

(B) CUSTODY AND TREATMENT.

THIS SECTION DOES NOT ENABLE THE SECRETARY:

(1) TO TAKE CHARGE OF A CHILD IF THE PARENT, GUARDIAN, OR OTHER PERSON WHO HAS CUSTODY OF THE CHILD OBJECTS; OR

(2) TO TREAT THE CHILD FOR A DISEASE WITHOUT THE CONSENT OF THE PARENT, GUARDIAN, OR OTHER PERSON WHO HAS CUSTODY OF THE CHILD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 38.

Throughout this section, the defined term "Secretary" is substituted for the obsolete references to the former State Board of Health and to its "official, agent or representative".

In subsection (a)(1) of this section, the former reference to investigating into the "causes of infant mortality and the diseases of pregnancy, parturition, infancy and early childhood" is deleted as unnecessary in light of the broad duty to investigate causes of disease and mortality under § 18-101 of this subtitle.

In subsection (a)(1)(iii) of this section, the more modern term "childbirth" is substituted for the term "parturition", for clarity.

In subsection (b)(1) of this section, the former restriction on entering a home is deleted as unnecessary since this section deals with the right of the Secretary to take charge of a child regardless of where the child is located.

In subsection (b)(2) of this section, the word "treat" is substituted for the phrase "attempt to enforce any treatment or correction", for clarity.

Also in subsection (b)(2) of this section, the reference to a "guardian, or other person who has custody of the child" is substituted for the reference to a "person standing in loco parentis", for clarity and conformity to subsection (b)(1) of this section.

Defined terms: "Person" § 1-101
"Secretary" § 1-101

SUBTITLE 2. REPORTS; PREVENTIVE ACTIONS.