

Chapter 45

(Senate Bill 641)

AN ACT concerning

Public Health – Substance Abuse Treatment Outcomes Partnership Fund

FOR the purpose of altering the definition of “eligible populations” to allow funds from the Substance Abuse Treatment Outcomes Partnership Fund to be used for services provided to drug offenders under the supervision of certain courts; altering the information an applicant is required to include in a request for Partnership funding; repealing the requirement that the Department of Health and Mental Hygiene consult with a certain task force in evaluating a request for and awarding Partnership funding; authorizing a participating county, under certain circumstances, to use Partnership funding to continue or expand funding for eligible functions; declaring the intent of the General Assembly; defining a certain term; altering a certain definition; making conforming changes; and generally relating to the Substance Abuse Treatment Outcomes Partnership Fund.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–6C–01 and 8–6C–04
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

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

Article – Health – General

8–6C–01.

(a) In this subtitle the following words have the meanings indicated.

(B) “ELIGIBLE FUNCTIONS” INCLUDES:

(1) TRANSPORTATION TO AND FROM TREATMENT SERVICES;

(2) TREATMENT, PREVENTION, OR COORDINATION STAFF;

(3) DATA SHARING SERVICES AMONG COUNTIES AND OTHER APPROPRIATE TREATMENT PROVIDERS;

(4) EDUCATION OR OUTREACH PROGRAMS AND MATERIALS;

(5) IN-COMMUNITY EMERGENCY BEHAVIORAL HEALTH SERVICES OR CRISIS STABILIZATION UNITS; AND

(6) BEHAVIORAL HEALTH PROGRAMS IN SCHOOLS.

[(b)] (C) “Eligible population” includes:

- (1) Mothers of drug-addicted infants;
- (2) Parents of children in need of assistance;
- (3) Hospital emergency room admittees;
- (4) Needy families receiving temporary cash assistance;
- (5) Foster care children and parents;
- (6) Children in after-school programs and their parents, including children and parents in programs supported by the Maryland After-School Opportunity Fund;
- (7) Adolescents;
- (8) Parents subject to arrearages in child support payments;
- (9) Drug offenders under the supervision of the Division of Parole and Probation;
- (10) Pretrial correctional inmates;
- (11) Prerelease correctional inmates;
- (12) The general inmate population within county-managed correctional facilities; **[and]**
- (13) Parents of children entering out-of-home placements or at risk of entering out-of-home placements; **AND**

(14) DRUG OFFENDERS UNDER THE SUPERVISION OF THE PROBLEM SOLVING COURTS.

[(c)] (D) “Partnership funding” means money granted from the Substance Abuse Treatment Outcomes Partnership Fund to match local funding.

[(d)] (E) “Proposal” means a plan under this subtitle to provide new or expanded substance abuse treatment services.

[(e)] (F) “Request for Partnership funding” means a proposal, submitted by the governing bodies of one or more jurisdictions, to provide substance abuse treatment services to one or more eligible populations **OR TO PROVIDE ELIGIBLE FUNCTIONS** within the requesting jurisdiction or jurisdictions.

8-6C-04.

(a) In this section, “county” includes Baltimore City.

(b) A request for Partnership funding may be submitted to the Department by:

(1) The governing body of a county; or

(2) The governing body of more than one county.

(c) A request for Partnership funding shall be made in accordance with a schedule and format determined by the Department, in consultation with the Task Force to Study Increasing the Availability of Substance Abuse Programs.

(d) In a request for Partnership funding, the applicant or applicants shall include:

(1) A description of the proposal;

(2) **(I)** An indication of the eligible targeted population or populations that the proposal will serve; **OR**

(II) THE ELIGIBLE FUNCTIONS THAT WILL BE FUNDED UNDER THE PROPOSAL;

(3) A description of the services to be provided under the proposed new or expanded program and an identification of the local providers able to provide those services;

(4) A plan to reach the targeted populations using relevant means of contact;

(5) Performance and outcome indicators to evaluate the program effectiveness, including a description of the expected schedule and methods for measuring performance and outcome; and

(6) A statement of the funds **OR IN-KIND CONTRIBUTIONS** that the applicant intends to commit.

(e) In evaluating a request for Partnership funding, the Department[, in consultation with the Task Force to Study Increasing the Availability of Substance Abuse Programs,] shall consider:

- (1) The performance and outcome indicators specified;
- (2) The degree to which the proposal may reduce the need for other State or local public services or programs intended for the populations targeted by the proposal;
- (3) The extent to which the proposal incorporates the use of excess or otherwise available medical-related facilities, including vacant hospital beds;
- (4) How the proposal fits into a balanced approach to the State's variety of substance abuse needs and populations that serves different geographic areas of the State with Partnership funding; and
- (5) The extent to which the proposal is part of or consistent with a regional strategy for substance abuse treatment programs affecting adjoining jurisdictions.

(f) (1) [After consulting with the Task Force to Study Increasing the Availability of Substance Abuse Programs, the] **THE** Department shall award Partnership funding following the considerations in this section.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a county granted funding shall be responsible for one-half of the cost of the approved partnership.

(ii) The Department may award Partnership funding that results in a county being responsible for less than one-half of the cost of the approved partnership after considering:

1. The financial hardship of the participating county;
2. Prior contributions of funds for substance abuse treatment programs made by the participating county; or
3. Other relevant considerations deemed appropriate by the Department.

(3) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A** participating county:

(i) May use Partnership funds only to supplement levels of spending by the participating county on drug treatment programs; and

(ii) May not use Partnership funds to supplant spending by the participating county on drug treatment programs.

(4) IF A PARTICIPATING COUNTY BEGAN SPENDING COUNTY OR OTHER NON-STATE FUNDS ON ELIGIBLE FUNCTIONS AFTER OCTOBER 1, 2010, THE PARTICIPATING COUNTY MAY USE PARTNERSHIP FUNDING TO CONTINUE OR EXPAND FUNDING FOR ELIGIBLE FUNCTIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the Governor appropriate funds to the Substance Abuse Treatment Outcomes Partnership Fund established in § 8-6C-02 of the Health – General Article in each State budget;

(2) any funds appropriated to the Substance Abuse Treatment Outcomes Partnership Fund be in addition to and not replace other State budget appropriations for substance abuse treatment;

(3) the Governor’s Office of Crime Control and Prevention, as part of its duties, make it a priority to provide support for substance abuse treatment and prevention programs that help contribute to increased public safety outcomes; and

(4) the Department of Health and Mental Hygiene convene a committee with representatives from the State Department of Education, local school systems, local departments of social services, substance abuse treatment providers, and county health officers to:

(i) review the current State Board of Education standards for substance abuse education in public schools;

(ii) review examples of curriculum for substance abuse education, including educational resources and outreach materials, that are used by local school systems; and

~~(iii)~~ (iii) develop and provide recommendations regarding:

1. a collaborative community-based response to substance abuse treatment for adolescents; and

2. collaborative community-based substance abuse prevention and education programs for adolescents.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, April 14, 2015.