
By: **Senator Hollinger**
Introduced and read first time: January 16, 2002
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 7, 2002

CHAPTER 302

1 AN ACT concerning

2 **Higher Education - Developmental Disabilities and Mental Health Tuition**
3 **Assistance Program**

4 FOR the purpose of altering ~~the number of credit hours required for a student to~~
5 ~~receive assistance under the Developmental Disabilities and Mental Health~~
6 ~~Workforce Tuition Assistance Program; expanding certain definitions to expand~~
7 the types of positions and community programs that satisfy a certain
8 employment requirement ~~by altering a certain definition~~ for tuition assistance
9 under the Developmental Disabilities and Mental Health Tuition Assistance
10 Program; clarifying that the academic year includes summer sessions for certain
11 purposes relating to eligibility for tuition assistance under the Program and a
12 requirement that funds be repaid under certain circumstances; altering the
13 name of the Program; providing for a delayed effective date for certain
14 provisions of this Act; and generally relating to the Developmental Disabilities
15 and Mental Health Tuition Assistance Program.

16 BY repealing and reenacting, with amendments,
17 Article - Education
18 ~~Section 18-2101(b) and 18-2107(a)~~
19 Section 18-2101(b), (c), and (e), 18-2107(a), and 18-2108
20 Annotated Code of Maryland
21 (2001 Replacement Volume)

22 BY repealing and reenacting, without amendments,
23 Article - Education
24 Section 18-2102(a)
25 Annotated Code of Maryland

1 (2001 Replacement Volume)

2 BY repealing and reenacting, with amendments,

3 Article - Education

4 Section 18-2101(b)

5 Annotated Code of Maryland

6 (2001 Replacement Volume)

7 (As enacted by Section 1 of this Act)

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

10 **Article - Education**

11 18-2101.

12 (b) "Community-based program" means any [nonprofit] community program
13 licensed by the Developmental Disabilities Administration or approved by the Mental
14 Hygiene Administration to provide habilitation, rehabilitation, residential, or related
15 community support services to individuals with developmental disabilities or mental
16 disorders.

17 18-2102.

18 (a) There is a tuition assistance program under this subtitle for use by
19 students at institutions of higher education in the State who:

20 (1) Work as direct service employees in a community-based program; or

21 (2) Agree to work as direct service employees in a community-based
22 program in the future.

23 18-2107.

24 (a) A student shall be required to repay the State any funds received under
25 the Program if the student fails to:

26 (1) Earn at least ~~{12}NINE~~ credit hours in each academic year,
27 INCLUDING SUMMER SESSIONS, in which the student receives assistance through the
28 Program;

29 (2) Make satisfactory progress toward fulfilling all degree requirements
30 of the applicable institution of higher education; or

31 (3) Complete the employment requirement of this subtitle.

32 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
33 read as follows:

Article - Education

1
2 18-2101.

3 (b) (1) "Community-based program" means:

4 (I) [any] ANY community program licensed by the Developmental
5 Disabilities Administration or approved by the Mental Hygiene Administration to
6 provide habilitation, rehabilitation, residential, or related community support
7 services to individuals with developmental disabilities or mental disorders; OR

8 (II) ANY RESIDENTIAL CHILDCARE PROGRAM LICENSED BY THE
9 DEPARTMENT OF HUMAN RESOURCES OR THE DEPARTMENT OF JUVENILE JUSTICE.

10 (c) "Direct service employee" means:

11 (1) [an] AN employee of a community-based program who primarily
12 provides:

13 [(1)] (I) Direct support or care to individuals with disabilities; or

14 [(2)] (II) First-line supervision of employees providing direct support or
15 care to individuals with disabilities; OR

16 (2) (I) AN EMPLOYEE OF A COMMUNITY-BASED PROGRAM WHO
17 PROVIDES DIRECT CARE AND SUPERVISION OF CHILDREN WHO ARE IN THE CUSTODY
18 OF A LOCAL DEPARTMENT OF SOCIAL SERVICES OR THE DEPARTMENT OF JUVENILE
19 JUSTICE; OR

20 (II) A FIRST-LINE SUPERVISOR OF EMPLOYEES WHO PROVIDE
21 DIRECT CARE AND SUPERVISION OF CHILDREN WHO ARE IN THE CUSTODY OF A
22 LOCAL DEPARTMENT OF SOCIAL SERVICES OR THE DEPARTMENT OF JUVENILE
23 JUSTICE.

24 (e) "Program" means the Developmental Disabilities [and], Mental Health,
25 CHILD WELFARE, AND JUVENILE JUSTICE Workforce Tuition Assistance Program.

26 18-2108.

27 Funds for the Developmental Disabilities [and], Mental Health, CHILD
28 WELFARE, AND JUVENILE JUSTICE Workforce Tuition Assistance Program shall be as
29 provided in the State budget.

30 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act
31 shall take effect October 1, 2003.

32 SECTION 2. 4. AND BE IT FURTHER ENACTED, That, except as provided in
33 Section 3 of this Act, this Act shall take effect October 1, 2002.