



128th MAINE LEGISLATURE

SECOND SPECIAL SESSION-2018

Legislative Document

No. 1921

S.P. 755

In Senate, August 30, 2018

**An Act To Grant the Department of Health and Human Services
Access to Criminal History Information To Achieve the Purposes of
the Child and Family Services and Child Protection Act**

Received by the Secretary of the Senate on August 20, 2018. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by President THIBODEAU of Waldo. (GOVERNOR'S BILL)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §4004, sub-§1, ¶E**, as amended by PL 2007, c. 586, §3, is
3 further amended to read:

4 E. Establishing a child death and serious injury review panel for reviewing deaths
5 and serious injuries to children. The panel consists of the following members: the
6 Chief Medical Examiner, a pediatrician, a public health nurse, forensic and
7 community mental health clinicians, law enforcement officers, departmental child
8 welfare staff, district attorneys and criminal or civil assistant attorneys general.

9 The purpose of the panel is to recommend to state and local agencies methods of
10 improving the child protection system, including modifications of statutes, rules,
11 policies and procedures; ~~and~~

12 **Sec. 2. 22 MRSA §4004, sub-§1, ¶F**, as enacted by PL 2007, c. 586, §4, is
13 amended to read:

14 F. Investigating suspicious child deaths. An investigation under this paragraph is
15 subject to and may not interfere with the authority and responsibility of the Attorney
16 General to investigate and prosecute homicides pursuant to Title 5, section 200-A-;
17 and

18 **Sec. 3. 22 MRSA §4004, sub-§1, ¶G** is enacted to read:

19 G. Requesting and receiving confidential criminal history record information, as
20 defined by Title 16, section 703, subsection 2, and public criminal history record
21 information, as defined by Title 16, section 703, subsection 8.

22 **SUMMARY**

23 This bill authorizes the Department of Health and Human Services to access public
24 and confidential criminal history record information to assist in preventing child abuse
25 and neglect.