

HOUSE BILL 8

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1998 Regular Session
8lr0266
CF 8lr0979

(PRE-FILED)

By: **Delegate Menes (Chairman, Special House Committee on Drug and Alcohol Abuse) and Delegates Taylor, R. Baker, Boston, E. Burns, Eckardt, Hutchins, Montague, Petzold, Pitkin, Stup, Arnick, Curran, Harrison, Hixson, Hurson, Owings, Rawlings, Vallario, Dewberry, Busch, Guns, Kopp, W. Baker, Benson, Bozman, Conroy, Conway, C. Davis, Doory, Finifter, Franchot, Fulton, Goldwater, Hecht, Heller, Howard, Jones, Krysiak, Linton, Love, Mandel, Marriott, McIntosh, V. Mitchell, Morhaim, Nathan-Pulliam, Patterson, Perry, Proctor, Rosenberg, Rudolph, Shriver, Slade, Turner, Weir, Wood, and Workman**

Requested: November 15, 1997
Introduced and read first time: January 14, 1998
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 24, 1998

CHAPTER _____

1 AN ACT concerning

2 **Employment in Recovery Pilot Program**

3 FOR the purpose of establishing an Employment in Recovery Pilot Program in the
4 Department of Health and Mental Hygiene; requiring the Program to be
5 designed and administered by the Alcohol and Drug Abuse Administration of the
6 Department; specifying the purpose of the Program; specifying the duties of the
7 Administration in administering the Program; establishing certain
8 requirements for the Administration, the Department of Labor, Licensing, and
9 Regulation, and the Department of Human Resources in approving proposals;
10 specifying the requirements for submitting a proposal to the Administration for
11 participation in the Program; requiring the Administration to submit a certain
12 report; authorizing the Administration, the Department of Labor, Licensing, and
13 Regulation, and the Department of Human Resources to adopt regulations;
14 requiring the Governor to fund the Program; providing for the termination of
15 this Act; ~~defining a certain term~~ certain terms; and generally relating to the
16 Employment in Recovery Pilot Program.

17 BY adding to
18 Article - Health - General

1 Section 8-6B-01 through 8-6B-07, inclusive, to be under the new subtitle
2 "Subtitle 6B. Employment in Recovery Pilot Program"
3 Annotated Code of Maryland
4 (1994 Replacement Volume and 1997 Supplement)

5 Preamble

6 ~~WHEREAS, Many factors contribute to a successful recovery from alcohol and~~
7 ~~drug addiction; and~~

8 ~~WHEREAS, Those factors include medical, legal, employment, and family and~~
9 ~~social relationship considerations; and~~

10 ~~WHEREAS, One of the factors that needs to be addressed and on which more~~
11 ~~attention must be focused is employment; and~~

12 ~~WHEREAS, Adequate employment will support recovery from alcohol and drug~~
13 ~~addiction by increasing self esteem, providing for sufficient legal income, providing~~
14 ~~new associations with people, places, and habits, and providing a constructive daily~~
15 ~~schedule and routine; and~~

16 ~~WHEREAS, A successful link between employment and alcohol and drug abuse~~
17 ~~treatment promises an economic benefit to local communities and the State; and~~

18 ~~WHEREAS, The Alcohol and Drug Abuse Administration (ADAA) has~~
19 ~~documented that 20% of clients in drug and alcohol abuse treatment programs, who~~
20 ~~were unemployed and seeking employment at the time of admission into treatment,~~
21 ~~were employed at discharge and that an additional 8% of those clients, who were~~
22 ~~unemployed and not seeking employment at admission, were employed at discharge;~~
23 ~~and~~

24 ~~WHEREAS, Although these numbers represent an improvement and indicate~~
25 ~~some successes, it is essential that employment is obtained by more clients who~~
26 ~~complete alcohol and drug abuse treatment; and~~

27 ~~WHEREAS, The cooperation of the private business sector in any strategy that~~
28 ~~would link employment and alcohol and drug abuse treatment would facilitate the~~
29 ~~effective training and placement of individuals undergoing treatment in meaningful~~
30 ~~positions; and~~

31 ~~WHEREAS, In the absence of adequate funding and direction, substance abuse~~
32 ~~treatment providers have not addressed client employment needs in a consistent~~
33 ~~fashion to ensure successful outcomes; and~~

34 ~~WHEREAS, In recognition of this gap between current treatment programs and~~
35 ~~the needs of the private job market and the lack of a focused strategy on this problem,~~
36 ~~the ADAA shall design and administer an Employment in Recovery initiative that will~~
37 ~~provide demonstration grants to local health departments and county governments to~~
38 ~~operate, in cooperation with local businesses, innovative ADAA funded treatment~~

1 ~~programs that will, in a comprehensive and consistent manner, address client~~
2 ~~employment needs both during treatment and after treatment; now, therefore,~~

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

5 **Article - Health - General**

6 SUBTITLE 6B. EMPLOYMENT IN RECOVERY PILOT PROGRAM.

7 8-6B-01.

8 ~~IN THIS SUBTITLE,~~

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) "PROGRAM" MEANS THE EMPLOYMENT IN RECOVERY PILOT PROGRAM.

12 (C) "TREATMENT" MEANS TREATMENT THAT IS RECEIVED IN AN ALCOHOL
13 ABUSE AND DRUG ABUSE TREATMENT PROGRAM, AS DEFINED IN § 8-403 OF THIS
14 TITLE, THAT IS CERTIFIED BY THE ADMINISTRATION OR EXEMPT FROM THE
15 CERTIFICATION REQUIREMENTS UNDER § 8-403 OF THIS TITLE.

16 8-6B-02.

17 THERE IS AN EMPLOYMENT IN RECOVERY PILOT PROGRAM IN THE
18 DEPARTMENT.

19 8-6B-03.

20 (A) THE ADMINISTRATION SHALL DESIGN AND ADMINISTER THE PROGRAM.

21 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE DEMONSTRATION
22 GRANTS TO LOCAL HEALTH DEPARTMENTS OR COUNTIES THAT RECEIVE FUNDING
23 FROM THE ADMINISTRATION FOR THE IMPLEMENTATION OF PROPOSALS
24 SUBMITTED BY LOCAL HEALTH DEPARTMENTS OR COUNTIES THAT OUTLINE A PLAN
25 FOR PROVIDING SUBSTANCE ABUSERS UNDERGOING ALCOHOL AND DRUG ABUSE
26 TREATMENT WITH ACCESS TO APPROPRIATE EDUCATION AND JOB SKILLS TRAINING
27 PROGRAMS AND RELATED SUPPORT SERVICES, DIRECTLY OR THROUGH
28 COLLABORATIVE ARRANGEMENTS WITH APPROPRIATE PROVIDERS AND THE LOCAL
29 PRIVATE BUSINESS SECTOR, IN ORDER TO IMPROVE THEIR ABILITY TO OBTAIN
30 MEANINGFUL EMPLOYMENT AFTER COMPLETING TREATMENT.

31 8-6B-04.

32 (A) THE PROGRAM SHALL:

1 (1) BE DESIGNED TO REQUEST SOLICITATIONS OF INTEREST FROM
2 LOCAL HEALTH DEPARTMENTS OR COUNTIES THAT RECEIVE FUNDING FROM THE
3 ADMINISTRATION; AND

4 (2) IF A LOCAL HEALTH DEPARTMENT OR COUNTY IS INTERESTED IN
5 PARTICIPATING IN THE PROGRAM, REQUIRE THE LOCAL HEALTH DEPARTMENT OR
6 COUNTY, INDIVIDUALLY OR AS PART OF A REGION, TO SUBMIT A PROPOSAL TO THE
7 ADMINISTRATION FOR REVIEW.

8 (B) (1) THE ADMINISTRATION, IN CONJUNCTION WITH THE DEPARTMENT
9 OF LABOR, LICENSING, AND REGULATION AND THE DEPARTMENT OF HUMAN
10 RESOURCES, SHALL REVIEW EACH PROPOSAL SUBMITTED UNDER SUBSECTION (A)
11 OF THIS SECTION AND APPROVE OR DISAPPROVE THE PROPOSAL FOR FUNDING.

12 (2) THE ADMINISTRATION, IN CONJUNCTION WITH THE DEPARTMENT
13 OF LABOR, LICENSING, AND REGULATION AND THE DEPARTMENT OF HUMAN
14 RESOURCES, MAY APPROVE UP TO THREE PROPOSALS FOR IMPLEMENTATION
15 UNDER THE PROGRAM.

16 (3) OF THE PROPOSALS APPROVED UNDER PARAGRAPH (2) OF THIS
17 SUBSECTION, THE ADMINISTRATION, IN CONJUNCTION WITH THE DEPARTMENT OF
18 LABOR, LICENSING, AND REGULATION AND THE DEPARTMENT OF HUMAN
19 RESOURCES, SHALL APPROVE AT LEAST ONE PROPOSAL FROM A RURAL REGION OF
20 THE STATE AND AT LEAST ONE PROPOSAL FROM AN URBAN/SUBURBAN REGION OF
21 THE STATE.

22 (C) A PROPOSAL SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION SHALL
23 INCLUDE, AT A MINIMUM, THE FOLLOWING:

24 (1) A DESCRIPTION OF THE APPLICANT'S PLAN FOR ACHIEVING AND
25 MAINTAINING AN EMPLOYMENT RATE OF AT LEAST 60% FOR DISCHARGED CLIENTS
26 FOR WHOM EMPLOYMENT IS AN APPROPRIATE GOAL;

27 (2) FOR THOSE DISCHARGED CLIENTS ~~UNDER ITEM (1) OF THIS~~
28 SUBSECTION FOR WHOM EMPLOYMENT IS AN APPROPRIATE GOAL AND WHO ARE
29 EMPLOYED AT THE TIME OF DISCHARGE, A DESCRIPTION OF THE APPLICANT'S PLAN
30 FOR ACHIEVING AND MAINTAINING A RECOVERY RATE OF AT LEAST 70% AND AN
31 EMPLOYMENT RATE OF AT LEAST 70% FOR A MINIMUM OF AT LEAST 2 YEARS
32 FOLLOWING DISCHARGE;

33 (3) A DESCRIPTION OF THE APPLICANT'S PLAN FOR PROVIDING A
34 CONTINUUM OF ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM
35 SERVICES, INCLUDING AFTERCARE SUPPORT SERVICES FOR EACH CLIENT FOR A
36 MINIMUM OF ~~1 YEAR~~ 2 YEARS FOLLOWING DISCHARGE, IN ORDER TO PREVENT
37 RELAPSES AND SUBSEQUENT READMISSIONS INTO TREATMENT;

38 (4) DOCUMENTATION OF THE APPLICANT'S PREPAREDNESS AND PLAN
39 TO COLLABORATE WITH LOCAL JOB TRAINING AGENCIES, EMPLOYERS, AND ANY
40 OTHER PERSON THAT MAY BE NECESSARY FOR THE APPLICANT TO PROVIDE JOB
41 SKILLS TRAINING, VOCATIONAL TRAINING SERVICES, AND OTHER NEEDED AND

1 APPROPRIATE EDUCATION AND SUPPORT SERVICES, SUCH AS MONEY MANAGEMENT
2 PRINCIPLES, TRANSPORTATION SERVICES, AND HIRING OR ARRANGING FOR THE
3 SERVICES OF VOCATIONAL SPECIALISTS;

4 (5) A DESCRIPTION OF ANY INCENTIVES, BOTH FINANCIAL AND
5 NONFINANCIAL, THAT THE APPLICANT INTENDS TO PROVIDE TO POTENTIAL
6 EMPLOYERS OF CLIENTS IN ORDER TO ENCOURAGE PRIVATE BUSINESS
7 PARTICIPATION IN THE PROGRAM;

8 (6) DOCUMENTATION OF THE APPLICANT'S PLAN TO DEVELOP
9 APPROPRIATE CLIENT BUSINESS VENTURES OR SUPPORTIVE EMPLOYMENT
10 OPPORTUNITIES;

11 (7) DOCUMENTATION OF THE APPLICANT'S BUDGET TO IMPLEMENT ITS
12 PROPOSAL, INCLUDING FUNDS TO COVER THE LIVING EXPENSES THAT CLIENTS IN
13 THE PROGRAM WOULD OTHERWISE OWE TO A FACILITY THAT IS CERTIFIED BY THE
14 ADMINISTRATION OR EXEMPT FROM THE CERTIFICATION REQUIREMENTS UNDER §
15 8-403 OF THIS TITLE, AND THE NUMBER OF CLIENTS IT EXPECTS TO SERVE;

16 (8) THE APPLICANT'S PLAN FOR EVALUATING ITS PROPOSAL IN ORDER
17 FOR THE APPLICANT AND THE ADMINISTRATION TO DOCUMENT THOSE FACTORS
18 THAT CONTRIBUTED TO THE APPLICANT'S SUCCESS OR LACK OF SUCCESS IN
19 ACHIEVING AND MAINTAINING BOTH THE MINIMUM 60% EMPLOYMENT RATE AND
20 THE MINIMUM 70% RECOVERY RATE AND EMPLOYMENT RATE FOR 2 YEARS
21 FOLLOWING DISCHARGE, AS DESCRIBED UNDER ITEMS (1) AND (2) OF THIS
22 SUBSECTION; ~~AND~~

23 (9) THE APPLICANT'S AGREEMENT TO PARTICIPATE IN AN ANNUAL
24 REVIEW OF ITS PROPOSAL IN ORDER TO DETERMINE, SUBJECT TO AVAILABLE
25 FUNDING, THE VIABILITY OF ITS CONTINUATION; AND

26 (10) THE APPLICANT'S PLAN TO ENSURE THAT CLIENTS IN THE PROGRAM
27 RECEIVE TREATMENT IN AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT
28 PROGRAM, AS DEFINED IN § 8-403 OF THIS TITLE, THAT IS CERTIFIED BY THE
29 ADMINISTRATION OR EXEMPT FROM THE CERTIFICATION REQUIREMENTS UNDER §
30 8-403 OF THIS TITLE.

31 8-6B-05.

32 THE ADMINISTRATION, THE DEPARTMENT OF LABOR, LICENSING, AND
33 REGULATION, AND THE DEPARTMENT OF HUMAN RESOURCES MAY EACH ADOPT
34 REGULATIONS ~~TO IMPLEMENT~~ NOT INCONSISTENT WITH THE PROVISIONS OF THIS
35 SUBTITLE.

36 8-6B-06.

37 (A) BEGINNING JULY 1, 1999, AND EACH JULY 1 THEREAFTER, THE
38 ADMINISTRATION SHALL SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO §
39 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE
40 PROGRAM.

1 (B) THE REPORT SHALL INCLUDE:

2 (1) THE NUMBER OF PROPOSALS SUBMITTED DURING THE PREVIOUS
3 YEAR, THE NUMBER OF THOSE PROPOSALS APPROVED FOR FUNDING AND PROVIDED
4 A DEMONSTRATION GRANT, AND FOR EACH APPROVED PROPOSAL, THE AMOUNT OF
5 THE DEMONSTRATION GRANT PROVIDED;

6 (2) THE RESULTS OF THE ANNUAL REVIEW CONDUCTED BY THE
7 ADMINISTRATION ON EACH PROPOSAL THAT RECEIVED A DEMONSTRATION GRANT
8 UNDER THIS SUBTITLE; AND

9 (3) ANY OTHER INFORMATION THE ADMINISTRATION CONSIDERS
10 APPROPRIATE.

11 8-6B-07.

12 THE GOVERNOR SHALL PROVIDE FUNDING FOR THE PROGRAM IN THE ANNUAL
13 BUDGET.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 1998. It shall remain effective for a period of 3 years and, at the end of June
16 30, 2001, with no further action required by the General Assembly, this Act shall be
17 abrogated and of no further force and effect.