



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1024

S.P. 349

In Senate, March 14, 2013

**An Act To Enhance Enforcement of the Mandatory Reporting of
Abuse and Neglect**

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative FREDETTE of Newport.

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

2 **Sec. 1. 22 MRSA §4008, sub-§3, ¶J,** as amended by PL 2007, c. 371, §5, is
3 further amended to read:

4 J. To a juvenile court when the child who is the subject of the records has been
5 brought before the court pursuant to Title 15, Part 6; ~~and~~

6 **Sec. 2. 22 MRSA §4008, sub-§3, ¶K,** as enacted by PL 2007, c. 371, §6, is
7 amended to read:

8 K. A relative or other person whom the department is investigating for possible
9 custody or placement of the child; and

10 **Sec. 3. 22 MRSA §4008, sub-§3, ¶L** is enacted to read:

11 L. To a licensing board of a mandated reporter, in the case of a mandated reporter
12 under section 4011-A, subsection 1 who appears to have failed to make a required
13 report. Any information disclosed by the department personally identifying a
14 licensee's client or patient remains confidential and may be used only in a proceeding
15 as provided by Title 5, section 9057, subsection 6.

16 **SUMMARY**

17 This bill requires the Department of Health and Human Services to make a report,
18 which may include confidential child protection information, to the licensing board of a
19 professional who appears to have violated the mandatory reporting law. The licensing
20 board and licensee are required to keep the information confidential, and its use in a
21 disciplinary proceeding would be governed by the existing procedures in the Maine
22 Revised Statutes, Title 5, section 9057, subsection 6.