
By: **Delegates Rawlings, Rosenberg, and W. Baker**
Introduced and read first time: February 19, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Welfare and Child Support Innovation Act of 1999**

3 FOR the purpose of authorizing directors of local departments of social services to
4 request the Secretary of the Department of Human Resources to establish job
5 skills enhancement pilot programs; providing grant funds from the Maryland
6 Training Program to fund job skills enhancement pilot programs to provide
7 upgrade training for certain Family in Need of Assistance (FIP) recipients;
8 altering the reimbursement of private contractors for child support enforcement
9 services under the Child Support Enforcement Privatization Program; requiring
10 a private contractor to offer employment upon certain terms to certain former
11 State employees working for an existing contractor and to retain certain
12 employees for a certain duration and at a certain salary; altering the
13 responsibility of the Secretary of Human Resources to provide certain job
14 assistance to certain employees; extending the termination date for the Child
15 Support Enforcement Privatization Program; and generally relating to the Child
16 Support Enforcement Privatization Program and job enhancement skills
17 programs for certain welfare recipients.

18 BY repealing and reenacting, with amendments,
19 Article 88A - Department of Human Resources
20 Section 53A
21 Annotated Code of Maryland
22 (1998 Replacement Volume)

23 BY repealing and reenacting, with amendments,
24 Article - Family Law
25 Section 10-119.1
26 Annotated Code of Maryland
27 (1999 Replacement Volume)

28 By repealing and reenacting, with amendments,
29 Chapter 491 of the Acts of the General Assembly of 1995
30 Section 14

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

3 **Article 88A - Department of Human Resources**

4 53A.

5 (a) The Secretary, in cooperation with, OR AT THE REQUEST OF, the directors
6 of local departments of social services, shall establish a job skills enhancement pilot
7 program in at least three counties, one of which shall be located in Western Maryland,
8 Southern Maryland, or the Eastern Shore, to provide newly employed current and
9 former FIP recipients with training in order for them to:

- 10 (1) Enhance their existing job-related skills;
- 11 (2) Gain additional or alternative job skills; or
- 12 (3) Learn interpersonal, communication, and other related skills.

13 (b) The job skills enhancement program shall target unskilled and semiskilled
14 former and current FIP recipients who are newly employed in entry-level positions
15 that have limited potential for advancement beyond entry level.

16 (c) (1) Participation in the job skills enhancement program shall be
17 voluntary.

18 (2) Individuals participating in the job skills enhancement program shall
19 sign a training agreement with the local department.

20 (d) To be eligible to participate in the job skills enhancement program, an
21 individual shall:

22 (1) Have been a FIP recipient within the previous 18 months of the date
23 the individual proposes to begin participation in the job skills enhancement program;

24 (2) Have been employed in entry-level employment for at least 6 months
25 from the date the individual proposes to begin participation in the job skills
26 enhancement program;

27 (3) Provide employer validation or other documentation of employment
28 status;

29 (4) Possess limited job skills; and

30 (5) Have limited opportunity for advancement in current employment.

31 (e) The local department shall contract for training services that are to be
32 provided under the job skills enhancement program, as provided in § 47(a) of this
33 subtitle.

1 (f) (1) At the discretion of the Secretary, in consultation with the local
2 department director, the job skills enhancement program shall be administered by the
3 local department or through the State service delivery area system under the Job
4 Training Partnership Act (JTPA).

5 (2) As part of their administrative responsibilities under paragraph (1)
6 of this subsection, a local department or persons at a service delivery area location
7 shall:

8 (i) Manage each participant's training plan;

9 (ii) Maintain a database of appropriate training vendors; and

10 (iii) Compile necessary fiscal reports on the job skills enhancement
11 program.

12 Article - Family Law

13 10-119.1.

14 (a) (1) Notwithstanding § 13-405 of the State Personnel and Pensions
15 Article, there is a Child Support Enforcement Privatization Pilot Program within the
16 Department.

17 (2) The Pilot Program shall operate in Baltimore City and Queen Anne's
18 County.

19 (b) The purpose of the Pilot Program is to authorize the Secretary of the
20 Department to enter into contracts with private companies to privatize all aspects of
21 child support enforcement functions of the Department, including:

22 (1) locating absent parents;

23 (2) establishing paternities;

24 (3) establishing support orders;

25 (4) collecting and disbursing support payments;

26 (5) reviewing and modifying child support orders; and

27 (6) except for legal representation in accordance with § 10-115 of the
28 Family Law Article and as otherwise provided by law, enforcing support obligations.

29 (c) Subject to subsection (g) of this section, the Secretary shall:

30 (1) adopt regulations that:

31 (i) require the transfer of all aspects of child support enforcement
32 to one or more private contractors by November 1, 1996;

1 (ii) provide for the reimbursement of any private contractor [for all
2 aspects of child support enforcement to be a percentage of the total amount of child
3 support collected by the private contractor];

4 (iii) prohibit the cost of transferring child support enforcement to
5 private contractors as defined in item (ii) of this paragraph from exceeding the fiscal
6 year 1995 administrative cost per child support dollar collected by the Child Support
7 Enforcement Administration in the Pilot Program areas;

8 (iv) require any private contractor to offer employment upon terms
9 deemed by the Secretary to be fair and equitable to any FORMER STATE employees
10 WORKING FOR AN EXISTING CONTRACTOR who are affected by the transfer of child
11 support enforcement responsibilities under this section and to retain any employees
12 who accept the offer:

13 1. for the duration of the Pilot Program unless there is cause
14 for dismissal; and

15 2. at a salary and benefit level comparable to the salary and
16 benefits to which they were entitled at the time of the transfer;

17 (v) require any private contractor to adopt a grievance procedure
18 for employees who are retained by the private contractor under [Subitem] ITEM (iv)
19 of this item; and

20 (vi) prohibit the reimbursement of any private contractor from child
21 support collections; and

22 (2) assist an employee who declines an offer of employment with a
23 private contractor to identify a comparable position in the State Personnel
24 Management System to which the employee may transfer].

25 (d) A request for proposal to transfer child support collection activities issued
26 under this section shall:

27 (1) comply with the provisions of Division II of the State Finance and
28 Procurement Article;

29 (2) set forth the goals of the privatization; and

30 (3) specify the incentives which will be available to the contractor.

31 (e) (1) On or before October 1, 1996, and annually thereafter, the Secretary
32 shall report to the Governor and, subject to § 2-1246 of the State Government Article,
33 the General Assembly on the operation and performance of the Pilot Program.

34 (2) The report shall assess the Pilot Program for its effectiveness and
35 success in enhancing child support collection through the privatization of child
36 support enforcement in Baltimore City and Queen Anne's County in the State.

1 (3) The Secretary shall include in the report the plans for improving the
2 effectiveness and success of the Pilot Program in achieving the objective.

3 (f) The Secretary shall adopt any other regulations necessary to carry out the
4 provisions of this section.

5 (g) Before implementing the Pilot Program, the Secretary shall hire a
6 consultant to help design the Pilot Program and to help develop a request for proposal
7 to transfer all aspects of child support enforcement.

8 (h) An employee who declines an offer of employment with a private contractor
9 under this section shall be considered laid off and shall be entitled to all rights
10 specified under Title 11, Subtitle 2 of the State Personnel and Pensions Article.]

11

Chapter 491 of the Acts of 1995

12 SECTION 14. AND BE IT FURTHER ENACTED, That Section 3 of this Act
13 shall remain effective for the period of [4] 7 years[,] AND 4 MONTHS and, at the end
14 of [June 30, 1999] OCTOBER 31, 2002, and with no further action required by the
15 General Assembly, Section 3 of this Act shall be abrogated and of no further force and
16 effect.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall
18 provide grant funds from the Maryland Industrial Training Program to fund the pilot
19 program established under Article 88A, § 53A of the Code. The amount of the funds
20 shall be sufficient to provide upgrade training, as required by the pilot program, to
21 400 newly employed current and former FIP recipients at a cost not to exceed \$2,500
22 per recipient. If the Governor determines that using Maryland Industrial Training
23 Program grant funds is not an appropriate economic development activity, the
24 Governor shall notify the Joint Committee on Welfare Reform, in writing, as to the
25 reasons.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect July 1, 1999.