

HOUSE BILL 1160

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2000 Regular Session
(01r1520)

ENROLLED BILL
-- Appropriations/Finance --

Introduced by **Delegates Rosenberg, Branch, Klima, R. Baker, Pitkin,
Flanagan, and Cadden**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2

Welfare Innovation Act of 2000

3 FOR the purpose of authorizing the Secretary of Human Resources to establish a
4 certain number of demonstration sites under the Family Investment Program;
5 ~~requiring the Secretary of Human Resources~~ director of the local department of
6 social services to appoint a director of each demonstration site; granting the
7 Secretary of Human Resources certain authority in a demonstration site;
8 ~~requiring that employees hired at a demonstration site be placed in the~~
9 ~~management service or in special appointments in the State Personnel~~
10 ~~Management System; providing for an exception to that placement for a limited~~
11 ~~period;~~ requiring the Secretary to establish a performance incentive program to
12 pay employees in a demonstration site; providing for certain statutory
13 construction; altering the model hiring agreement used by the Secretary of
14 Human Resources under the Program to allow priority hiring to positions that
15 are not entry-level positions; requiring the Secretary of Human Resources and
16 local directors of social services to work with local governments in the recruiting

1 and hiring of Program recipients into local government positions; requiring the
2 local departments of social services to develop, submit, and implement local
3 plans and report the success of those plans to the Secretary; requiring the use of
4 on-site addictions specialists in the screening and assessment of adult or minor
5 applicants for or recipients of assistance under certain circumstances; altering
6 certain procedures related to screening and assessment; providing for a waiver
7 from a certain federal act relating to the barring of public assistance to certain
8 individuals who have been convicted of certain felonies relating to controlled
9 dangerous substances; requiring the testing and treatment of an applicant for or
10 recipient of public assistance who has been convicted of those felonies after a
11 certain date, notwithstanding the waiver; making certain individuals who have
12 been convicted of certain felonies relating to controlled dangerous substances
13 ineligible for certain assistance for a certain period from the date of conviction;
14 providing for the imposition of certain sanctions under certain circumstances;
15 requiring the Secretary of Human Resources to adopt regulations to establish
16 testing methods and procedures and requiring those methods and procedures to
17 be consistent with certain existing methods and procedures; permitting a
18 certain noncompetitive negotiation process to procure certain services under the
19 Family Investment Program; permitting the use of certain prequalified bidders
20 or offerors to procure certain services under the Family Investment Program;
21 requiring the Secretary of Human Resources and the Secretary of Health and
22 Mental Hygiene to report on ~~these efforts~~ the implementation of certain
23 provisions of this Act to certain committees of the General Assembly by a certain
24 date certain dates; requiring the Secretary of Human Resources to submit certain
25 reports, including recommendations regarding enactment of federal legislation
26 on child support pass through to certain individuals, to a certain committee on
27 certain dates; requiring the Departments of Human Resources and Health and
28 Mental Hygiene to ensure certain treatment is available to certain individuals;
29 repealing existing law relating to when the payment of temporary cash assistance
30 begins; requiring a report by the Department of Human Resources on its plan to
31 extend categorical eligibility for food stamps to certain families receiving certain
32 benefits by a certain date; providing for the termination of certain provisions of
33 this Act; defining a certain term; providing for the termination of certain
34 provisions of this Act; and generally relating to improving the level of jobs, and
35 access to those jobs for Family Investment Program recipients and to
36 demonstration programs under the Family Investment Program.

37 BY repealing and reenacting, with amendments,
38 Article 88A - Department of Human Resources
39 Section 46, 48(b) through (e), 50, and 50A
40 Annotated Code of Maryland
41 (1998 Replacement Volume and 1999 Supplement)

42 BY adding to
43 Article 88A - Department of Human Resources
44 Section 55 and 65A
45 Annotated Code of Maryland

1 (1998 Replacement Volume and 1999 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - State Finance and Procurement

4 Section 13-106, 13-204, and 13-224

5 Annotated Code of Maryland

6 (1995 Replacement Volume and 1999 Supplement)

7 BY repealing and reenacting, with amendments,

8 Chapter 593 of the Acts of the General Assembly of 1997

9 Section 14

10 BY repealing

11 Chapter 593 of the Acts of the General Assembly of 1997

12 Section 15

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

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

16 46.

17 (A) The Secretary shall:

18 (1) Establish and implement a FIP that meets the requirements of this
19 subtitle and of federal law;

20 (2) Supervise the administration of the FIP under this subtitle by local
21 departments;

22 (3) Cooperate with the federal government in matters of mutual concern
23 pertaining to federal funding for the FIP; and

24 (4) Adopt regulations necessary or desirable to carry out the provisions
25 of this subtitle.

26 (B) (1) THE SECRETARY OF HUMAN RESOURCES AND LOCAL DIRECTORS OF
27 SOCIAL SERVICES SHALL DEVELOP AND IMPLEMENT A PLAN, WORKING WITH
28 APPROPRIATE LOCAL GOVERNMENT OFFICIALS, UNDER WHICH LOCAL
29 GOVERNMENTS ~~WOULD~~ MAY HIRE FIP RECIPIENTS TO WORK IN LOCAL
30 GOVERNMENT.

31 (2) COMPONENTS OF ANY LOCAL GOVERNMENT HIRING PLAN
32 DEVELOPED BY THE SECRETARY SHALL INCLUDE, FOR EACH JURISDICTION:

33 (I) AN INDICATION OF THE UNITS THAT COULD MOST EASILY HIRE
34 FIP RECIPIENTS;

- 1 (II) THE EMPLOYMENT POSITIONS MOST SUITABLE FOR FIP
 2 RECIPIENTS;
- 3 (III) PROPOSALS FOR RECRUITING FIP RECIPIENTS;
- 4 (IV) EMPLOYMENT RETENTION STRATEGIES; AND
- 5 (V) A TARGET NUMBER OF FIP RECIPIENTS TO BE RECRUITED.

6 (3) THE DIRECTOR OF EACH LOCAL DEPARTMENT OF SOCIAL SERVICES
 7 SHALL BE RESPONSIBLE FOR:

8 (I) THE DEVELOPMENT AND SUBMISSION OF THE LOCAL
 9 DEPARTMENT PLAN IN ACCORDANCE WITH A SCHEDULE AND FORMAT TO BE
 10 DETERMINED BY THE SECRETARY;

11 (II) THE TIMELY IMPLEMENTATION OF THE PROPOSALS AND
 12 STRATEGIES CONTAINED IN THE LOCAL PLAN;

13 (III) THE ACHIEVEMENT OF THE TARGET NUMBERS CONTAINED IN
 14 THE LOCAL PLAN; AND

15 (IV) THE DEVELOPMENT AND SUBMISSION TO THE SECRETARY OF
 16 REPORTS IN ACCORDANCE WITH A SCHEDULE AND FORMAT TO BE DEVELOPED BY
 17 THE SECRETARY.

18 (3) (4) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE SECRETARY
 19 OF HUMAN RESOURCES, ~~IN CONSULTATION WITH THE MARYLAND ASSOCIATION OF~~
 20 ~~COUNTIES, AND THE MARYLAND MUNICIPAL LEAGUE,~~ SHALL REPORT, SUBJECT TO §
 21 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE
 22 AND THE HOUSE APPROPRIATIONS COMMITTEE OF THE GENERAL ASSEMBLY, ON:

23 (I) THE DEVELOPMENT OF THE PLAN ENCOURAGED UNDER THIS
 24 PARAGRAPH; AND

25 (II) THE NUMBER OF WELFARE RECIPIENTS HIRED AND RETAINED
 26 BY LOCAL GOVERNMENTS.

27 48.

28 (b) Assistance shall be provided under this subtitle only if the applicant for or
 29 recipient of assistance:

30 (1) Resides in this State at the time of application for the assistance;

31 [(2) At the time of application for assistance, signs a medical release that,
 32 for any applicant determined eligible to be a recipient of continuing temporary cash
 33 assistance, would allow the Department or its designee to receive from the managed
 34 care organization in which the recipient is enrolled in accordance with the managed
 35 care program established under Title 15, Subtitle 1 of the Health - General Article or
 36 from a substance abuse provider under § 50A(b)(2) of this subtitle;

- 1 (i) Notification that a recipient has not completed the initial health
2 screen required by the recipient's managed care organization;
- 3 (ii) The results of any substance abuse screening assessment or other
4 test performed on the recipient by the managed care organization for the purpose of
5 determining the recipient's need for substance abuse treatment; and
- 6 (iii) The results of any recipient's referral to substance abuse
7 treatment or change in treatment status as required by § 50A(b)(2) of this subtitle;
- 8 (3)] (2) (i) Has applied for child support services with the appropriate
9 local child support enforcement office at the time of application for the assistance; and
- 10 (ii) Complies with the requirements of the local child support
11 enforcement office;
- 12 [(4)] (3) Has engaged in job search activities as requested by the
13 Department;
- 14 [(5)] (4) Participates in work activity under this subtitle, unless exempt
15 under criteria established by the Secretary which shall include the following groups of
16 individuals:
- 17 (i) Adults who are required to care for a child who is a recipient
18 under age 1;
- 19 (ii) Subject to subsection (c) of this section, adults and children who
20 are recipients and who are severely disabled; and
- 21 (iii) Subject to subsection (c) of this section, children 16 years of age
22 and older who are not in school and who are severely disabled; and
- 23 [(6)] (5) Meets all other FIP requirements that the Secretary establishes
24 by regulation.
- 25 (c) An individual may not be exempt as severely disabled under subsection
26 [(b)(5)] (B)(4) of this section for more than 12 months unless:
- 27 (1) That individual applies for Supplemental Security Income; and
- 28 (2) The application is approved, pending, or in the appeal stage.
- 29 (d) In addition to the provisions of this section, subject to the limitations of the
30 State budget, assistance shall be provided under this subtitle to legal immigrants:
- 31 (1) Who arrived in the United States before August 22, 1996; AND
- 32 (2) Who meet FIP eligibility requirements under this subtitle and any
33 other requirements imposed by the State]; and
- 34 (3) Who:

1 (i) Have lived in this State for at least 12 months; or

2 (ii) Previously lived in a state that provided federally or
3 nonfederally funded cash assistance to such legal immigrants].

4 (e) In addition to the provisions of this section, subject to the limitations of the
5 State budget, assistance shall be provided under this subtitle to legal immigrants:

6 (1) Who arrive in the United States on or after August 22, 1996 and are
7 not eligible for federally funded cash assistance;

8 (2) Who meet FIP eligibility requirements under this subtitle and any
9 other requirements imposed by the State]; and

10 (3) Who:

11 (i) Have lived in this State for at least 12 months; or

12 (ii) Previously lived in a state that provided nonfederally funded
13 cash assistance to such legal immigrants].

14 50.

15 (a) The provisions of this section are not intended to create incentives for
16 individuals to seek temporary cash assistance benefits instead of employment.

17 (b) A local department shall provide temporary cash assistance only if:

18 (1) The recipient meets the conditions for participation in the FIP set
19 forth in § 48 of this subtitle;

20 (2) The applicant or recipient assigns to the State all right, title, and
21 interest in support from any other person that the applicant or recipient has on behalf
22 of any intended or potential recipient for whom the applicant or recipient is applying
23 for or receiving assistance, including any right accrued when the assignment is
24 executed;

25 (3) In the case of an applicant or recipient who is a minor parent, the
26 minor parent lives:

27 (i) With a parent, legal guardian, custodian, or other adult relative
28 who will be the payee of the minor parent;

29 (ii) In an adult-supervised group living arrangement that shall
30 provide a protective payee, if there is no available parent, legal guardian, custodian, or
31 other adult relative with whom the minor parent can live or the minor parent or child
32 would be subject to physical or emotional harm, sexual abuse, or neglect in the home of
33 any available adult relative or a social service worker otherwise finds that living with
34 any available adult relative would not be in the minor parent's or child's best interest;
35 or

1 (iii) Independently, if a social service worker confirms that the minor
2 parent or child's physical safety or emotional health would otherwise be in jeopardy;
3 and

4 (4) In the case of an applicant or recipient who is an immigrant, for a
5 period of 3 years from the date of the immigrant's entry into the United States, unless
6 a different period of time is set by the federal government, the applicant or recipient is
7 a legal immigrant, whose income and resources shall be deemed to include the income
8 and resources of any sponsor who executed an affidavit of support pursuant to § 213A
9 of the Immigration and Naturalization Act in behalf of the legal immigrant.

10 (c) All recipients meeting the requirements of the FIP shall be entitled to cash
11 assistance benefits.

12 [(d)] A local department shall pay temporary cash assistance beginning 14
13 days after the application of a qualified recipient.]

14 [(e)] (D) The Secretary may not include in regulations adopted under this
15 subtitle a provision that would count as unearned income to a family in calculating the
16 family's eligibility for the FIP Supplemental Security Income (SSI) benefits provided to
17 an adult or child who resides in the family.

18 [(f)] (E) (1) This subsection does not apply to a birth resulting from rape or
19 incest.

20 (2) Except as provided in paragraph (3) of this subsection, temporary
21 cash assistance may not include the increment in cash benefits under the program for
22 which a recipient would otherwise be eligible as a result of the birth of a child 10 or
23 more months after the recipient's initial application for temporary cash assistance
24 benefits.

25 (3) Cash payments for a child may not be made to a family other than the
26 child's family unless the Social Services Administration has placed the child with the
27 other family.

28 (4) The Department shall provide for a recipient ineligible for an
29 increment in cash benefits under this subsection a child-specific benefit not to exceed
30 the value of the increment eliminated by this subsection for the purchase of goods
31 specified by the Department as suitable for the care of a minor.

32 (5) A local department may pay an administrative fee to a third party
33 payee to cover the administrative costs of the third party payee for managing the
34 child-specific benefit.

35 (6) The Secretary shall adopt regulations specifying the selection criteria
36 for third party payees under this subsection.

37 [(g)] (F) (1) The Secretary shall establish by regulation a schedule of
38 reductions and terminations of temporary cash assistance for noncompliance with FIP
39 requirements.

1 (2) Once an individual is found to be not in compliance with FIP
2 requirements, the caseworker shall investigate the reasons for noncompliance.

3 (3) The investigation, to the extent resources permit, shall include, but not
4 be limited to, personal contact with the family unit.

5 (4) The Secretary may reduce or terminate temporary cash assistance to a
6 family no earlier than 30 days subsequent to the first written notice sent of
7 noncompliance.

8 (5) For noncompliance with any FIP requirement other than a work
9 activity, temporary cash assistance shall be resumed upon compliance with the FIP
10 requirement.

11 (6) For noncompliance with a work activity, temporary cash assistance
12 shall be resumed in the following manner:

13 (i) For the first instance of noncompliance, temporary cash
14 assistance shall be resumed immediately upon compliance;

15 (ii) For the second instance of noncompliance, temporary cash
16 assistance shall be resumed after 10 days of compliance with the work activity; or

17 (iii) For the third and any subsequent instance of noncompliance,
18 temporary cash assistance shall be resumed after 30 days of compliance with a work
19 activity.

20 (7) If temporary cash assistance is reduced or terminated under this
21 subsection, the recipient shall retain eligibility for medical assistance and food stamps,
22 as long as the recipient meets the medical assistance and food stamp program
23 requirements.

24 [(h)] (G) (1) After termination of temporary cash assistance under this
25 section, the recipient may receive transitional assistance.

26 (2) If the caseworker determines that the local department shall provide
27 transitional assistance, the FIP benefit that would have been paid to the recipient shall
28 be paid instead to a third party payee on behalf of the recipient for a period of up to 3
29 months.

30 (3) A recipient who has received transitional assistance may apply for the
31 FIP benefit and the benefit shall be furnished with reasonable promptness to all
32 eligible individuals.

33 (4) The third party payee shall provide transitional assistance to the
34 recipient in one or more of the following forms:

35 (i) Counseling;

36 (ii) Housing;

- 1 (iii) Child care;
2 (iv) Household supplies and equipment;
3 (v) Direct assistance other than a cash payment; and
4 (vi) Any other noncash assistance that may be necessary to assist the
5 recipient to make the transition from welfare.

6 (5) Subject to the approval of the Secretary, the caseworker, in conjunction
7 with the recipient, shall select the third party payee described under paragraph (2) of
8 this subsection.

9 (6) A local department may pay an administrative fee to a third party
10 payee to cover the administrative costs of the third party payee for providing the
11 services described in paragraph (4) of this subsection.

12 (7) No portion of the funds provided through transitional assistance may
13 be used for the furtherance of sectarian religious instruction.

14 (8) The Secretary shall adopt regulations specifying the selection criteria
15 for third party payees under this subsection.

16 [(i)] (H) Except as limited by federal requirements, temporary cash assistance
17 shall be determined with due regard to the available resources and necessary
18 expenditures of the family and the conditions existing in each case and shall be
19 sufficient, when added to all other income and support available to the child, to
20 provide the child with a reasonable subsistence compatible with decency and health.

21 50A.

22 (a) (1) At initial application, or first redetermination after July 1, 1997, for
23 temporary cash assistance, or when considered appropriate by the FIP staff of the
24 local department, [a] AN ADDICTIONS SPECIALIST ON-SITE IN THE local department
25 shall assess the need of any adult or minor parent APPLICANT OR recipient for
26 substance abuse treatment.

27 (2) To assist in determining whether an adult or minor parent
28 APPLICANT OR recipient has a need for substance abuse treatment, the ADDICTIONS
29 SPECIALIST ON-SITE IN THE local department shall [use an enhanced assessment of]
30 SCREEN the adult or minor parent APPLICANT OR recipient [that would] TO expose
31 any potential barriers that the adult or minor parent APPLICANT OR recipient may
32 have in obtaining employment such as having a substance abuse problem.

33 (3) The ADDICTIONS SPECIALIST ON-SITE IN THE local department shall
34 inform each adult or minor parent APPLICANT OR recipient of the requirements of FIP
35 regarding substance abuse treatment[, including an adult or minor parent recipient's
36 obligation to participate in an initial health screen with the adult or minor parent
37 recipient's managed care organization within the time specified by regulation

1 following the adult or minor parent recipient's enrollment in the managed care
2 organization or lose FIP benefits].

3 (4) [After the adult or minor parent recipient is certified eligible for
4 temporary cash assistance under this subtitle and for medical assistance under Title
5 15, Subtitle 1 of the Health - General Article, the adult or minor parent recipient
6 shall be screened for substance abuse as part of the initial health screen required to
7 be performed by a managed care organization in accordance with regulations adopted
8 by the Department of Health and Mental Hygiene under Title 15, Subtitle 1 of the
9 Health - General Article.] IF THE ADULT OR MINOR PARENT APPLICANT OR
10 RECIPIENT DOES NOT COMPLETE THE SCREENING REQUIRED UNDER PARAGRAPH (2)
11 OF THIS SUBSECTION, THE ADDICTIONS SPECIALIST SHALL NOTIFY THE FIP CASE
12 MANAGER.

13 (5) The managed care organization shall notify the local department if
14 the adult or minor parent recipient has not completed the initial health screen
15 required by the adult or minor parent recipient's managed care organization.]

16 (b) (1) If the [initial health screen or any follow-up diagnostic testing or
17 treatment performed by a managed care organization or direct provider of services]
18 SCREENING PERFORMED BY THE ADDICTIONS SPECIALIST reveals that an adult or
19 minor parent APPLICANT OR recipient has a substance abuse problem, the [managed
20 care organization or direct provider of services] ADDICTIONS SPECIALIST shall:

21 (i) [Refer] CONDUCT, OR REFER FOR, AN ASSESSMENT OF
22 SUBSTANCE ABUSE BY AN ADULT OR MINOR PARENT APPLICANT OR RECIPIENT AND,
23 IF APPROPRIATE, DETERMINE PLACEMENT FOR TREATMENT AND RELATED
24 SUPPORTIVE SERVICES;

25 (II) REFER the adult or minor parent APPLICANT OR recipient for
26 appropriate substance abuse treatment AND RELATED SUPPORTIVE SERVICES; [and

27 (ii) Complete and submit to the local department the substance
28 abuse identification form required by regulations developed by the Secretary.]

29 (III) OBTAIN THE SIGNATURE OF THE ADULT OR MINOR PARENT
30 APPLICANT OR RECIPIENT ON A FORM CONSENTING TO THE RELEASE OF
31 CONFIDENTIAL ALCOHOL AND DRUG TREATMENT INFORMATION; AND

32 (IV) FORWARD THE CONSENT FORM TO THE APPROPRIATE
33 SUBSTANCE ABUSE TREATMENT PROVIDER.

34 (2) (i) The substance abuse TREATMENT provider shall notify the
35 ADDICTIONS SPECIALIST IN THE local department OF THE ONGOING TREATMENT
36 STATUS OF THE ADULT OR MINOR PARENT APPLICANT OR RECIPIENT.

37 (II) THE ADDICTIONS SPECIALIST SHALL NOTIFY THE FIP CASE
38 MANAGER;

1 1. [that] THAT an adult or minor parent APPLICANT OR
 2 recipient has been referred for appropriate substance abuse treatment; AND

3 2. REGARDING THE STATUS OF THE ONGOING TREATMENT
 4 OF THE ADULT OR MINOR PARENT APPLICANT OR RECIPIENT.

5 [(ii) (III) [As part of its] TO PROVIDE THE notification REQUIRED
 6 under subparagraph [(i)] (II) of this paragraph, the [substance abuse provider]
 7 ADDICTIONS SPECIALIST SHALL FORWARD CONSENT FOR THE RELEASE OF THE
 8 INFORMATION TO THE SUBSTANCE ABUSE TREATMENT PROVIDER, OBTAIN THE
 9 NECESSARY TREATMENT INFORMATION FROM THE TREATMENT PROVIDER, AND
 10 notify the local department if the adult or minor parent APPLICANT OR recipient:

11 1. [Is not actively enrolled in a substance abuse treatment
 12 program as defined by the Alcohol and Drug Abuse Administration] FAILS TO
 13 COMPLETE THE ASSESSMENT REQUIRED UNDER PARAGRAPH (1) OF THIS
 14 SUBSECTION;

15 2. FAILS TO SIGN THE CONSENT FORM REQUIRED UNDER
 16 PARAGRAPH (1)(III) OF THIS SUBSECTION;

17 3. FAILS TO ENROLL OR MAINTAIN ENROLLMENT WITH AN
 18 AVAILABLE SUBSTANCE TREATMENT PROVIDER OR TO COMPLETE THE TREATMENT
 19 PROTOCOL;

20 [2.] 4. Is awaiting the availability of appropriate treatment;

21 5. IS ENROLLED IN A TREATMENT PROGRAM; or

22 [3.] 6. [Has successfully completed the] SUCCESSFULLY
 23 COMPLETES treatment.

24 (c) [A] AN ADULT OR MINOR PARENT APPLICANT OR recipient who complies
 25 with the requirements of the FIP in regard to substance abuse treatment:

26 (1) Shall receive the full temporary cash assistance benefit as long as the
 27 adult or minor parent APPLICANT OR recipient continues to meet other temporary
 28 cash assistance eligibility requirements; and

29 (2) May be exempt from the work requirements for a period of time
 30 determined by the [local department] FIP CASE MANAGER in consultation with the
 31 [substance abuse treatment provider or the managed care organization] ADDICTIONS
 32 SPECIALIST.

33 (d) An adult or minor parent APPLICANT OR recipient shall be considered not
 34 in compliance with FIP requirements, if the [local department] FIP CASE MANAGER
 35 receives notice from the [managed care organization] ADDICTIONS SPECIALIST that
 36 the adult or minor parent APPLICANT OR recipient:

1 (1) [Has not completed the initial health screen required by the adult or
2 minor parent recipient's managed care organization in accordance with regulations
3 adopted by the Department of Health and Mental Hygiene under Title 15, Subtitle 1
4 of the Health - General Article; or] DOES NOT COMPLETE THE SCREENING OR
5 ASSESSMENT REQUIRED UNDER SUBSECTIONS (A)(2) AND (B)(1)(I) OF THIS SECTION;

6 (2) [Was referred for appropriate substance abuse treatment by the
7 managed care organization, but the adult or minor parent recipient failed to maintain
8 active enrollment, as defined by the Alcohol and Drug Abuse Administration, in the
9 treatment program or complete the treatment protocol] DOES NOT SIGN THE
10 CONSENT FORM REQUIRED UNDER SUBSECTION (B)(1)(III) OF THIS SECTION; OR

11 (3) IS REFERRED FOR APPROPRIATE AND AVAILABLE SUBSTANCE
12 ABUSE TREATMENT BY THE ADDICTIONS SPECIALIST BUT FAILS TO ENROLL OR TO
13 MAINTAIN ACTIVE ENROLLMENT IN THE TREATMENT PROGRAM OR COMPLETE THE
14 TREATMENT PROTOCOL.

15 [(e) After receiving the notice under subsection (d)(1) of this section, the local
16 department shall send a notice to the adult or minor parent recipient informing the
17 adult or minor parent recipient that:

18 (1) The adult or minor parent recipient is not in compliance with FIP
19 requirements, including the specific reason why the adult or minor parent recipient is
20 considered not in compliance with FIP requirements; and

21 (2) 30 days after the date of the notice, the adult or minor parent
22 recipient's temporary cash assistance benefits will be reduced by that increment in
23 cash benefits that included the adult or minor parent recipient.]

24 (E) AFTER RECEIVING A NOTICE UNDER SUBSECTION (D) OF THIS SECTION,
25 THE LOCAL DEPARTMENT SHALL:

26 (1) SEND A DENIAL NOTICE TO THE ADULT OR MINOR PARENT
27 APPLICANT INFORMING THE APPLICANT THAT:

28 (I) THE APPLICANT HAS NOT MET PROGRAM REQUIREMENTS,
29 INCLUDING THE SPECIFIC REASON THE APPLICANT IS NOT ELIGIBLE FOR FIP; AND

30 (II) IF THE APPLICANT FAILS TO FULFILL THE REQUIREMENTS ON
31 OR BEFORE THE 30TH WORK DAY AFTER THE APPLICATION WAS FILED, THE
32 APPLICATION FOR TEMPORARY CASH ASSISTANCE IS DENIED; AND

33 (2) SEPARATELY DETERMINE ELIGIBILITY FOR MEDICAL ASSISTANCE
34 AND FOOD STAMPS.

35 [(f) (1) The local department shall reduce an adult or minor parent
36 recipient's temporary cash assistance benefits as described in subsection (e) of this
37 section, if the adult or minor parent recipient has not completed the initial health
38 screen required by the adult or minor parent recipient's managed care organization.

1 (2) The local department shall continue to make these reduced payments
2 to the adult or minor parent recipient until the local department receives notice from
3 the managed care organization that the adult or minor parent recipient has
4 completed the initial health screen required by the adult or minor parent recipient's
5 managed care organization.]

6 [(g)] (F) After receiving [the] A notice under subsection [(d)(2)] (D) of this
7 section, the local department shall send a notice to the adult or minor parent recipient
8 informing the adult or minor parent recipient that:

9 (1) The adult or minor parent recipient is not in compliance with FIP
10 requirements, including the specific reasons why the adult or minor parent recipient
11 is considered not in compliance with FIP requirements; and

12 (2) 30 days after the date of the notice:

13 (i) The adult or minor parent recipient's temporary cash assistance
14 benefits will be reduced by that increment in cash benefits that included the adult
15 recipient; and

16 (ii) The remainder of the cash benefits for the child or children in
17 the FIP case will be paid to a third party payee.

18 [(h)] (G) (1) The local department shall reduce an adult or minor parent
19 recipient's temporary cash assistance benefits and pay the remainder of the cash
20 benefits to a third party payee as described in subsection [(g)] (F) of this section, if
21 the adult or minor parent recipient:

22 (i) FAILS TO COMPLETE A SUBSTANCE ABUSE SCREENING OR
23 ASSESSMENT BY AN ADDICTIONS SPECIALIST, AS REQUIRED UNDER SUBSECTIONS
24 (A)(2) AND (B)(1)(I) OF THIS SECTION; OR

25 (II) 1. Receives the [initial health screen] REQUIRED
26 SCREENING AND ASSESSMENT, and the [initial health screen] REQUIRED
27 SCREENING AND ASSESSMENT or the results of any follow-up diagnostic testing or
28 treatment reveal that the adult or minor parent recipient is a substance abuser; and

29 [(ii)] 2. Refuses to [participate] ENROLL OR MAINTAIN
30 ENROLLMENT in available and appropriate substance abuse treatment.

31 (2) The local department shall continue to make payments to a third
32 party payee until the [local department] FIP CASE MANAGER receives notice from the
33 [managed care organization] ADDICTIONS SPECIALIST that the adult or minor
34 parent recipient is actively enrolled, as defined by the Alcohol and Drug Abuse
35 Administration, in the appropriate substance abuse treatment indicated by the
36 [managed care organization] ADDICTIONS SPECIALIST.

37 [(i)] (H) The local department may not DENY AN ADULT OR MINOR PARENT
38 APPLICANT'S TEMPORARY CASH ASSISTANCE BENEFIT OR reduce an adult or minor
39 parent recipient's temporary cash ASSISTANCE benefit as described under

1 [subsection (g)] SUBSECTIONS (E) AND (F) of this section, if the adult or minor parent
 2 APPLICANT OR recipient:

3 (1) Receives the [initial health screen] REQUIRED SCREENING AND
 4 ASSESSMENT, and the [initial health screen] REQUIRED SCREENING AND
 5 ASSESSMENT or the results of any follow-up diagnostic testing or treatment reveal
 6 that the adult or minor parent APPLICANT OR recipient is a substance abuser; and

7 (2) Agrees to participate in appropriate substance abuse treatment, as
 8 determined by the [managed care organization] ADDICTIONS SPECIALIST, but the
 9 appropriate substance abuse treatment indicated is not available.

10 [(j)] (I) If temporary cash assistance is DENIED OR reduced under this
 11 section, the adult or minor parent APPLICANT OR recipient shall retain eligibility for
 12 medical assistance and food stamps, as long as the adult or minor parent APPLICANT
 13 OR recipient meets the medical assistance and food stamp program requirements.

14 55.

15 (A) IN THIS SECTION, "DEMONSTRATION SITE" MEANS A SITE SELECTED BY
 16 THE SECRETARY, IN CONSULTATION WITH THE DIRECTOR OF THE LOCAL UNIT OF
 17 ~~THE JURISDICTION~~ DEPARTMENT OF SOCIAL SERVICES.

18 (B) THE SECRETARY MAY ESTABLISH A FIP DEMONSTRATION SITE IN AT
 19 LEAST ONE, BUT NOT EXCEEDING SIX, JURISDICTION.

20 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE ~~SECRETARY~~
 21 ~~DIRECTOR OF THE LOCAL UNIT OF THE JURISDICTION~~ DEPARTMENT OF SOCIAL
 22 SERVICES SHALL APPOINT A DIRECTOR OF THE FIP ESTABLISHED IN A
 23 DEMONSTRATION SITE WHO SHALL REPORT DIRECTLY TO THE ~~EXECUTIVE~~
 24 ~~DIRECTOR OF THE FAMILY INVESTMENT ADMINISTRATION OF THE DEPARTMENT~~
 25 DIRECTOR OF THE LOCAL UNIT OF THE JURISDICTION DEPARTMENT.

26 (D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY
 27 SHALL HAVE SOLE AUTHORITY ~~OVER TO APPROVE THE DEMONSTRATION SITE PLANS~~
 28 THAT WILL GOVERN FIP FUNCTIONS IN A DEMONSTRATION SITE, INCLUDING THE
 29 AUTHORITY TO APPROVE DEMONSTRATION SITE PLANS THAT WILL:

30 (1) ASSIST FAMILIES ON WELFARE THAT HAVE AN EMPLOYABLE
 31 PARENT TOWARD A LASTING EXIT FROM TEMPORARY CASH ASSISTANCE;

32 (2) ENSURE THAT INDIVIDUALS AND FAMILIES RECEIVE APPROPRIATE
 33 BENEFITS;

34 (3) REDUCE ERRORS IN THE ADMINISTRATION OF FIP;

35 (4) PLACE TEMPORARY CASH ASSISTANCE RECIPIENTS IN EMPLOYMENT
 36 IN WHICH THEIR EARNINGS WILL LIKELY INCREASE; AND

1 (5) IMPROVE THE TYPES OF EMPLOYMENT AND EMPLOYMENT
2 RETENTION RATES OF EXISTING AND FORMER WELFARE RECIPIENTS.

3 (E) THE DIRECTOR OF THE LOCAL UNIT SHALL:

4 (1) DEVELOP A DEMONSTRATION SITE PLAN FOR SUBMITTAL TO THE
5 SECRETARY FOR APPROVAL WHICH WILL DETAIL ITS:

6 (I) PROGRAMMATIC STRUCTURE, INCLUDING ANY
7 PROGRAMMATIC CHANGES;

8 (II) ORGANIZATIONAL STRUCTURE, INCLUDING ANY
9 ORGANIZATIONAL CHANGES;

10 (III) PAY INCENTIVE STRUCTURE AND CRITERIA FOR THE AWARD
11 OF PAY INCENTIVES;

12 (IV) MEASURABLE PERFORMANCE CRITERIA AND HOW THESE
13 RELATE TO THE INCENTIVE STRUCTURE; AND

14 (V) TARGET PERFORMANCE CRITERIA;

15 (2) IMPLEMENT THE PLAN AS APPROVED;

16 (3) HAVE THE PROPER OPERATION OF THE DEMONSTRATION AND THE
17 ACHIEVEMENT OF THE TARGET PERFORMANCE CRITERIA BE AN ELEMENT OF THAT
18 LOCAL UNIT DIRECTOR'S PERFORMANCE EVALUATION; AND

19 (4) REPORT BACK TO THE DEPARTMENT OF HUMAN RESOURCES ON THE
20 PROGRESS ACHIEVED IN THE DEMONSTRATION SITE.

21 ~~(E) (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION~~
22 ~~AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL EMPLOYEES HIRED IN~~
23 ~~A DEMONSTRATION SITE AFTER ITS DESIGNATION AS A DEMONSTRATION SITE~~
24 ~~SHALL BE PLACED IN THE MANAGEMENT SERVICE OR IN SPECIAL APPOINTMENTS IN~~
25 ~~THE STATE PERSONNEL MANAGEMENT SYSTEM.~~

26 ~~(2) (1) IF A POSITION IN A DEMONSTRATION SITE IS HELD BY A~~
27 ~~SKILLED SERVICE OR PROFESSIONAL SERVICE EMPLOYEE PRIOR TO ITS~~
28 ~~DESIGNATION AS A DEMONSTRATION SITE, THE POSITION SHALL REMAIN A SKILLED~~
29 ~~SERVICE OR PROFESSIONAL SERVICE POSITION OR ITS EQUIVALENT IN THE STATE~~
30 ~~PERSONNEL MANAGEMENT SYSTEM UNTIL THE POSITION BECOMES VACANT.~~

31 ~~(H) AFTER A SKILLED SERVICE OR PROFESSIONAL SERVICE~~
32 ~~POSITION IN A DEMONSTRATION SITE BECOMES VACANT, THE POSITION SHALL~~
33 ~~BECOME A MANAGEMENT SERVICE OR SPECIAL APPOINTMENTS POSITION.~~

34 ~~(F) (G)-(F)~~ THE SECRETARY SHALL ESTABLISH A PERFORMANCE
35 INCENTIVE PROGRAM TO PROVIDE PAY INCENTIVES FOR EMPLOYEES IN A
36 DEMONSTRATION SITE.

1 ~~(G)~~ ~~(H)-(G)~~ THE SECRETARY'S POWERS UNDER THIS SECTION SHALL BE
2 GIVEN A LIBERAL CONSTRUCTION.

3 65A.

4 (A) IN THIS SECTION, "CUSTODIAL PARENT" MEANS A RESIDENT APPLYING
5 FOR OR RECEIVING TEMPORARY CASH ASSISTANCE AND FOOD STAMPS WHO HAS
6 PHYSICAL CUSTODY OF A CHILD OR CHILDREN.

7 (B) SUBJECT TO SUBSECTION (B) OF THIS SECTION § 50A OF THIS ARTICLE
8 AND AS PERMITTED UNDER 21 U.S.C. § 862A(D)(1), THE STATE HEREBY REMOVES
9 ITSELF FROM THE APPLICATION OF § 115 OF THE FEDERAL PERSONAL
10 RESPONSIBILITY AND WORK OPPORTUNITY ACT OF 1996, PUBLIC LAW 104-193, IN
11 ORDER TO ALLOW THE DEPARTMENT TO PROVIDE CASH ASSISTANCE AND FOOD
12 STAMPS TO A RESIDENT CUSTODIAL PARENT WHO HAS PREVIOUSLY BEEN
13 CONVICTED OF A FELONY INVOLVING THE POSSESSION, USE, OR DISTRIBUTION OF A
14 CONTROLLED DANGEROUS SUBSTANCE.

15 ~~(B)~~ THIS SECTION DOES NOT APPLY TO THE EXTENT THAT IT IS
16 INCONSISTENT WITH § 50A OF THIS ARTICLE OR ANY OTHER RELEVANT PROVISION
17 OF THIS ARTICLE RELATING TO SUBSTANCE ABUSE BY PUBLIC ASSISTANCE
18 RECIPIENTS AND APPLICANTS AND THEIR ELIGIBILITY FOR BENEFITS.

19 (C) (1) NOTWITHSTANDING SUBSECTIONS (A) AND (B) SUBSECTION (B) OF
20 THIS SECTION, IF A RESIDENT CUSTODIAL PARENT APPLIES FOR PUBLIC
21 ASSISTANCE RECIPIENT OR APPLICANT AND HAS BEEN CONVICTED OF A FELONY
22 INVOLVING THE POSSESSION, USE, OR DISTRIBUTION OF A CONTROLLED
23 DANGEROUS SUBSTANCE SINCE AUGUST 22, 1996, THE RECIPIENT OR APPLICANT
24 CUSTODIAL PARENT SHALL BE SUBJECT TO TESTING FOR SUBSTANCE ABUSE, AS
25 PROVIDED BY THE DEPARTMENT, AND TO TREATMENT, AS REQUIRED UNDER § 50A
26 OF THIS ARTICLE, IN ADDITION TO THE PROVISIONS OF § 50A OF THIS ARTICLE FOR A
27 PERIOD OF 2 YEARS AFTER: STARTING FROM THE DATE OF APPLICATION, TO THE
28 EXTENT PERMISSIBLE BY FEDERAL LAW.

29 ~~(I)~~ FOR AN APPLICANT OR RECIPIENT WHO WAS CONVICTED
30 BEFORE APPLICATION FOR ASSISTANCE, THE DATE THAT THE APPLICANT OR
31 RECIPIENT APPLIES FOR ASSISTANCE; OR

32 ~~(II)~~ FOR A RECIPIENT WHO IS CONVICTED AFTER RECEIVING
33 ASSISTANCE, THE LATTER OF THE FOLLOWING DATES:

34 (2) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF A
35 RESIDENT CUSTODIAL PARENT RECEIVING CASH ASSISTANCE OR FOOD STAMPS IS
36 FOUND TO BE IN VIOLATION OF ARTICLE 27, § 286 OF THE CODE, OR 21 U.S.C., § 841,
37 AFTER JULY 1, 2000, THE RECIPIENT:

38 (I) SHALL BE INELIGIBLE FOR CASH ASSISTANCE OR FOOD
39 STAMPS FOR ONE YEAR FROM THE DATE OF THE CONVICTION; AND

1 (II) SHALL BE SUBJECT TO TESTING FOR SUBSTANCE ABUSE, AS
 2 PROVIDED BY THE DEPARTMENT, AND TO TREATMENT, AS REQUIRED UNDER § 50A
 3 OF THIS ARTICLE, FOR A PERIOD OF 2 YEARS STARTING FROM THE LATER OF:

4 1. THE DATE THE INDIVIDUAL IS RELEASED FROM
 5 INCARCERATION;

6 2. THE DATE THE INDIVIDUAL COMPLETES ANY TERM OF
 7 PROBATION; OR

8 3. THE DATE THE INDIVIDUAL COMPLETES ANY TERM OF
 9 PAROLE OR MANDATORY SUPERVISION.

10 ~~(2)~~ (3) AN APPLICANT OR RECIPIENT SUBJECT TO THIS SUBSECTION
 11 WHO FAILS TO COMPLY WITH THE TESTING REQUIRED UNDER THIS SUBSECTION OR
 12 THE TREATMENT REQUIRED UNDER § 50A OF THIS ARTICLE OR WHO TESTS POSITIVE
 13 FOR THE ABUSE OF CONTROLLED DANGEROUS SUBSTANCES SHALL BE SUBJECT TO
 14 THE SANCTIONS PROVIDED UNDER § 50A OF THIS ARTICLE.

15 ~~(3)~~ (4) (4) IN CONSULTATION WITH THE DEPARTMENT OF HEALTH
 16 AND MENTAL HYGIENE, THE SECRETARY SHALL ADOPT REGULATIONS
 17 ESTABLISHING THE TESTING METHODS AND PROCEDURES, CONSISTENT WITH § 50A
 18 OF THIS ARTICLE, TO BE REQUIRED BY THE DEPARTMENT UNDER THIS SUBSECTION,
 19 INCLUDING THE INTERVALS OF TESTING AND METHODS REQUIRED.

20 ~~(H)~~ (H) THE TESTING METHODS AND PROCEDURES REQUIRED BY THE
 21 DEPARTMENT UNDER THIS SUBSECTION SHALL BE CONSISTENT WITH § 50A OF THIS
 22 ARTICLE.

23 ~~(D)~~ IF A RESIDENT PUBLIC ASSISTANCE RECIPIENT IS CONVICTED OF A
 24 FELONY INVOLVING THE POSSESSION OR DISTRIBUTION OF A CONTROLLED
 25 DANGEROUS SUBSTANCE AFTER JULY 1, 2000, THE RECIPIENT SHALL BE INELIGIBLE
 26 FOR CASH ASSISTANCE OR FOOD STAMPS FOR ONE YEAR FROM THE DATE OF
 27 CONVICTION.

28 **Article - State Finance and Procurement**

29 13-106.

30 (a) A procurement officer may award a procurement contract on the basis of
 31 noncompetitive negotiation if:

32 (1) the procurement is for human, social, or educational services to be
 33 provided directly to individuals who are aged, indigent, disadvantaged, unemployed,
 34 mentally or physically ill, handicapped, or displaced or minors, INCLUDING DIRECT
 35 OR INDIRECT WORK-RELATED SERVICES TO BENEFIT CURRENT RECIPIENTS,
 36 FORMER RECIPIENTS OR NON-CUSTODIAL PARENTS OF CHILDREN WHO ARE
 37 CURRENT OR FORMER RECIPIENTS OF FAMILY INVESTMENT PROGRAM BENEFITS;

1 (2) the procurement is one of a class for which the Department of Budget
2 and Management has approved the use of noncompetitive negotiation; and

3 (3) with the approval of the head of the unit, the procurement officer
4 determines that:

5 (i) at least 2 sources are available for the services; but

6 (ii) the absence of effective competition makes it unreasonable to
7 expect bids or proposals from the available sources.

8 (B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE
9 DEPARTMENT OF HUMAN RESOURCES MAY ACT AS A PRIMARY PROCUREMENT UNIT
10 AND AWARD A PROCUREMENT CONTRACT ON THE BASIS OF NONCOMPETITIVE
11 NEGOTIATION IF:

12 (1) THE PROCUREMENT IS FOR DIRECT OR INDIRECT WORK-RELATED
13 SERVICES TO BENEFIT CURRENT RECIPIENTS, FORMER RECIPIENTS OR
14 NON-CUSTODIAL PARENTS OF CHILDREN WHO ARE CURRENT OR FORMER
15 RECIPIENTS OF FAMILY INVESTMENT PROGRAM BENEFITS;

16 (2) THE PROCUREMENT HAS BEEN APPROVED BY THE SECRETARY OF
17 HUMAN RESOURCES; AND

18 (3) THE AMOUNT OF THE CONTRACT DOES NOT EXCEED \$200,000.

19 [(b)] (C) (1) Whenever a procurement is based on noncompetitive
20 negotiation, a unit shall publish a request for general expressions of interest.

21 (2) A request for general expressions of interest shall:

22 (i) state the general requirement for services;

23 (ii) request interested service providers to respond in writing with
24 general expressions of interest; and

25 (iii) be published in the same manner as required for an invitation
26 for bids.

27 [(c)] (D) (1) To satisfy all or part of the requirements of the State as they
28 occur, and without additional advertising, the procurement officer may conduct
29 discussions with any responsible service provider who has submitted an expression of
30 interest.

31 (2) As far as practicable in the course of administering a program, the
32 unit shall treat fairly and equally with respect to discussions all responsible service
33 providers who have submitted expressions of interest.

34 [(d)] (E) After obtaining any approval required by law, the unit may award a
35 procurement contract if the head of the unit determines, on the basis of continuing

1 discussions or past program experience, that an award will serve the best interests of
2 the State.

3 [(e)] (F) A unit shall publish in the Contract Weekly notice of a procurement
4 contract awarded under this section.

5 13-204.

6 (a) (1) By regulation, each of the primary procurement units may provide
7 for the prequalification of persons as prospective responsible bidders or offerors for
8 procurements other than leases of real property.

9 (2) Each of the primary procurement units shall keep a register of all
10 prequalified persons.

11 (3) PERSONS PREQUALIFIED AS PROSPECTIVE RESPONSIBLE BIDDERS
12 OR OFFERORS BY A PRIMARY PROCUREMENT UNIT FOR PROCUREMENTS OF DIRECT
13 OR INDIRECT WORK-RELATED SERVICES SHALL BE DEEMED TO BE PREQUALIFIED
14 FOR THE PURPOSES OF PROCUREMENTS BY THE DEPARTMENT OF HUMAN
15 RESOURCES OF DIRECT OR INDIRECT WORK-RELATED SERVICES TO BENEFIT
16 CURRENT RECIPIENTS, FORMER RECIPIENTS OR NON-CUSTODIAL PARENTS OF
17 CHILDREN WHO ARE CURRENT OR FORMER RECIPIENTS OF FAMILY INVESTMENT
18 PROGRAM BENEFITS.

19 (b) If a primary procurement unit OR THE DEPARTMENT OF HUMAN
20 RESOURCES uses a prequalification procedure for awarding a procurement contract:

21 (1) a person who is not prequalified may submit a bid or proposal; and

22 (2) after bid opening or receipt of proposals and before awarding the
23 procurement contract, a procurement officer may determine that:

24 (i) a person who was not prequalified at the time of bid opening or
25 receipt of proposals is a responsible bidder or offeror; or

26 (ii) a prequalified person is not a responsible bidder or offeror.

27 13-224.

28 (a) (1) In this section the following words have the meanings indicated.

29 (2) "Department" means the Department of Human Resources.

30 (3) "Eligible contract" means a procurement contract designated by the
31 Board as appropriate for the execution of a hiring agreement.

32 (4) "FIP" means the Family Investment Program established under
33 Article 88A of the Code.

34 (5) "Hiring agreement" means an agreement entered into by the
35 Department or a local department and an entity doing business with the State under

1 which the Department or the local department and the entity agree to work
2 cooperatively in endeavoring to identify and hire FIP recipients to fill [entry-level]
3 job openings of the entity.

4 (6) "Local department" means a local department of social services in a
5 county or in Baltimore City created or continued under the provisions of Article 88A,
6 § 13 of the Code.

7 (b) On or before October 1, 1998, the Board, in consultation with the
8 Department, shall designate the types of procurement contracts that are eligible
9 contracts.

10 (c) (1) On or before December 1, 1998, the Department shall develop a
11 model hiring agreement form that shall be completed by the Department or a local
12 department and an entity in conjunction with the award of an eligible contract.

13 (2) The model hiring agreement form shall include the following
14 provisions:

15 (i) the entity will:

16 1. inform the Department or the local department, as
17 appropriate, of all of the entity's [entry-level] job openings;

18 2. declare the Department or the local department, as
19 appropriate, its "first source" in identifying and hiring candidates to fill those
20 [entry-level] job openings;

21 3. work cooperatively with the Department or the local
22 department, as appropriate, to develop any necessary training programs that will
23 enable FIP recipients in qualifying for and securing the [entry-level] positions;

24 4. give first preference and first consideration to the extent
25 permitted by law and any existing labor agreements to candidates referred to the
26 entity by the Department or the local department, as appropriate;

27 5. agree to give candidates referred to the entity by the
28 Department or the local department, as appropriate, priority in the filling of [an
29 entry-level] A JOB opening if the candidate meets the qualifications of the position;

30 6. provide the Department or the local department, as
31 appropriate, with information on the disposition of all referrals made by the
32 Department or the local department, as appropriate, including an explanation of why
33 any such candidate was not hired or considered qualified;

34 7. provide the Department or the local department, as
35 appropriate, with information regarding the progress and employment status of those
36 candidates referred by the Department or the local department, as appropriate, that
37 the entity hired; and

1 8. designate a specific individual that the Department or the
2 local department, as appropriate, may contact in regard to the provisions of the hiring
3 agreement; and

4 (ii) the Department or the local department, as appropriate, will
5 assign an account representative to the entity who will:

6 1. receive and process all of the entity's job notifications;

7 2. refer only screened and qualified candidates to the entity;

8 3. assist in the development of any mutually agreed upon
9 training programs, internship programs, or both that will better prepare FIP
10 recipients for employment with the entity;

11 4. arrange follow-up and post-hire transitional/supportive
12 services, such as child care and transportation, as necessary and appropriate; and

13 5. review and evaluate the effectiveness of the hiring
14 agreement with the entity and make modifications in the agreement as necessary and
15 appropriate.

16 (d) Each year, the Department and any local departments that have entered
17 into hiring agreements shall submit a report to the Board, the Joint Committee on
18 Welfare Reform, and, subject to § 2-1246 of the State Government Article, the
19 General Assembly on:

20 (1) the number of hiring agreements executed;

21 (2) the number of FIP recipients hired by an entity with which a hiring
22 agreement was executed; and

23 (3) the effectiveness of each hiring agreement in obtaining employment
24 for FIP recipients.

25 **Chapter 593 of the Acts of 1997**

26 SECTION 14. AND BE IT FURTHER ENACTED, That the Department of
27 Human Resources, [in consultation with participating providers, including managed
28 care organizations.] shall develop for use by ADDICTIONS SPECIALISTS AND
29 appropriate providers a standard substance abuse identification form and a substance
30 abuse treatment form for the reporting of [provider] ADDICTION SPECIALISTS'
31 identification and PROVIDERS' treatment of substance abuse by adult and minor
32 parent APPLICANTS AND recipients to the appropriate local department of social
33 services.

34 [SECTION 15. AND BE IT FURTHER ENACTED, That a participating
35 managed care organization shall provide a copy of the substance abuse identification
36 form and substance abuse treatment form to a participating provider at the outset of
37 the participating provider agreement.]

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Human
2 Resources shall report, subject to § 2-1246 of the State Government Article, to the
3 Senate Finance Committee and the House Appropriations Committee of the General
4 Assembly on or before November 1, 2000, on the Secretary's efforts, under Article 88A,
5 § 46(b)(1) of the Code as enacted by this Act, to develop a plan for recruiting and
6 hiring welfare recipients into local government jobs.

7 The Secretary's report shall be made with the cooperation and input of the
8 Maryland Association of Counties ~~and the Maryland Municipal League.~~

9 SECTION 3. AND BE IT FURTHER ENACTED, That the Secretaries of Human
10 Resources and Health and Mental Hygiene shall report on or before September 1,
11 2000 to the General Assembly, subject to § 2-1246 of the State Government Article, on
12 the progress of the implementation plan for placing an addictions specialist in each
13 local department of social services as provided for in Article 88A, § 50A of the Code.

14 SECTION 4. AND BE IT FURTHER ENACTED, That the Secretaries of Human
15 Resources and Health and Mental Hygiene shall ensure appropriate treatment is
16 available on demand for those individuals affected by the provisions of Article 88A, §
17 65 of the Code. On or before August 1, 2000, the Secretaries shall report to the General
18 Assembly, in accordance with § 2-1246 of the State Government Article, on their
19 implementation plan to ensure appropriate treatment for those individuals affected by
20 the provisions provided for in Article 88A, § 65 of the Code.

21 SECTION 5. AND BE IT FURTHER ENACTED, That the Secretary of Human
22 Resources, in consultation with the Secretary of Health and Mental Hygiene, shall
23 report to the General Assembly, in accordance with § 2-1246 of the State Government
24 Article, on or before October 1, 2001, and annually thereafter, on the effects of the
25 waiver and the testing requirements, including the number of individuals affected, as
26 provided for in Article 88A, § 65A of the Code.

27 SECTION 6. AND BE IT FURTHER ENACTED, That the changes to § 13-106
28 of the State Finance and Procurement Article, as enacted under Section 1 of this Act,
29 shall remain effective for a period of 1 year and, at the end of June 30, 2001, with no
30 further action required by the General Assembly, the changes to § 13-106 of the State
31 Finance and Procurement Article as enacted under Section 1 of this Act shall be
32 abrogated and of no further force and effect.

33 SECTION 7. AND BE IT FURTHER ENACTED, That the Secretary of Human
34 Resources, in consultation with the Department of Budget and Management, on or
35 before January 1, 2001, shall report on the effectiveness of the provisions under §
36 13-106 of the State Finance and Procurement Article, subject to § 2-1246 of the State
37 Government Article, to the Senate Finance Committee and House Appropriations
38 Committee of the General Assembly.

39 SECTION 8. AND BE IT FURTHER ENACTED, That the Secretary of Human
40 Resources, on or before October 1, 2000, shall report to the Appropriations and Budget
41 and Taxation Committees, subject to § 2-1246 of the State Government Article, on the

1 feasibility of creating a centralized procurement assistance unit within the
2 Department of Human Resources.

3 SECTION 9. AND BE IT FURTHER ENACTED, That, the Secretary of Human
4 Resources, on or before October 1, 2000, shall report to the Joint Committee on Welfare
5 Reform on the Department's efforts and implementation plan to extend categorical
6 eligibility for food stamps to households that receive or are authorized to receive
7 services that are funded under the federal TANF Block Grant or State Maintenance of
8 Effort Funds.

9 SECTION 10. AND BE IT FURTHER ENACTED, That, contingent on federal
10 legislation requiring the federal government to share in the cost of implementing a
11 State pass through of child support payments to an individual receiving temporary
12 cash assistance or relinquishing the right of the federal government to a portion of a
13 child support payment subject to the pass through, on or before October 1, 2000, the
14 Secretary of Human Resources shall submit a report to the Joint Committee on Welfare
15 Reform, in accordance with § 2-1246 of the State Government Article, explaining any
16 federal legislation enacted concerning the pass through of child support payments to
17 an individual receiving temporary cash assistance. On or before December 15, 2000,
18 the Secretary shall submit a report to the Joint Committee on Welfare Reform, in
19 accordance with § 2-1246 of the State Government Article, recommending any
20 legislation necessary to implement the provisions of this section relating to the pass
21 through of child support payments.

22 SECTION ~~3-9~~ 11. AND BE IT FURTHER ENACTED, That this Act shall
23 take effect July 1, 2000.