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April 9, 2025

Senator Ingwersen, Chair  
Representative Meyer, Chair  
Members, Joint Standing Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 1233 – *An Act to Modify Confidentiality Laws to Protect Children Placed into Custody by the Department of Health and Human Services*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information in opposition to LD 1233, *An Act to Modify Confidentiality Laws to Protect Children Placed into Custody by the Department of Health and Human Services*.

This bill would create a new mandatory disclosure provision within 22 MRSA §4008 that would require disclosure to “an agency or department involved in the placement of a child if a record of past substance use or domestic abuse by a person being considered for custody of the child exists.”

OCFS is opposed to this bill as it represents an unnecessary statutory change. The title of the bill indicates the bill is intended to apply to placement of children who are in the Department’s custody. OCFS already has access to all of our own records and utilizes those for the purpose of placing a child. The bill’s language references “person being considered for custody”, which is only relevant when considering adoption, otherwise children are placed in resource or kinship homes, but they remain in the Department’s custody.

OCFS already reviews and considers its records as part of the licensing process for prospective resource parents, as well as for potential kinship placements. OCFS already has access to all of its own records and thus does not need a statutory mandatory disclosure provision and considers both past substance use and domestic violence, as well as any subsequent information or mitigating factors.

OCFS would urge the Committee to vote ought not to pass on LD 1233.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

*Bobbi L. Johnson, LMSW*

Bobbi L. Johnson, LMSW  
Director  
Office of Child and Family Services  
Maine Department of Health and Human Services