

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2095

S.P. 888

In Senate, January 3, 2024

An Act to Require Reporting of Child Abuse and Neglect to Military Family Advocacy Programs

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services 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 President JACKSON of Aroostook.
Cosponsored by Representative DODGE of Belfast and
Senators: BEEBE-CENTER of Knox, INGWERSEN of York, MOORE of Washington,
Representative: MEYER of Eliot.

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

2 **Sec. 1. 22 MRSA §4004, sub-§2, ¶F**, as amended by PL 2007, c. 586, §8, is further
3 amended to read:

4 F. File a petition under section 4032 if, after investigation, the department determines
5 that a child is in immediate risk of serious harm or in jeopardy as defined in this chapter;
6 ~~and~~

7 **Sec. 2. 22 MRSA §4004, sub-§2, ¶G**, as enacted by PL 2007, c. 586, §9, is
8 amended by amending subparagraph (2) to read:

9 (2) The degree of threatened harm to any other child for whom the person or
10 persons responsible for the deceased child may be responsible now or in the future;
11 and

12 **Sec. 3. 22 MRSA §4004, sub-§2, ¶H** is enacted to read:

13 H. If an allegation of abuse or neglect against a parent or legal guardian of the child is
14 investigated, collect information concerning the military status of the parent or legal
15 guardian who is the subject of the allegation and share information about the allegation
16 with the appropriate military authorities.

17 **Sec. 4. 22 MRSA §4008-A, sub-§6** is enacted to read:

18 **6. Military family advocacy program.** Notwithstanding any provision of law to the
19 contrary, the department shall negotiate a memorandum of understanding with the military
20 family advocacy program at a military installation, as defined in Title 20-A, section 20102,
21 subsection 11, with respect to child abuse and neglect investigations. The memorandum
22 of understanding must establish procedures and protocols for:

23 A. Identifying as military personnel a parent or legal guardian alleged to have
24 committed abuse or neglect of a child;

25 B. Reporting to a military family advocacy program when a child abuse and neglect
26 investigation implicating military personnel has been initiated; and

27 C. Maintaining confidentiality requirements under state and federal law.

28 For the purposes of this subsection, "military family advocacy program" means the
29 program established by the United States Department of Defense and provided at a military
30 installation to address child abuse and neglect in military families.

31 **SUMMARY**

32 If an allegation of abuse or neglect of a child against a parent or legal guardian of a
33 child is investigated, this bill requires the Department of Health and Human Services to
34 collect information concerning the military status of the parent or legal guardian and share
35 information about the allegation with the appropriate military authorities. It also directs the
36 department to negotiate a memorandum of understanding with family advocacy programs
37 at military installations.