

HOUSE BILL 459

Unofficial Copy  
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1999 Regular Session  
9r1742  
CF 9r1323

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By: **Delegates Hixson, Conroy, Owings, W. Baker, Benson, Hubbard,  
Dewberry, Cadden, Cane, Heller, McKee, Hurson, and Shriver**

Introduced and read first time: February 10, 1999

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of establishing a program of tuition assistance to certain individuals  
5 who are employees or agree to work as employees of community-based  
6 programs serving individuals with certain disabilities; authorizing the  
7 Maryland Higher Education Commission to adopt certain regulations;  
8 authorizing the use of tuition assistance for certain expenses; authorizing the  
9 amount and duration of tuition assistance; establishing the requirements for a  
10 reward under the Developmental Disabilities and Mental Health Workforce  
11 Tuition Assistance Program; requiring the repayment of an award for failure to  
12 comply with certain requirements; requiring the Governor to include certain  
13 funding for the Developmental Disabilities and Mental Health Workforce  
14 Tuition Assistance Program in the annual budget; defining certain terms; and  
15 generally relating to the Developmental Disabilities and Mental Health  
16 Workforce Tuition Assistance Program.

17 BY adding to  
18 Article - Education  
19 Section 18-2101 through 18-2108, inclusive, to be under the new subtitle  
20 "Subtitle 21. Developmental Disabilities and Mental Health Workforce  
21 Tuition Assistance Program"  
22 Annotated Code of Maryland  
23 (1997 Replacement Volume and 1998 Supplement)

24                                   Preamble

25 WHEREAS, Community-based programs serving citizens with developmental  
26 and psychiatric disabilities currently employ more than 40,000 direct service  
27 employees; and

28 WHEREAS, The low entry-level wages these programs are able to pay often  
29 require the hiring of staff who do not have the benefit of a college education; and

1 WHEREAS, Low salary levels available in these community-based programs  
2 contribute to high staff turnover rates; and

3 WHEREAS, Community-based programs would benefit from a more stable,  
4 educated workforce to ensure that services are of a high quality; and

5 WHEREAS, Tuition assistance incentives for prospective and current staff  
6 would increase workforce stability and service quality, enable resources to be used in  
7 expanding services, and provide economic opportunities for individuals interested in  
8 human service careers; now, therefore,

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

11 **Article - Education**

12 **SUBTITLE 21. DEVELOPMENTAL DISABILITIES AND MENTAL HEALTH WORKFORCE**  
13 **TUITION ASSISTANCE PROGRAM.**

14 18-2101.

15 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
16 INDICATED.

17 (B) "COMMUNITY-BASED PROGRAM" MEANS ANY NONPROFIT COMMUNITY  
18 PROGRAM LICENSED BY THE DEVELOPMENTAL DISABILITIES ADMINISTRATION OR  
19 APPROVED BY THE MENTAL HYGIENE ADMINISTRATION TO PROVIDE HABILITATION,  
20 REHABILITATION, RESIDENTIAL, OR RELATED COMMUNITY SUPPORT SERVICES TO  
21 INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL DISORDERS.

22 (C) "DIRECT SERVICE EMPLOYEE" MEANS AN EMPLOYEE OF A  
23 COMMUNITY-BASED PROGRAM WHO PRIMARILY PROVIDES:

24 (1) DIRECT SUPPORT OR CARE TO INDIVIDUALS WITH DISABILITIES; OR

25 (2) FIRST-LINE SUPERVISION OF EMPLOYEES PROVIDING DIRECT  
26 SUPPORT OR CARE TO INDIVIDUALS WITH DISABILITIES.

27 (D) "DEGREE PROGRAM IN HUMAN SERVICES" MEANS AN ACADEMIC MAJOR  
28 OR CONCENTRATION IN AGING SERVICES, COUNSELING, DISABILITY SERVICES,  
29 MENTAL HEALTH, NURSING, OCCUPATIONAL THERAPY, PHYSICAL THERAPY,  
30 PSYCHOLOGY, REHABILITATION, SOCIAL WORK, SPECIAL EDUCATION, SUPPORTED  
31 EMPLOYMENT, VOCATIONAL REHABILITATION, OR ANY OTHER CONCENTRATION IN  
32 THE HEALING ARTS OR TO PROVIDING SUPPORTIVE SERVICES TO INDIVIDUALS WITH  
33 SPECIAL NEEDS.

34 (E) "PROGRAM" MEANS THE DEVELOPMENTAL DISABILITIES AND MENTAL  
35 HEALTH WORKFORCE TUITION ASSISTANCE PROGRAM.

1 18-2102.

2 (A) THERE IS A TUITION ASSISTANCE PROGRAM UNDER THIS SUBTITLE FOR  
3 USE BY STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION IN THE STATE WHO:

4 (1) WORK AS DIRECT SERVICE EMPLOYEES IN A COMMUNITY-BASED  
5 PROGRAM; OR

6 (2) AGREE TO WORK AS DIRECT SERVICE EMPLOYEES IN A  
7 COMMUNITY-BASED PROGRAM IN THE FUTURE.

8 (B) THE COMMISSION MAY ADOPT REGULATIONS NECESSARY TO IMPLEMENT  
9 THIS SUBTITLE.

10 18-2103.

11 AN AWARD GRANTED UNDER THIS SUBTITLE MAY BE USED FOR:

12 (1) TUITION AND MANDATORY FEES;

13 (2) ROOM AND BOARD; AND

14 (3) BOOKS AND SUPPLIES.

15 18-2104.

16 (A) A STUDENT MAY RECEIVE TUITION ASSISTANCE UP TO \$100 PER CREDIT  
17 HOUR.

18 (B) TUITION ASSISTANCE CANNOT EXCEED:

19 (1) \$2,000 IN ANY ONE ACADEMIC YEAR FOR A STUDENT ENROLLED IN A  
20 2-YEAR PROGRAM;

21 (2) \$3,000 IN ANY ONE ACADEMIC YEAR FOR A STUDENT ENROLLED IN A  
22 PROGRAM LEADING TO A BACHELOR'S DEGREE; OR

23 (3) \$6,000 IN TOTAL.

24 18-2105.

25 TUITION ASSISTANCE FOR EACH STUDENT MAY BE USED OVER A PERIOD OF NO  
26 MORE THAN 5 YEARS.

27 18-2106.

28 (A) A STUDENT WHO RECEIVES TUITION ASSISTANCE SHALL BE REQUIRED  
29 TO:

30 (1) SIGN AN AGREEMENT WITH THE COMMISSION TO PARTICIPATE IN  
31 THE PROGRAM;

1 (2) PLEDGE TO WORK IN A COMMUNITY-BASED PROGRAM FOR 4,000  
2 HOURS OF CONTINUOUS FULL- OR PART-TIME EMPLOYMENT; AND

3 (3) ENROLL IN A DEGREE PROGRAM IN HUMAN SERVICES IN AN  
4 INSTITUTION OF HIGHER EDUCATION IN THE STATE OF MARYLAND.

5 (B) PRIOR EMPLOYMENT IN A COMMUNITY-BASED PROGRAM MAY NOT  
6 COUNT TOWARD THE EMPLOYMENT REQUIREMENT OF THIS SECTION.

7 18-2107.

8 (A) A STUDENT SHALL BE REQUIRED TO REPAY THE STATE ANY FUNDS  
9 RECEIVED UNDER THE PROGRAM IF THE STUDENT FAILS TO:

10 (1) EARN AT LEAST 12 CREDIT HOURS IN EACH ACADEMIC YEAR IN  
11 WHICH THE STUDENT RECEIVES ASSISTANCE THROUGH THE PROGRAM;

12 (2) MAKE SATISFACTORY PROGRESS TOWARD FULFILLING ALL DEGREE  
13 REQUIREMENTS OF THE APPLICABLE INSTITUTION OF HIGHER EDUCATION; OR

14 (3) COMPLETE THE EMPLOYMENT REQUIREMENT OF THIS SUBTITLE.

15 (B) REPAYMENTS SHALL INCLUDE SIMPLE INTEREST EQUAL TO THE PRIME  
16 RATE OF INTEREST PLUS 2 PERCENT CALCULATED FROM THE DATE OF THE FIRST  
17 PAYMENT OF ASSISTANCE AWARDED UNDER THIS SUBTITLE.

18 (C) A STUDENT SHALL BEGIN REPAYMENT WITHIN 6 MONTHS OF THE DATE  
19 OF FAILURE TO COMPLY WITH THE EDUCATIONAL OR EMPLOYMENT REQUIREMENTS  
20 OF THIS SUBTITLE.

21 (D) A STUDENT SHALL REPAY THE STATE IN FULL WITHIN 6 YEARS AFTER THE  
22 REPAYMENT PERIOD BEGINS AND SHALL FOLLOW A REPAYMENT SCHEDULE  
23 ESTABLISHED BY THE COMMISSION.

24 (E) THE COMMISSION MAY WAIVE OR DEFER REPAYMENT IN THE EVENT OF:

25 (1) DISABILITY OR EXTENDED SICKNESS WHICH PREVENTS THE  
26 STUDENT FROM FULFILLING EITHER THE EDUCATIONAL OR EMPLOYMENT  
27 REQUIREMENTS OF THIS SUBTITLE; OR

28 (2) LOSS OF EMPLOYMENT DURING THE PERIOD OF REQUIRED  
29 EMPLOYMENT DUE TO INVOLUNTARY TERMINATION UNRELATED TO THE  
30 PERFORMANCE OF THE EMPLOYEE OR A VIOLATION OF THE PERSONNEL POLICIES  
31 OF THE COMMUNITY-BASED PROGRAM.

32 18-2108.

33 THE GOVERNOR SHALL INCLUDE FUNDS FOR THE DEVELOPMENTAL  
34 DISABILITIES AND MENTAL HEALTH WORKFORCE TUITION ASSISTANCE PROGRAM IN  
35 THE ANNUAL BUDGET OF THE COMMISSION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1999.