

provides shall be at least \$1,000,000. Except as specifically provided herein, the matching fund shall be subject to Section 1(5) of this Act (Baltimore City) .....	3,500,000
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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2005.

May 20, 2005

The Honorable Michael E. Busch  
Speaker of the House  
State House  
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 900 – *Children – Records – Access by the Baltimore City Health Department*.

House Bill 900 requires the Judiciary, and the Departments of Juvenile Services, Human Resources, State Police, and Public Safety and Correctional Services to provide the Baltimore City Health Department with confidential records. The disclosure of the confidential records must concern a child under treatment or care by the Baltimore City Health Department, and the disclosure must be for a related purpose. If the disclosure concerns a victim of violence who is residing in Baltimore City, the purpose of the disclosure must be the development of appropriate programs and policies intended to reduce violence against children in Baltimore City.

The protection of the confidentiality of youth is an issue this Administration takes very seriously. I believe, however, House Bill 900 is overreaching and unnecessary under the prevailing laws of the State. House Bill 900 is overly broad and sets a bad precedent as it begins to erode the confidentiality protections surrounding the records of our youth and their families. The inability to guarantee certain protections to families regarding the confidentiality of their personal information makes the work of the agencies sworn to protect this information extremely difficult. Requiring a local department of social services to release information to an entity other than the court without any discretion on the part of the agency is irresponsible. Information from child protective services, for example, could have potential political ramifications if it is used inappropriately. The liability safeguards in the bill are inadequate.

Under current law, information relevant to the provision of treatment or care of a youth is available from the Department of Juvenile Services if the youth’s parents sign a release. Additionally, the Department of Human Resources provides, through statute, information to the local health departments. Court records, as well as police and fingerprint records, pertaining to a youth are confidential and may not be divulged except by court order on good cause shown. No one can deny the need to have the appropriate information in the hands of appropriate staff at the appropriate time. There is a workable process to obtain such information available in current law. These laws are in place to protect Maryland’s youth and to ensure they receive appropriate services.