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Public Law
124th Legislature
Second Regular Session

Chapter 558
S.P. 609 - L.D. 1602

An Act To Clarify the Child Abuse or Neglect Substantiation Process

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

Sec. 1. 22 MRSA §4004, sub-§2, ¶C, as amended by PL 2001, c. 559, Pt. CC, §1, is repealed.

Sec. 2. 22 MRSA §4004, sub-§2, ¶C-1 is enacted to read:

C-1. Determine in each case investigated under paragraph B whether or not a child has been harmed and the degree of harm or threatened harm by a person responsible for the care of that child by deciding whether allegations are unsubstantiated, indicated or substantiated. Each allegation must be considered separately and may result in a combination of findings.

The department shall adopt rules that define "unsubstantiated," "indicated" and "substantiated" findings for the purposes of this paragraph and that specify an individual's rights to appeal the department's findings. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2A;

Effective July 12, 2010