



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 409

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H.P. 318

House of Representatives, January 29, 2019

### An Act To Allow Fair Access to Child Advocacy Center Records

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative WARREN of Hallowell.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: BAILEY of Saco, DUNPHY of Old Town, HARNETT of Gardiner.

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

2 **Sec. 1. 22 MRSA §4019, sub-§9**, as enacted by PL 2013, c. 364, §1, is amended  
3 to read:

4 **9. Confidential records.** The files, reports, records, communications and working  
5 papers used or developed in providing services under this section are confidential and are  
6 not public records for purposes of Title 1, chapter 13, subchapter 1. Information may be  
7 disclosed only to the following in order for them to carry out their duties:

8 A. The department, department employees, law enforcement agencies, prosecuting  
9 attorneys, medical professionals and other state agencies that provide services to  
10 children and families;

11 B. The attorney for a child who is the subject of confidential records; ~~and~~

12 C. A guardian ad litem appointed under section 4005 for a child who is the subject of  
13 confidential records;;

14 D. An attorney representing a person charged with committing a crime related to an  
15 allegation of child sexual abuse or other child abuse and neglect against a child who  
16 is the subject of confidential records; and

17 E. An attorney in a child protection proceeding representing a parent of a child who  
18 is the subject of confidential records.

19 **SUMMARY**

20 This bill allows confidential information related to services provided by a child  
21 advocacy center established pursuant to the Maine Revised Statutes, Title 22, section  
22 4019 to be disclosed to an attorney representing a person charged with committing a  
23 crime related to an allegation of child sexual abuse or other child abuse and neglect  
24 against a child who is the subject of confidential records and an attorney in a child  
25 protection proceeding representing a parent of a child who is the subject of confidential  
26 records.