

# MedChi

*The Maryland State Medical Society*

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TO: The Honorable Luke Clippinger, Chair  
Members, House Judiciary Committee  
The Honorable Vanessa E. Atterbeary

FROM: J. Steven Wise  
Pamela Metz Kasemeyer  
Danna L. Kauffman  
Richard A. Tabuteau

DATE: February 28, 2019

RE: **OPPOSE** – House Bill 787 – *Crimes – Child Abuse and Neglect – Failure to Report*

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The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **opposes** House Bill 787.

House Bill 787 imposes a criminal penalty upon anyone who is required to make a report of child abuse under §5-704 of the Family Law Article if they knowingly fail to make the report. MedChi believes criminal penalties are not needed to incentivize physicians to report suspected abuse or neglect. Indeed, physicians understand the need to report and act upon suspected child abuse, and are already subject to professional discipline, including revocation or suspension of their license, for knowingly failing to report suspected child abuse. *See* Md. Code Ann., Health Occ §14 - 404 (a) (25).

MedChi believes the existing penalties for failing to report abuse are significant and serve the purpose of ensuring that physicians report child abuse. Imposing a criminal penalty upon physicians does not provide any greater incentive to report these cases than does the existing penalty of potentially losing their livelihood.

For these reasons, MedChi opposes House Bill 787.

**For more information call:**

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