

5-715.

(A) THE SECRETARY OF HUMAN RESOURCES SHALL ADOPT REGULATIONS NECESSARY TO PROTECT THE RIGHTS OF PERSONS SUSPECTED OF ABUSE OR NEGLECT.

(B) BEFORE THE NAME OF A PERSON WHO IS SUSPECTED OF ABUSE OR NEGLECT IS ENTERED IN THE CENTRAL REGISTRY, THE PERSON SHALL BE GIVEN NOTICE.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, ON REQUEST BY A PERSON SUSPECTED OF ABUSE OR NEGLECT, THE DEPARTMENT SHALL HOLD AN ADMINISTRATIVE HEARING FOR THE PURPOSE OF ALLOWING THE PERSON TO APPEAL THE ENTRY OF THE PERSON'S NAME IN THE CENTRAL REGISTRY.

(2) THE HEARING SHALL BE HELD IN THE COUNTY IN WHICH THE PERSON SUSPECTED OF ABUSE OR NEGLECT RESIDES.

(3) THE NAME OF A PERSON ADJUDICATED A CHILD ABUSER MAY BE ENTERED IN THE CENTRAL REGISTRY WITHOUT AN OPPORTUNITY FOR A HEARING UNDER THIS SUBSECTION.

(D) THE DEPARTMENT MAY NOT ENTER THE NAME OF A PERSON IN THE CENTRAL REGISTRY UNLESS THE PERSON HAS:

(1) BEEN ADJUDICATED A CHILD ABUSER;

(2) UNSUCCESSFULLY APPEALED THE ENTRY OF THE PERSON'S NAME IN THE CENTRAL REGISTRY UNDER PROCEDURES ESTABLISHED BY THE DEPARTMENT AND THIS SECTION; OR

(3) FAILED TO RESPOND WITHIN 15 DAYS TO NOTICE BY THE DEPARTMENT OF THE DEPARTMENT'S INTENT TO ENTER THE PERSON'S NAME IN THE CENTRAL REGISTRY.

(E) ON REQUEST BY THE PERSON, THE DEPARTMENT SHALL REMOVE THE NAME OF A PERSON SUSPECTED OF ABUSE OR NEGLECT FROM THE CENTRAL REGISTRY IF NO ENTRY HAS BEEN MADE FOR THAT PERSON FOR 7 YEARS BEFORE THE DATE OF THE REQUEST.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved June 2, 1987.

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