

MedChi

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TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable Susan C. Lee

FROM: J. Steven Wise
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Richard A. Tabuteau

DATE: March 27, 2019

RE: **OPPOSE** – Senate Bill 568 – *Crimes – Child Abuse and Neglect – Failure to Report*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **opposes** Senate Bill 568.

Senate Bill 568 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 Senate Bill 568.

For more information call:

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