maine justice for
8 children task force with any judicial branch task force or panel with a focus on the child
9 welfare system or child protective proceedings. It requires the child welfare advisory panel,
10 rather than the Department of Health and Human Services, to provide an annual report. It
11 changes the bill's requirements for quarterly reports from the Office of Child and Family
12 Services to a more general report that may include but is not limited to prevention efforts;
13 training programs; development and implementation of strategic plans, priorities and
14 initiatives; data reports; staffing updates; child placements; implementation of
15 requirements in prior enacted bills or budgets; interactions with citizen review panels; and
16 any other subject matter requested by the joint standing committee of the Legislature
17 having jurisdiction over health and human services matters.