

Maryland Child Protection Statutes

Reference: Maryland Annotated Code, Subtitle 7, 5-701 to 5-714

Definition of Child Abuse:

"... the physical injury of a child by a parent or other person who has permanent or temporary care or custody or responsibility of a child, or by any household or family members, under circumstances that indicate the child's health or welfare is significantly harmed or at risk of being significantly harmed; or sexual abuse of a child, whether physical injuries are sustained or not." (§5-701.b)

Definition of Child Neglect:

"... the leaving of a child unattended or other failure to give proper care and attention to a child by the child's parents, guardian, or custodian under circumstances that indicate the child's health or welfare is significantly harmed or placed at risk of significant harm." (§5-701.n)

Responsible Agency: Maryland Department of Social Services
Office of Family and Children's Services

Method of Reporting:

"... an oral report, by telephone or direct communication, as soon as possible to the local department or appropriate law enforcement agency; [followed by] a written report to the local department not later than 48 hours after the contact, examination, attention, or treatment... with a copy to the local State's Attorney..." (§5-704.b.1)

Mandated Reporters:

" ... each health practitioner [defined as "any person authorized to practice healing under the Health Occupations Article (§5-701.i)], police officer, or educator or human services worker, acting in a professional capacity..." (§5-704.a)

Immunity:

"Any person who makes or participated in making a report of abuse or neglect ... or participates in an investigation or a resulting judicial proceeding shall have the immunity described under § 5-632 of the Courts and Judicial Proceedings Article from civil liability or criminal penalty." (§5-708)

Privileged Communication:

"Notwithstanding any other provision of law, including any law on privileged communications, each [mandated reporter] shall notify the [proper authorities]..." (§5-704.a)

Penalties:

Failure to report -- "subject to hearing provisions, licensees (physicians) may be reprimanded, or have license suspended or revoked." (§14-504.27)