



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 19, 2025

The Honorable Pamela Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0400 - RESIDENTIAL CHILD CARE PROGRAMS -
TRANSPORTATION COMPANIES - REGULATION (PREVENTING ABDUCTION IN
YOUTH TRANSPORT ACT OF 2025) - POSITION: FAVORABLE WITH AMENDMENTS**

Dear Chair Beidle and Members of the Finance Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable report with amendments for Senate Bill 400 (SB 400).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) implements our child welfare program which is affected by SB 400.

SB 400 requires important measures to protect youth during transportation to a residential child care program. The bill requires transportation company employees to be trained in the proper use of restraints and limits the companies to only pick up children during designated hours. It also enhances accountability and oversight by empowering individuals and the Office of the Attorney General to initiate civil actions against transportation companies under specific conditions.

While we support the overall intent of this bill, we are concerned that the proposed limitations on transportation would negatively affect children in our care and custody. Therefore, we recommend two amendments to exempt DHS-contracted transportation companies from certain provisions in the bill.

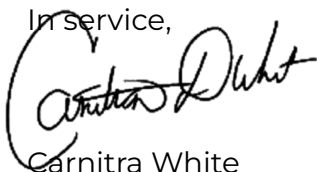
First, we interpret the term 'youth transportation companies' to include companies contracted by the Department, over which DHS supports increased oversight and accountability. However, the proposed changes to Human Services Article § 8-716(C), beginning on line 24 of page 4, would limit the hours of operation in which DHS could transport children. There are scenarios that occur after 9:00 pm and before 6:00 am where a child in our care must be transported to a new out-of-home placement, including placements that would fall under the description of residential child care programs in Human Services Article § 8-715(B)(1). Under the proposed limitations on when a child can be transported, a child who has a placement could be required to stay in an unlicensed setting or remain in a restrictive hospital setting after discharge. Requiring a child to remain in an unlicensed setting or a hospital when an immediate less restrictive and appropriate placement is available is not in the child's best interest.

Finally, while the alterations proposed to Human Services Article § 8-715(B)(2)(V), beginning on line 19 of page 3, would exclude resource homes and licensed kinship placements, they would *not* exclude group homes, residential treatment centers (RTCs), and diagnostic facilities. For those reasons, our amendments define "child(ren)," specifically, the population "under age 18 who is not in the care, custody or guardianship of a local department of social services."

Due to the concerns above, we provided draft amendments on the following page. The draft amendments do not infringe on the accountability and oversight of youth transportation companies intended by SB 400, but add necessary clarification to ensure DHS is able to act in the best interest of the children in our care.

We appreciate the opportunity to provide favorable testimony with amendments to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read "Carnitra White", written over a large, stylized capital letter "C" that serves as a decorative initial.

Carnitra White
Principal Deputy Secretary

Proposed Amendments

Amendment 1

On page 2, after line 21 add a new section (B) with the following definition and reletter the proceeding:

(B) “CHILD” MEANS AN INDIVIDUAL WHO IS NOT IN THE CARE, CUSTODY OR GUARDIANSHIP OF A LOCAL DEPARTMENT OF SOCIAL SERVICES.

Amendment 2

On page 3, line 7 strike “youth” and replace with “**CHILD(REN)**”.