

(3) THIS SUBSECTION MAY NOT BE CONSTRUED AS A WAIVER OF IMMUNITY UNDER THE ELEVENTH AMENDMENT OF THE U.S. CONSTITUTION.

(F) (H) THE SECRETARY OF HUMAN RESOURCES AND THE COUNTY EXECUTIVE FOR MONTGOMERY COUNTY SHALL CONSULT WITH EACH OTHER ON AT LEAST A BIENNIAL BASIS TO ENSURE THAT THE OBJECTIVES OF THE SOCIAL SERVICE AND PUBLIC ASSISTANCE PROGRAMS ADMINISTERED BY THE MONTGOMERY COUNTY GOVERNMENT ARE CONSISTENT WITH THE OBJECTIVES OF THE STATE SOCIAL SERVICE AND PUBLIC ASSISTANCE PROGRAMS.

13B.

AS EACH REFERENCE TO A LOCAL DEPARTMENT OF SOCIAL SERVICES IN THE CODE APPLIES TO MONTGOMERY COUNTY, THE TERM MEANS THE MONTGOMERY COUNTY GOVERNMENT.

Article - Courts and Judicial Proceedings

5-354.

(a) Whether or not an individual receives compensation for the individual's services, an employee of a county health department OR OTHER LOCAL DEPARTMENT OR AGENCY functioning as a school nurse or school health aide or a member of the administrative, educational, or support staff of, or an individual who serves under a contract for services to, any public, private, or parochial school is immune from liability for:

- (1) Making a report required by law, if the individual acts on reasonable grounds;
- (2) Participating in a judicial proceeding that results from the individual's report; and
- (3) (i) Making a report to the appropriate school official or to a parent if the individual has reasonable grounds to suspect that a student is:
 - 1. Under the influence of alcoholic beverages or a controlled dangerous substance;
 - 2. In possession of alcoholic beverages or a controlled dangerous substance; or
 - 3. Involved in the illegal sale or distribution of alcoholic beverages or a controlled dangerous substance.

(ii) This paragraph is effective only to the extent that its provisions do not conflict with federal or State confidentiality laws and regulations.

5-399.2.

(b) State personnel, AS DEFINED IN § 12-101 OF THE STATE GOVERNMENT ARTICLE, are immune from suit in courts of the State and from liability in tort for a tortious act or omission that is within the scope of the public duties of the State personnel