

MAINE STATE LEGISLATURE

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SAC
ROF

L.D. 1960

2 Date: 3/22/22

(Filing No. S-453)

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE

6

SENATE

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130TH LEGISLATURE

8

SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to S.P. 698, L.D. 1960, "An Act To Make
10 Changes to the Laws Governing the Child Welfare Services Ombudsman Program"

11 Amend the bill by inserting before section 1 the following:

12 **Sec. 1. 22 MRSA §4004, sub-§1, ¶E**, as amended by PL 2017, c. 473, §1, is further
13 amended to read:

14 E. Establishing a child death and serious injury review panel for reviewing deaths and
15 serious injuries to children. The panel consists of the following members: the Chief
16 Medical Examiner, a pediatrician, a public health nurse, forensic and community
17 mental health clinicians, law enforcement officers, departmental child welfare staff,
18 district attorneys and, criminal or civil assistant attorneys general and the ombudsman
19 pursuant to section 4087-A or a designee of the ombudsman.

20 The purpose of the panel is to recommend to state and local agencies methods of
21 improving the child protection system, including modifications of statutes, rules,
22 policies and procedures. Beginning January 1, 2023 and every 2 years thereafter, the
23 department shall submit a report to the joint standing committee of the Legislature
24 having jurisdiction over health and human services matters;

25 **Sec. 2. 22 MRSA §4008, sub-§3-A**, as enacted by PL 1993, c. 294, §4, is amended
26 to read:

27 **3-A. Confidentiality.** The proceedings and records of the child death and serious
28 injury review panel created in accordance with section 4004, subsection 1, paragraph E are
29 confidential and are not subject to subpoena, discovery or introduction into evidence in a
30 civil or criminal action. The commissioner shall disclose conclusions of the review panel
31 upon request and recommendations pursuant to section 4004, subsection 1, paragraph E,
32 but may not disclose data that is otherwise classified as confidential.'

33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
34 number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment includes the ombudsman or the ombudsman's designee as a member of the child death and serious injury review panel established by the Department of Health and Human Services and requires that the panel, beginning January 1, 2023 and every 2 years thereafter, submit a report on the panel's recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters.