

(iii) Assault with intent to commit rape or sexual offense, as defined in [Article 27,] § 12 of [the Code] THIS ARTICLE; or

(iv) In a juvenile court proceeding, abuse or neglect as defined in § 5-701 of the Family Law Article.

(2) An out of court statement may be admissible under this section only if:

(i) The statement was made to and is offered by:

1. A licensed physician, as defined [under] IN § 14-101 of the Health Occupations Article;

2. A licensed psychologist, as defined [under] IN § 18-101 of the Health Occupations Article;

3. A licensed social worker, as defined [under] IN § 19-101 of the Health Occupations Article; or

4. A teacher; and

(ii) The individual described under item (i) of this paragraph was acting in the course of the individual's profession when the statement was made.

(3) An out of court statement may be admissible under this section only if the statement possesses particularized guarantees of trustworthiness.

(c) (1) Under this section, an out of court statement by a child may come into evidence to prove the truth of the matter asserted in the statement:

(i) If the child's statement is not admissible under any other hearsay exception; and

(ii) Regardless of whether the child testifies.

(2) If the child does not testify, the child's out of court statement will be admissible only if there is corroborative evidence that:

(i) The defendant in a criminal proceeding had the opportunity to commit the alleged offense; or

(ii) The alleged offender in a juvenile court proceeding had the opportunity to commit the alleged abuse or neglect.

(3) In order to provide the defendant with an opportunity to prepare a response to the statement, the prosecutor shall serve on the defendant in a criminal proceeding or on the alleged offender in a juvenile court proceeding and the alleged offender's attorney, a reasonable time before the juvenile court proceeding and at least 20 days before the criminal proceeding in which the statement is to be offered into evidence, notice of:

(i) The State's intention to introduce the statement; and

(ii) The content of the statement.