



## House Bill 762

### *Criminal Procedure – Child Advocacy Centers – Care Providers*

MACo Position: **OPPOSE**

To: Judiciary Committee

Date: March 2, 2023

From: Sarah Sample

The Maryland Association of Counties (MACo) **OPPOSES** HB 762. This bill would mandate several procedures by Child Advocacy Centers, including written notice to clients within 48 hours of when a change in health care provider is going to take place. For the multiple county governments and law enforcement agencies that operate these centers, the bill mistakenly places obligations on a party that does not oversee the functions described.

While clear communication and protections could certainly be helpful for clients receiving services that are linked through one of these centers, counties are simply not the entity that would be able to fulfill the requirements of this bill. Most of these centers do not directly provide services or oversee therapists and medical practitioners. The vast majority have linkage agreements with a private provider for these services and, as a result, do not actually employ or oversee any clinicians. As this is the predominant structure for these centers across Maryland, the notice requirement in HB 762 presents operational concerns for a county's or law enforcement agency's ability to practically fulfill the requirements, especially with the short 48-hour timeline established in the bill. The actual providers are not required to report on service changes under HB 762, but they are the entities in the direct position to do so, if there is a public interest in ensuring such a process.

Further, a patient's confidentiality protections could be severely compromised if a government or law enforcement agency were to access patient information in the process of trying to inform clients as directed. Again, the best course to ensure legal compliance is to hold the provider accountable for any such notifications.

Counties believe any policy regarding care assignments and patient notification would be more appropriately applied to the actual providers rather than placing an unreasonable – and, potentially, legally precarious – mandate on local governments. For these reasons, MACo urges an **UNFAVORABLE** report for HB 762.