

(ii) The screening authorized under subparagraph (i) of this paragraph shall be conducted by a person who:

1. Has been selected by the child's parent or guardian;
2. Has been approved by the child's health insurance carrier;

and

3. Is:

A. A qualified health, mental health, or substance abuse professional; or

B. Staff trained by a qualified health, mental health, or substance abuse professional.

(iii) Within 15 days of the date of the discussion with the child and the child's parent or guardian, the intake officer shall document whether the child's parent or guardian made an appointment for a mental health and substance abuse screening of the child who is the subject of a complaint.

(3) If, as a result of the screening authorized under paragraph (2) of this subsection, it is determined that the child is a mentally handicapped or seriously emotionally disturbed child, or is a substance abuser, the qualified health, mental health, or substance abuse professional or staff, no later than 5 working days after the screening, shall conduct a comprehensive mental health or substance abuse assessment of the child.

(4) The Department of Juvenile Justice and the Department of Health and Mental Hygiene:

(i) May not disclose to any person any information received by the Departments relating to a specific mental health and substance abuse screening or assessment conducted under this section that could identify the child who was the subject of the screening or assessment; and

(ii) May make public other information unless prohibited by law.

(5) The Secretary of Juvenile Justice and the Secretary of Health and Mental Hygiene jointly shall adopt any regulation necessary to carry out this subsection.

(d) (1) The intake officer MAY AUTHORIZE THE FILING OF A PETITION OR A PEACE ORDER REQUEST OR BOTH or the local department may authorize the filing of a petition if, based upon the complaint and the inquiry, the intake officer or the local department concludes that the court has jurisdiction over the matter and that judicial action is in the best interests of the public or the child.

(2) An inquiry need not include an interview of the child who is the subject of the complaint if the complaint alleges the commission of [a delinquent] AN act that would be a felony if committed by an adult or alleges a violation of Article 27, § 36B of the Code.