

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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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**

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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", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

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

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

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

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

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

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

**Sec. 3. 22 MRSA §4008, sub-§3, ¶1 is enacted to read:**

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

## SUMMARY

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