

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 35A(j) be and it is hereby added to Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) to read as follows:

Article 27 - Crimes and Punishments

35A.

~~(J) THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES SHALL ADOPT RULES AND REGULATIONS TO ENSURE THE PROTECTION OF INDIVIDUAL RIGHTS. THESE SHALL INCLUDE THE FOLLOWING:~~

~~(1) NOTICE BEING SENT TO A SUSPECTED CHILD ABUSER.~~

~~(2) AN ADMINISTRATIVE HEARING FOR A SUSPECTED CHILD ABUSER.~~

~~(3) EXPUNCEMENT OF ALL REFERENCES TO A SUSPECTED CHILD ABUSER'S NAME IF HIS NAME WAS INAPPROPRIATELY PLACED IN THE CENTRAL REGISTRY.~~

(J) THE SECRETARY OF THE DEPARTMENT OF HUMAN RESOURCES SHALL ADOPT RULES AND REGULATIONS NECESSARY TO PROTECT THE RIGHTS OF SUSPECTED CHILD ABUSERS. THE RULES AND REGULATIONS SHALL INCLUDE THE FOLLOWING:

(1) NOTICE TO THE SUSPECTED CHILD ABUSER PRIOR TO THE ENTRY OF HIS NAME TO THE CHILD ABUSE CENTRAL REGISTRY.

(2) UPON REQUEST OF THE SUSPECTED CHILD ABUSER, THE DEPARTMENT OF HUMAN RESOURCES SHALL CONVENE AN ADMINISTRATIVE HEARING FOR THE PURPOSE OF ALLOWING THE SUSPECTED CHILD ABUSER TO APPEAL THIS ENTRY. THIS ADMINISTRATIVE HEARING SHALL BE CONVENED IN THE COUNTY OF THE RESIDENCE OF THE SUSPECTED CHILD ABUSER. THIS PARAGRAPH DOES NOT APPLY TO THOSE WHO HAVE BEEN ADJUDICATED A CHILD ABUSER.

(3) THE DEPARTMENT OF HUMAN RESOURCES MAY NOT ENTER INTO THE CHILD ABUSE CENTRAL REGISTRY THE NAME OF ANY PERSON, UNLESS THAT PERSON HAS:

(A) BEEN ADJUDICATED A CHILD ABUSER;
OR

(B) UNSUCCESSFULLY APPEALED THE ENTRY OF HIS NAME IN THE CHILD ABUSE CENTRAL REGISTRY THROUGH PROCEDURES ESTABLISHED BY THE DEPARTMENT AND THIS ACT; OR

(C) FAILED TO RESPOND WITHIN 15 DAYS TO NOTIFICATION BY THE DEPARTMENT OF HUMAN RESOURCES OF