

HOUSE BILL 1205

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2000 Regular Session
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CF 01r1980

By: **Delegates Gladden, Taylor, Hurson, Guns, Weir, Rawlings, Conway, Rosenberg, Edwards, R. Baker, Bozman, Marriott, Nathan-Pulliam, D. Davis, Cane, Klausmeier, Stern, Hammen, Pitkin, McClenahan, Frush, C. Davis, Moe, Griffith, Cole, McHale, Elliott, Stull, Getty, Brinkley, and Redmer**

Introduced and read first time: February 11, 2000
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Substance Abuse Treatment Outcomes Partnership - S.T.O.P. Fund and**
3 **Council**

4 FOR the purpose of creating a Substance Abuse Treatment Outcomes Partnership
5 Fund; providing for the administration and funding of the Fund; ~~requiring the~~
6 ~~Governor to establish a Substance Abuse Treatment Outcomes Partnership~~
7 ~~Council; providing for the membership and staff of the Council;~~ providing for
8 applications and evaluations of requests for partnership funding; specifying that
9 participating jurisdictions are responsible for a certain proportion of costs, not to
10 exceed a certain amount; prohibiting participating counties from supplanting
11 existing levels of spending on drug treatment programs with Partnership funds
12 and providing that Partnership funds may be used only to supplement levels of
13 spending on drug treatment programs; authorizing the Department to award
14 Partnership funding without a full match by a county after considering certain
15 factors; providing for a specified amount amounts in the State budget for the
16 Fund for certain fiscal years; requiring the Council to adopt certain regulations
17 and issue an annual report to the Governor and the General Assembly by a
18 certain date; defining certain terms; and generally relating to the Substance
19 Abuse Treatment Outcomes Partnership Fund and Council.

20 BY adding to
21 Article - Health - General
22 Section 8-6C-01 through 8-6C-04, inclusive, to be under the new subtitle
23 "Subtitle 6C. The Substance Abuse Treatment Outcomes Partnership Fund

1 and Council"
 2 Annotated Code of Maryland
 3 (1994 Replacement Volume and 1999 Supplement)

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

6 **Article - Health - General**

7 SUBTITLE 6C. THE SUBSTANCE ABUSE TREATMENT OUTCOMES PARTNERSHIP FUND
 8 AND COUNCIL.

9 8-6C-01.

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

12 (B) "ELIGIBLE ~~TARGETED~~ POPULATION" INCLUDES:

- 13 (1) MOTHERS OF DRUG-ADDICTED INFANTS;
 14 (2) PARENTS OF CHILDREN IN NEED OF ASSISTANCE;
 15 (3) HOSPITAL EMERGENCY ROOM ADMITTEES;
 16 (4) NEEDY FAMILIES RECEIVING TEMPORARY CASH ASSISTANCE;
 17 (5) FOSTER CARE CHILDREN AND PARENTS;
 18 (6) CHILDREN IN AFTER-SCHOOL PROGRAMS AND THEIR PARENTS,
 19 INCLUDING CHILDREN AND PARENTS IN PROGRAMS SUPPORTED BY THE MARYLAND
 20 AFTER-SCHOOL OPPORTUNITY FUND;
 21 (7) ADOLESCENTS;
 22 ~~(7)~~ (8) PARENTS SUBJECT TO ARREARAGES IN CHILD SUPPORT PAYMENTS;
 23 ~~(8)~~ (9) FIRST-TIME DRUG OFFENDERS, INCLUDING THOSE UNDER
 24 ADJUDICATION BY MARYLAND'S COURTS UNDER THE SUPERVISION OF THE DIVISION
 25 OF PAROLE AND PROBATION;
 26 ~~(9)~~ (10) PRETRIAL CORRECTIONAL INMATES;
 27 ~~(10)~~ (11) PRERELEASE CORRECTIONAL INMATES; AND
 28 ~~(11)~~ (12) THE GENERAL INMATE POPULATION WITHIN
 29 COUNTY-MANAGED CORRECTIONAL FACILITIES; AND
 30 (13) PARENTS OF CHILDREN ENTERING OUT-OF-HOME PLACEMENTS OR
 31 AT RISK OF ENTERING OUT-OF-HOME PLACEMENTS.

1 (C) "PARTNERSHIP FUNDING" MEANS MONEY GRANTED FROM THE
2 SUBSTANCE ABUSE TREATMENT OUTCOMES PARTNERSHIP FUND, ~~FOR PROPOSALS~~
3 ~~APPROVED BY THE SUBSTANCE ABUSE TREATMENT OUTCOMES PARTNERSHIP~~
4 ~~COUNCIL~~ TO MATCH LOCAL FUNDING.

5 (D) "PROPOSAL" MEANS A PLAN UNDER THIS SUBTITLE TO PROVIDE NEW OR
6 EXPANDED SUBSTANCE ABUSE TREATMENT SERVICES ~~TO ONE OR MORE ELIGIBLE~~
7 ~~TARGETED POPULATIONS.~~

8 (E) "REQUEST FOR PARTNERSHIP FUNDING" MEANS A PROPOSAL, SUBMITTED
9 BY THE GOVERNING BODIES OF ONE OR MORE JURISDICTIONS, TO PROVIDE
10 SUBSTANCE ABUSE TREATMENT SERVICES TO ONE OR MORE ELIGIBLE ~~TARGETED~~
11 POPULATIONS WITHIN THE REQUESTING JURISDICTION OR JURISDICTIONS.

12 8-6C-02.

13 (A) THERE SHALL BE A SUBSTANCE ABUSE TREATMENT OUTCOMES
14 PARTNERSHIP FUND, ESTABLISHED WITHIN THE DEPARTMENT OF HEALTH AND
15 MENTAL HYGIENE.

16 (B) THE FUND SHALL BE ADMINISTERED ACCORDING TO THE SUBTITLE.

17 (C) (1) THE FUND SHALL RECEIVE MONEYS AS PROVIDED BY THE
18 GOVERNOR IN THE STATE BUDGET.

19 (2) THE FUND ALSO MAY ACCEPT FUNDS FROM LOCAL, NONPROFIT, OR
20 PRIVATE ORGANIZATIONS.

21 8-6C-03.

22 (A) ~~(1) IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND~~
23 ~~MENTAL HYGIENE AND LOCAL HEALTH OFFICERS, THE GOVERNOR SHALL~~
24 ~~ESTABLISH A SUBSTANCE ABUSE TREATMENT OUTCOMES PARTNERSHIP COUNCIL.~~

25 ~~(2) THE MEMBERSHIP OF THE COUNCIL SHALL INCLUDE APPROPRIATE~~
26 ~~UNITS OF STATE AND LOCAL GOVERNMENT WITH EXPERTISE IN COORDINATING AND~~
27 ~~MANAGING SUBSTANCE ABUSE TREATMENT PROGRAMS.~~

28 ~~(B) STAFF SUPPORT SHALL BE PROVIDED BY THE DEPARTMENT OF HEALTH~~
29 ~~AND MENTAL HYGIENE.~~

30 ~~(C) ON OR BEFORE NOVEMBER 1, 2000, THE GOVERNOR SHALL APPOINT THE~~
31 ~~MEMBERSHIP AND DETERMINE THE MEMBERSHIP TERMS AND STRUCTURE FOR THE~~
32 ~~COUNCIL.~~

33 ~~(D)~~ (A) THE ~~COUNCIL~~ DEPARTMENT SHALL ADOPT REGULATIONS TO:

34 (1) ESTABLISH TIMELINES AND PROCEDURES FOR REQUESTS FOR
35 PARTNERSHIP FUNDING, CONSISTENT WITH THIS SUBTITLE;

1 ~~(2)~~ ESTABLISH GUIDELINES TO ENSURE THAT PROPOSALS RECEIVING
 2 PARTNERSHIP FUNDING DO NOT SERVE INDIVIDUALS WHO ARE SERVED BY
 3 EXISTING TREATMENT PROGRAMS;

4 ~~(3)~~ ~~(2)~~ ESTABLISH GUIDELINES THAT REQUIRE PROGRAMS TO BILL
 5 THIRD-PARTY INSURERS; AND

6 ~~(4)~~ ~~(3)~~ MANAGE THE FUND AND AUTHORIZE DISTRIBUTION OF MONEY
 7 FROM THE FUND IN ACCORDANCE WITH THIS SUBTITLE.

8 ~~(E)~~ (B) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE ~~COUNCIL~~
 9 DEPARTMENT SHALL ISSUE A REPORT TO THE GOVERNOR AND TO THE GENERAL
 10 ASSEMBLY EVALUATING THE RESULTS OF FUNDED PARTNERSHIPS USING THE
 11 PERFORMANCE AND OUTCOME INDICATORS ~~INCLUDED IN THE FUNDING REQUEST~~
 12 ~~AND OTHER MEASUREMENTS THE COUNCIL DEEMS APPROPRIATE~~ ADOPTED BY THE
 13 DEPARTMENT AND THE TASK FORCE TO STUDY INCREASING THE AVAILABILITY OF
 14 SUBSTANCE ABUSE PROGRAMS.

15 8-6C-04.

16 (A) IN THIS SECTION, "COUNTY" INCLUDES BALTIMORE CITY.

17 (B) A REQUEST FOR PARTNERSHIP FUNDING MAY BE SUBMITTED TO THE
 18 ~~COUNCIL~~ DEPARTMENT BY:

19 (1) THE GOVERNING BODY OF A COUNTY; OR

20 (2) THE GOVERNING BODY OF MORE THAN ONE COUNTY.

21 (C) A REQUEST FOR PARTNERSHIP FUNDING SHALL BE MADE IN
 22 ACCORDANCE WITH A SCHEDULE AND FORMAT DETERMINED BY THE ~~COUNCIL~~
 23 DEPARTMENT, IN CONSULTATION WITH THE TASK FORCE TO STUDY INCREASING
 24 THE AVAILABILITY OF SUBSTANCE ABUSE PROGRAMS.

25 (D) IN A REQUEST FOR PARTNERSHIP FUNDING, THE APPLICANT SHALL
 26 INCLUDE:

27 (1) A DESCRIPTION OF THE PROPOSAL;

28 (2) AN INDICATION OF THE ELIGIBLE TARGETED POPULATION OR
 29 POPULATIONS THAT THE PROPOSAL WILL SERVE;

30 (3) A DESCRIPTION OF THE SERVICES TO BE PROVIDED UNDER THE
 31 PROPOSED NEW OR EXPANDED PROGRAM AND AN IDENTIFICATION OF THE LOCAL
 32 PROVIDERS ABLE TO PROVIDE THOSE SERVICES;

33 (4) A PLAN TO REACH THE TARGETED POPULATIONS USING RELEVANT
 34 MEANS OF CONTACT;

1 (5) PERFORMANCE AND OUTCOME INDICATORS TO EVALUATE THE
2 PROGRAM EFFECTIVENESS, INCLUDING A DESCRIPTION OF THE EXPECTED
3 SCHEDULE AND METHODS FOR MEASURING PERFORMANCE AND OUTCOME; AND

4 (6) A STATEMENT OF THE FUNDS THAT THE APPLICANT INTENDS TO
5 COMMIT.

6 (E) IN EVALUATING A REQUEST FOR PARTNERSHIP FUNDING, THE ~~COUNCIL~~
7 DEPARTMENT, IN CONSULTATION WITH THE TASK FORCE TO STUDY INCREASING
8 THE AVAILABILITY OF SUBSTANCE ABUSE PROGRAMS, SHALL CONSIDER:

9 (1) THE PERFORMANCE AND OUTCOME INDICATORS SPECIFIED;

10 (2) THE DEGREE TO WHICH THE PROPOSAL MAY REDUCE THE NEED FOR
11 OTHER STATE OR LOCAL PUBLIC SERVICES OR PROGRAMS INTENDED FOR THE
12 POPULATIONS TARGETED BY THE PROPOSAL;

13 ~~(3) PRIOR CONTRIBUTIONS OF FUNDS FOR SUBSTANCE ABUSE~~
14 ~~TREATMENT PROGRAMS BY A COUNTY OR COUNTIES REQUESTING PARTNERSHIP~~
15 ~~FUNDING;~~

16 ~~(4)~~ (3) THE EXTENT TO WHICH THE PROPOSAL INCORPORATES THE USE OF
17 EXCESS OR OTHERWISE AVAILABLE MEDICAL-RELATED FACILITIES, INCLUDING
18 VACANT HOSPITAL BEDS;

19 ~~(5)~~ (4) HOW THE PROPOSAL FITS INTO A BALANCED APPROACH TO THE
20 STATE'S VARIETY OF SUBSTANCE ABUSE NEEDS AND POPULATIONS THAT SERVES
21 DIFFERENT GEOGRAPHIC AREAS OF THE STATE WITH PARTNERSHIP FUNDING; AND

22 ~~(6)~~ (5) THE EXTENT TO WHICH THE PROPOSAL IS PART OF OR CONSISTENT
23 WITH A REGIONAL STRATEGY FOR SUBSTANCE ABUSE TREATMENT PROGRAMS
24 AFFECTING ADJOINING JURISDICTIONS.

25 (F) (1) ~~THE COUNCIL~~ AFTER CONSULTING WITH THE TASK FORCE TO
26 STUDY INCREASING THE AVAILABILITY OF SUBSTANCE ABUSE PROGRAMS, THE
27 DEPARTMENT SHALL AWARD PARTNERSHIP FUNDING FOLLOWING THE
28 CONSIDERATIONS IN THIS SECTION.

29 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
30 PARAGRAPH, A COUNTY GRANTED FUNDING SHALL BE RESPONSIBLE FOR NOT MORE
31 THAN ONE-HALF OF THE COST OF THE APPROVED ~~PROGRAM~~ PARTNERSHIP.

32 (II) THE DEPARTMENT MAY AWARD PARTNERSHIP FUNDING THAT
33 RESULTS IN A COUNTY BEING RESPONSIBLE FOR LESS THAN ONE-HALF OF THE
34 COST OF THE APPROVED PARTNERSHIP AFTER CONSIDERING:

35 1. THE FINANCIAL HARDSHIP OF THE PARTICIPATING
36 COUNTY;

1 2. PRIOR CONTRIBUTIONS OF FUNDS FOR SUBSTANCE
2 ABUSE TREATMENT PROGRAMS MADE BY THE PARTICIPATING COUNTY; OR

3 3. OTHER RELEVANT CONSIDERATIONS DEEMED
4 APPROPRIATE BY THE DEPARTMENT.

5 (3) A PARTICIPATING COUNTY:

6 (I) MAY USE PARTNERSHIP FUNDS ONLY TO SUPPLEMENT LEVELS
7 OF SPENDING BY THE PARTICIPATING COUNTY ON DRUG TREATMENT PROGRAMS;
8 AND

9 (II) MAY NOT USE PARTNERSHIP FUNDS TO SUPPLANT SPENDING
10 BY THE PARTICIPATING COUNTY ON DRUG TREATMENT PROGRAMS.

11 SECTION 2. AND BE IT FURTHER ENACTED, That, ~~for the Substance Abuse~~
12 ~~Treatment Outcomes Partnership Fund established under this Act, the Governor~~
13 ~~shall include in the State budget for fiscal years 2002, 2003, and 2004 at least \$12.5~~
14 ~~million each year for the Substance Abuse Treatment Outcomes Partnership Fund~~
15 ~~established under this Act, the following amounts~~ to be distributed and managed in
16 accordance with this Act;

17 (1) \$4 million for fiscal year 2002;

18 (2) \$8 million for fiscal year 2003; and

19 (3) \$12 million for fiscal year 2004.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2000.