

Article 88A - Department of Human Resources

6.

(b) Except as otherwise provided in Title 5, Subtitle 7 of the Family Law Article, § 6A of this subtitle, and this section, all records and reports concerning child abuse or neglect are confidential, and their unauthorized disclosure is a criminal offense subject to the penalty set out in subsection (e) of this section. Reports or records concerning child abuse or neglect:

(1) Shall be disclosed:

(i) Under a court order; or

(ii) Under an order of an administrative law judge, if the request for disclosure concerns a case pending before the Office of Administrative Hearings and provisions are made to comply with other State or federal confidentiality laws and to protect the identity of the reporter or other person whose life or safety is likely to be endangered by disclosure; and

(2) May be disclosed on request:

(i) To personnel of local or State departments of social services, law enforcement personnel, and members of multidisciplinary case consultation teams, who are investigating a report of known or suspected child abuse or neglect or who are providing services to a child or family that is the subject of the report;

(ii) To local or State officials responsible for the administration of child protective services or child care, foster care, and adoption licensing, approval, or regulations as necessary to carry out their official functions;

(iii) To the State Council on Child Abuse and Neglect, the State Citizens Review Board for Children, or their designees, or a child fatality review team as necessary to carry out their official functions;

(iv) To a person who is the alleged child abuser or the person who is suspected of child neglect if that person is responsible for the child's welfare and provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;

(v) To a licensed practitioner who, or an agency, institution, or program which, is providing treatment or care to a child who is the subject of a report of child abuse or neglect for a purpose relevant to the provision of the treatment or care;

(vi) To a parent or other person who has permanent or temporary care and custody of a child, if provisions are made for the protection of the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information;

(vii) To the appropriate public school superintendent for the purpose of carrying out appropriate personnel OR ADMINISTRATIVE actions following a report of suspected child abuse involving a student committed by [a]: