

MARYLAND REGISTER

Proposed Action on Regulations

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| Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations | Date Filed with AELR Committee | TO BE COMPLETED BY DSD |
| | 05/23/2017 | Date Filed with Division of State Documents |
| | | Document Number |
| | | Date of Publication in MD Register |

1. Desired date of publication in Maryland Register: 7/7/2017

2. COMAR Codification

| | | | |
|--------------|-----------------|----------------|-----------------------|
| Title | Subtitle | Chapter | Regulation |
| 12 | 10 | 01 | 01, .03, .04, and .09 |

3. Name of Promulgating Authority

Department of Public Safety and Correctional Services

| | |
|---|-------------------------|
| 4. Name of Regulations Coordinator | Telephone Number |
| George H Hall | 410 339 5073 |

Mailing Address

300 E Joppa Road Suite 400B

| | | |
|-------------|--------------|-----------------|
| City | State | Zip Code |
| Towson | MD | 21286 |

Email
ghhall@dpscs.state.md.us

| | |
|--|----------------------|
| 5. Name of Person to Call About this Document | Telephone No. |
| Albert L. Liebno | 410 875 3602 |

Email Address

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: April 28, 2017.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Stuart M. Nathan, Assistant Attorney General, (telephone #410 339 5000) on May 12, 2017. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Stephen T. Moyer

Title

Secretary

Telephone No.

410 339 5000

Date

May 17, 2017

**Title 12
DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Subtitle 10 CORRECTIONAL TRAINING COMMISSION

12.10.01 General Regulations

Authority: Correctional Services Article, §2-109 and Public Safety Article, §3-207,
Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Public Safety and Correctional Services proposes to in cooperation with the Correctional Training Commission, amend Regulations .01, .03, .04, and .09 under COMAR 12.10.01 General Regulations.

This action was considered by the Correctional Training Commission at a public meeting on January 11, 2017.

Statement of Purpose

The purpose of this action is to update definitions for positions and the use of the terms in the various regulations to reflect current practices.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Albert L. Liebno, Deputy Director , Police and Correctional Training Commissions, 6852 4th Street Syksville, MD 21784, or call 410 875 3602, or email to , or fax to . Comments will be accepted through August 6, 2017. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Correctional Training Commission during a public meeting to be held on to be announced, at to be announced.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2018
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
General
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
This proposal updates terminology to be consistent with current practice and requires no funding to implement or maintain.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
This proposal affects State and local government only.
- G. Small Business Worksheet:

Attached Document:

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 10 CORRECTIONAL TRAINING COMMISSION

Chapter 01 General Regulations

Authority: Correctional Services Article, §§2-109 and 8-208; Public Safety Article, §3-207; Annotated Code of Maryland

.01 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.
- (1) — (5) (text unchanged)
- (6) *Case Management Specialist (CMS)* means a Department of Juvenile Services employee who provides case management or treatment services for juveniles under the supervision of the Department of Juvenile Services (DJS).
- [(6)] — [(19)] (7) — (20) (text unchanged)
- [(20) "Juvenile counselor" means a Department of Juvenile Services employee who provides case management or treatment services for juveniles who are under the supervision of the Department of Juvenile Services.]
- (21) "Juvenile Services support staff" means an individual employed by the Department of Juvenile Services who performs one or more of the duties of a Department of Juvenile Services employee, but whose primary duties are other than those of a [juvenile counselor or youth supervisor] *case management specialist or resident advisor*.
- (22) (text unchanged)
- (23) Mandated Position.
- (a) (text unchanged)
- (b) "Mandated position" includes a correctional officer, classification counselor, institutional support staff member, parole and probation agent, monitor, [juvenile counselor, youth supervisor] *case management specialist or resident advisor*, and Juvenile Services support staff.
- (24) — (31) (text unchanged)

(32) ["Training director" means the director of an academy, school, or training unit, or a designee, authorized to act for the agency head in training matters] "*Resident advisor (RA)*" means a Department of Juvenile Services employee who provides custodial services to juveniles under the supervision of the Department of Juvenile Services.

(33) ["Youth supervisor" means a Department of Juvenile Services employee who provides custodial services to juveniles under the supervision of the Department of Juvenile Services] "*Training director*" means the director of an academy, school, or training unit, or a designee, authorized to act for the agency head in training matters.

.03 Provisional Appointment.

A. — C. (text unchanged)

D. An individual with a Commission provisional appointment to a mandated position classified as a correctional officer, classification counselor, institutional support staff, parole and probation agent, monitor, [juvenile counselor, youth supervisor] *case management specialist, resident advisor*, or Juvenile Services support staff who changes from the original position to another of these positions shall receive a new provisional appointment in the new mandated position to provide the opportunity to obtain applicable training for the new mandated position required under Regulation .09 of this chapter.

E. — G. (text unchanged)

.04 Selection Standards for Appointment to a Mandated Position and Documentation Requirements.

A. — B. (text unchanged)

C. Education Requirements.

(1) Correctional Officer, Monitor, or [Youth Supervisor] *Resident Advisor*.

(a) An applicant for a mandated position classified as a correctional officer, monitor, or [youth supervisor] *resident advisor* shall possess a:

(i) — (ii) (text unchanged)

(b) — (d) (text unchanged)

(2) — (3) (text unchanged)

(4) [Juvenile Counselor] *Case Management Specialist (CMS)*. An applicant for a mandated position classified as a [juvenile counselor] *case management specialist* shall possess at least:

(a) — (b) (text unchanged)

(5) — (6) (text unchanged)

D. — I. (text unchanged)

.09 Minimum Standards for Mandated Employee Entrance-Level Training.

A. — F. (text unchanged)

G. [Youth Supervisor] *Resident Advisor*— Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as a [youth supervisor] *resident advisor* is a minimum of 160 hours and shall include the following subject areas:

(1) — (3) (text unchanged)

(4) [Assessment] *Facility admissions and orientation*;

(5) — (8) (text unchanged)

(9) Safety and security; [and]

(10) *Youth gang awareness and interventions*; and

[(10)] (11) (text unchanged)

H. [Juvenile Counselor] *Case Management Specialist* — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as a [juvenile counselor] *case management specialist* is a minimum of 160 hours and shall include the following subject areas:

(1) — (3) (text unchanged)

(4) [Assessment] *Community intake*;

(5) *Transportation*;

[(5)] — [(7)] (6) — (8) (text unchanged)

[(8)] (9) Safety and security; [and]

[(9)] (10) First aid[.]; and

(11) *Youth gang awareness and interventions*

I. Juvenile Services Support Staff — Entrance-Level Training Requirements. Commission-approved entrance-level training for a mandated position classified as juvenile services support staff is a minimum of [80] 120 hours and shall include the following subject areas:

(1) — (3) (text unchanged)

(4) *Transportation*;

(5) *Integrated case management*;

[(4)] (6) *I*(text unchanged)

[(5)] (7) Safety and security; [and]

[(6)] (8) First aid[.]; and

(9) *Youth gang awareness and interventions*.

Stephen T. Moyer
Secretary