

SENATE BILL 340

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1999 Regular Session
9r1323
CF 9r1742

By: **Senators Hollinger, Dorman, Blount, Teitelbaum, Mitchell, Kelley, and Munson**

Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 23, 1999

CHAPTER _____

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 providing for funding for the Developmental Disabilities and Mental Health
14 Workforce Tuition Assistance Program in the annual as provided in the State
15 budget; defining certain terms; and generally relating to the Developmental
16 Disabilities and Mental Health 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)

1 Preamble

2 WHEREAS, Community-based programs serving citizens with developmental
3 and psychiatric disabilities currently employ more than 40,000 direct service
4 employees; and

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

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

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

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

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

17 **Article - Education**

18 **SUBTITLE 21. DEVELOPMENTAL DISABILITIES AND MENTAL HEALTH WORKFORCE**
19 **TUITION ASSISTANCE PROGRAM.**

20 18-2101.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) "COMMUNITY-BASED PROGRAM" MEANS ANY NONPROFIT COMMUNITY
24 PROGRAM LICENSED BY THE DEVELOPMENTAL DISABILITIES ADMINISTRATION OR
25 APPROVED BY THE MENTAL HYGIENE ADMINISTRATION TO PROVIDE HABILITATION,
26 REHABILITATION, RESIDENTIAL, OR RELATED COMMUNITY SUPPORT SERVICES TO
27 INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL DISORDERS.

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

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

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

33 (D) "DEGREE PROGRAM IN HUMAN SERVICES" MEANS AN ACADEMIC MAJOR
34 OR CONCENTRATION IN AGING SERVICES, COUNSELING, DISABILITY SERVICES,
35 MENTAL HEALTH, NURSING, OCCUPATIONAL THERAPY, PHYSICAL THERAPY,

1 PSYCHOLOGY, REHABILITATION, SOCIAL WORK, SPECIAL EDUCATION, SUPPORTED
2 EMPLOYMENT, VOCATIONAL REHABILITATION, OR ANY OTHER CONCENTRATION IN
3 THE HEALING ARTS OR TO PROVIDING SUPPORTIVE SERVICES TO INDIVIDUALS WITH
4 SPECIAL NEEDS.

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

7 18-2102.

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

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

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

14 (B) THE COMMISSION MAY ADOPT REGULATIONS:

15 (1) NECESSARY TO IMPLEMENT THIS SUBTITLE; AND

16 (2) TO ESTABLISH STANDARDS AND PROCEDURES FOR SELECTING
17 AWARD RECIPIENTS UNDER THIS SUBTITLE.

18 18-2103.

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

20 (1) TUITION AND MANDATORY FEES;

21 (2) ROOM AND BOARD; AND

22 (3) BOOKS AND SUPPLIES.

23 18-2104.

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

26 (B) TUITION ASSISTANCE CANNOT EXCEED:

27 (1) \$2,000 IN ANY ONE ACADEMIC YEAR FOR A STUDENT ENROLLED IN A
28 2-YEAR PROGRAM;

29 (2) \$3,000 IN ANY ONE ACADEMIC YEAR FOR A STUDENT ENROLLED IN A
30 PROGRAM LEADING TO A BACHELOR'S DEGREE; OR

31 (3) \$6,000 IN TOTAL.

1 18-2105.

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

4 18-2106.

5 (A) A STUDENT WHO RECEIVES TUITION ASSISTANCE SHALL BE REQUIRED
6 TO:

7 (1) SIGN AN AGREEMENT WITH THE COMMISSION TO PARTICIPATE IN
8 THE PROGRAM;

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

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

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

15 18-2107.

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

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

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

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

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

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

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

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

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

4 (2) LOSS OF EMPLOYMENT DURING THE PERIOD OF REQUIRED
5 EMPLOYMENT DUE TO INVOLUNTARY TERMINATION UNRELATED TO THE
6 PERFORMANCE OF THE EMPLOYEE OR A VIOLATION OF THE PERSONNEL POLICIES
7 OF THE COMMUNITY-BASED PROGRAM.

8 18-2108.

9 ~~THE GOVERNOR SHALL INCLUDE FUNDS FOR THE DEVELOPMENTAL~~
10 ~~DISABILITIES AND MENTAL HEALTH WORKFORCE TUITION ASSISTANCE PROGRAM IN~~
11 ~~THE ANNUAL BUDGET OF THE COMMISSION.~~

12 FUNDS FOR THE DEVELOPMENTAL DISABILITIES AND MENTAL HEALTH
13 WORKFORCE TUITION ASSISTANCE PROGRAM SHALL BE AS PROVIDED IN THE STATE
14 BUDGET.

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