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By: **Chairman, Appropriations Committee (Departmental - Human Resources)**

Introduced and read first time: February 8, 2002

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Child Care Quality Incentive Grant Program**

3 FOR the purpose of establishing a Child Care Quality Incentive Grant Program in the  
4 Department of Human Resources; authorizing the Department to award grants  
5 as an incentive for child care providers to improve the quality of care being  
6 provided to children through the purchase of supplies, materials, and  
7 equipment; establishing eligibility and application requirements; authorizing  
8 the Department to set the terms and conditions for direct incentive grants ~~and~~  
9 ~~to establish certain priorities~~; making it a misdemeanor, subject to certain  
10 penalties, to make or cause certain false statements; defining certain terms; and  
11 generally relating to the Child Care Quality Incentive Grant Program.

12 BY adding to  
13 Article - Family Law  
14 Section 5-594 through 5-594.8, inclusive, to be under the new part "Part X.  
15 Child Care Quality Incentive Grant Program"  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 2001 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

PART X. CHILD CARE QUALITY INCENTIVE GRANT PROGRAM.

3 5-594.

4 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

5 (B) "CHILD CARE CENTER" HAS THE MEANING STATED IN § 5-570 OF THIS  
6 SUBTITLE.

7 (C) "CHILD CARE PROVIDER" MEANS A FAMILY DAY CARE PROVIDER OR A  
8 CHILD CARE CENTER.

9 (D) "DIRECT INCENTIVE GRANT" MEANS A GRANT AWARDED UNDER THE  
10 CHILD CARE QUALITY INCENTIVE GRANT PROGRAM.

11 (E) "FAMILY DAY CARE PROVIDER" HAS THE MEANING STATED IN § 5-559(D) OF  
12 THIS TITLE.

13 5-594.1.

14 (A) THERE IS A CHILD CARE QUALITY INCENTIVE GRANT PROGRAM  
15 ADMINISTERED BY THE DEPARTMENT.

16 (B) TO ADMINISTER DIRECT INCENTIVE GRANTS TO CHILD CARE PROVIDERS,  
17 THE DEPARTMENT MAY CONTRACT WITH STATE AGENCIES AND NONPROFIT  
18 ORGANIZATIONS.

19 5-594.2.

20 (A) THE SECRETARY OF HUMAN RESOURCES MAY DELEGATE THE AUTHORITY  
21 TO APPROVE DIRECT INCENTIVE GRANTS TO ANY BOARD THAT EXISTS OR MAY BE  
22 CREATED IN THE DEPARTMENT.

23 (B) A DIRECT INCENTIVE GRANT MADE UNDER THIS PART SHALL BE  
24 AWARDED AS AN INCENTIVE FOR A CHILD CARE PROVIDER TO IMPROVE THE  
25 QUALITY OF CARE BEING PROVIDED TO CHILDREN THROUGH THE PURCHASE OF  
26 SUPPLIES, MATERIALS, AND EQUIPMENT.

27 5-594.3.

28 (A) THE GRANT FUNDS SHALL CONSIST OF:

29 (1) MONEYS SPECIFICALLY APPROPRIATED FOR THE CHILD CARE  
30 QUALITY INCENTIVE GRANT PROGRAM; AND

31 (2) ANY OTHER MONEYS MADE AVAILABLE TO THE CHILD CARE  
32 QUALITY INCENTIVE GRANT PROGRAM.

1 (B) THE CHILD CARE QUALITY INCENTIVE GRANT PROGRAM SHALL BE USED  
2 TO:

3 (1) PAY ALL EXPENSES AND DISBURSEMENTS AUTHORIZED BY THE  
4 DEPARTMENT FOR ADMINISTERING THE CHILD CARE QUALITY INCENTIVE GRANT  
5 PROGRAM; AND

6 (2) AWARD DIRECT INCENTIVE GRANTS TO CHILD CARE PROVIDERS.

7 (C) TO BE ELIGIBLE TO RECEIVE GRANTS UNDER THIS PART, A CHILD CARE  
8 PROVIDER MUST:

9 (1) POSSESS A CERTIFICATE OF REGISTRATION OR LICENSE THAT IS  
10 CURRENT AND NOT SUBJECT TO ANY PENDING REGULATORY ACTION, INCLUDING  
11 REVOCATION AND SUSPENSION; AND

12 (2) NOT BE IN ARREARS IN THE PAYMENT OF ANY MONEYS OWED TO  
13 THE STATE, INCLUDING THE PAYMENT OF TAXES AND EMPLOYEE BENEFITS.

14 (D) ~~IN MAKING GRANTS UNDER THIS PART, CONSIDERATION SHALL BE GIVEN~~  
15 GRANTS MADE UNDER THIS PART SHALL BE LIMITED TO:

16 (1) CHILD CARE CENTERS LOCATED IN TITLE I COMMUNITIES;

17 (2) CHILD CARE CENTERS WHERE AT LEAST 25% OF THE CHILDREN  
18 ENROLLED RECEIVE SUBSIDIES THROUGH THE PURCHASE OF ~~THE~~ CHILD CARE  
19 PROGRAM; AND

20 (3) FAMILY DAY CARE HOMES THAT SERVE CHILDREN WHO RECEIVE  
21 CHILD CARE SUBSIDIES THROUGH THE PURCHASE OF ~~THE~~ CHILD CARE PROGRAM.

22 5-594.4.

23 THE DEPARTMENT MAY AWARD A DIRECT INCENTIVE GRANT TO AN APPLICANT  
24 ONLY IF:

25 (1) THE APPLICANT MEETS THE QUALIFICATIONS REQUIRED BY THIS  
26 SUBTITLE;

27 (2) THE DIRECT INCENTIVE GRANT DOES NOT EXCEED \$2,500; AND

28 (3) FEDERAL FUNDS ARE AVAILABLE TO COVER THE COST OF THE  
29 GRANT.

30 5-594.5.

31 (A) TO APPLY FOR A DIRECT INCENTIVE GRANT, AN APPLICANT SHALL  
32 SUBMIT TO THE DEPARTMENT AN APPLICATION ON THE FORM THAT THE  
33 DEPARTMENT REQUIRES.

34 (B) THE APPLICATION SHALL INCLUDE:

- 1 (1) THE NAME AND ADDRESS OF THE CHILD CARE PROVIDER;
- 2 (2) AN ITEMIZATION OF KNOWN AND ESTIMATED COSTS INCLUDING A  
3 STATEMENT FROM THE CHILD CARE PROVIDER AS TO HOW THE GRANT FUNDS WILL  
4 BE USED;
- 5 (3) THE TOTAL AMOUNT OF FUNDS REQUIRED BY THE PROVIDER TO  
6 PURCHASE SUPPLIES, MATERIAL, AND EQUIPMENT;
- 7 (4) THE FUNDS AVAILABLE TO THE APPLICANT TO PURCHASE SUPPLIES,  
8 MATERIAL, AND EQUIPMENT;
- 9 (5) THE AMOUNT OF DIRECT INCENTIVE GRANT FUNDS SOUGHT FROM  
10 THE DEPARTMENT;
- 11 (6) THE NUMBER OF CHILDREN THAT THE CHILD CARE PROVIDER  
12 SERVES WHO RECEIVE CHILD CARE SUBSIDIES THROUGH THE PURCHASE OF CHILD  
13 CARE PROGRAM; AND
- 14 (7) ANY OTHER RELEVANT INFORMATION THAT THE DEPARTMENT  
15 REQUESTS.

16 5-594.6.

17 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS PART, THE DEPARTMENT MAY  
18 SET THE TERMS AND CONDITIONS FOR DIRECT INCENTIVE GRANTS.

19 (B) ON AN ANNUAL BASIS, THE DEPARTMENT MAY ESTABLISH PRIORITIES  
20 FOR THE DISTRIBUTION OF DIRECT INCENTIVE GRANTS BASED ON THE CATEGORIES  
21 OF CHILDREN CHILD CARE PROVIDERS SERVE, INCLUDING INFANTS, TODDLERS, AND  
22 PRESCHOOL AND SCHOOL-AGE CHILDREN.

23 5-594.7.

24 (A) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE ANY FALSE STATEMENT  
25 OR REPORT TO BE MADE IN ANY APPLICATION OR IN ANY DOCUMENT FURNISHED TO  
26 THE DEPARTMENT UNDER THIS PART.

27 (B) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE ANY FALSE STATEMENT  
28 OR REPORT TO BE MADE FOR THE PURPOSE OF INFLUENCING THE ACTION OF THE  
29 DEPARTMENT ON AN APPLICATION FOR A DIRECT INCENTIVE GRANT OR FOR THE  
30 PURPOSE OF INFLUENCING ANY ACTION OF THE DEPARTMENT AFFECTING A DIRECT  
31 INCENTIVE GRANT WHETHER OR NOT SUCH A GRANT MAY HAVE ALREADY BEEN  
32 AWARDED.

33 (C) ANY PERSON OR ANY AIDER OR ABETTOR WHO VIOLATES ANY PROVISION  
34 OF THIS PART IS GUILTY OF A MISDEMEANOR, AND ON CONVICTION IS SUBJECT TO A  
35 FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT IN THE PENITENTIARY NOT  
36 EXCEEDING 1 YEAR OR BOTH.

1 5-594.8.

2 THE SECRETARY OF HUMAN RESOURCES SHALL ADOPT REGULATIONS  
3 NECESSARY TO CARRY OUT THE PURPOSES OF THIS PART.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2002.