

SENATE BILL 743

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2000 Regular Session  
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By: **Senators Neall, Blount, Hollinger, Hoffman, Van Hollen, Middleton, McCabe, Jacobs, Frosh, Collins, Sfikas, Conway, Dyson, Kasemeyer, Munson, Hogan, Ruben, Currie, Pinsky, and Stoltzfus**

Introduced and read first time: February 4, 2000  
Assigned to: Economic and Environmental Affairs and Budget and Taxation

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: April 3, 2000

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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; providing for a specified amount in the State budget~~  
11 ~~for the Fund for certain fiscal years; with certain exceptions; prohibiting~~  
12 ~~participating counties from supplanting existing levels of spending on drug~~  
13 ~~treatment programs with Partnership funds and providing that Partnership~~  
14 ~~funds may be used only to supplement levels of spending on drug treatment~~  
15 ~~programs; authorizing the Department of Health and Mental Hygiene to award~~  
16 ~~Partnership funding without a full match by a county or counties after~~  
17 ~~considering certain factors; requiring the Council Department to adopt certain~~  
18 regulations and issue an annual report to the Governor and the General  
19 Assembly by a certain date; defining certain terms; and generally relating to the  
20 Substance Abuse Treatment Outcomes Partnership Fund ~~and Council.~~

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

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

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

5 **Article - Health - General**

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

8 8-6C-01.

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

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

12 (1) MOTHERS OF DRUG-ADDICTED INFANTS;

13 (2) PARENTS OF CHILDREN IN NEED OF ASSISTANCE;

14 (3) HOSPITAL EMERGENCY ROOM ADMITTEES;

15 (4) NEEDY FAMILIES RECEIVING TEMPORARY CASH ASSISTANCE;

16 (5) FOSTER CARE CHILDREN AND PARENTS;

17 (6) CHILDREN IN AFTER-SCHOOL PROGRAMS AND THEIR PARENTS,  
18 INCLUDING CHILDREN AND PARENTS IN PROGRAMS SUPPORTED BY THE MARYLAND  
19 AFTER-SCHOOL OPPORTUNITY FUND;

20 (7) ADOLESCENTS;

21 ~~(7)~~ (8) PARENTS SUBJECT TO ARREARAGES IN CHILD SUPPORT  
22 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)       (1)       A REQUEST FOR PARTNERSHIP FUNDING MAY BE SUBMITTED TO  
18 THE ~~COUNCIL~~ DEPARTMENT BY:

19           ~~(+)~~       (I)       THE GOVERNING BODY OF A COUNTY; OR

20           ~~(2)~~       (II)       THE GOVERNING BODY OF MORE THAN ONE COUNTY BODIES  
21 OF TWO OR MORE COUNTIES.

22           (2)       IF A REQUEST FOR PARTNERSHIP FUNDING IS SUBMITTED BY THE  
23 GOVERNING BODIES OF TWO OR MORE COUNTIES, EACH OF THE PARTICIPATING  
24 COUNTIES SHALL CONTRIBUTE TO THE LOCAL MATCH REQUIREMENT ESTABLISHED  
25 UNDER SUBSECTION (F)(2) OF THIS SECTION.

26       (C)       A REQUEST FOR PARTNERSHIP FUNDING SHALL BE MADE IN  
27 ACCORDANCE WITH A SCHEDULE AND FORMAT DETERMINED BY THE ~~COUNCIL~~  
28 DEPARTMENT.

29       (D)       (1)       IN A REQUEST FOR PARTNERSHIP FUNDING, THE APPLICANT OR  
30 APPLICANTS SHALL INCLUDE:

31           ~~(+)~~       (I)       A DESCRIPTION OF THE PROPOSAL;

32           ~~(2)~~       (II)       AN INDICATION OF THE ELIGIBLE ~~TARGETED~~ POPULATION OR  
33 POPULATIONS THAT THE PROPOSAL WILL SERVE;

34           ~~(3)~~       (III)       A DESCRIPTION OF THE SERVICES TO BE PROVIDED UNDER THE  
35 PROPOSED NEW OR EXPANDED PROGRAM AND AN IDENTIFICATION OF THE LOCAL  
36 PROVIDERS ABLE TO PROVIDE THOSE SERVICES;

1           ~~(4)~~    (IV)    A PLAN TO REACH THE TARGETED POPULATIONS USING  
2 RELEVANT MEANS OF CONTACT;

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

6           ~~(6)~~    (VI)    SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A  
7 STATEMENT OF THE FUNDS THAT THE APPLICANT ~~INTENDS TO~~ OR APPLICANTS WILL  
8 COMMIT TO THE PARTNERSHIP.

9           (2)    IF A REQUEST FOR PARTNERSHIP FUNDING IS SUBMITTED BY THE  
10 GOVERNING BODIES OF TWO OR MORE COUNTIES, THE REQUEST FOR PARTNERSHIP  
11 FUNDING SHALL STATE THE AMOUNT OF FUNDS THAT EACH APPLICANT WILL  
12 COMMIT TO THE PARTNERSHIP.

13       (E)    IN EVALUATING A REQUEST FOR PARTNERSHIP FUNDING, THE ~~COUNCIL~~  
14 DEPARTMENT SHALL CONSIDER:

15           (1)    THE PERFORMANCE AND OUTCOME INDICATORS SPECIFIED;

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

19           ~~(3)~~    ~~PRIOR CONTRIBUTIONS OF FUNDS FOR SUBSTANCE ABUSE~~  
20 ~~TREATMENT PROGRAMS BY A COUNTY OR COUNTIES REQUESTING PARTNERSHIP~~  
21 ~~FUNDING;~~

22           ~~(4)~~    (3)    THE EXTENT TO WHICH THE PROPOSAL INCORPORATES THE  
23 USE OF EXCESS OR OTHERWISE AVAILABLE MEDICAL-RELATED FACILITIES,  
24 INCLUDING VACANT HOSPITAL BEDS;

25           ~~(5)~~    (4)    HOW THE PROPOSAL FITS INTO A BALANCED APPROACH TO  
26 THE STATE'S VARIETY OF SUBSTANCE ABUSE NEEDS AND POPULATIONS THAT  
27 SERVES DIFFERENT GEOGRAPHIC AREAS OF THE STATE WITH PARTNERSHIP  
28 FUNDING; AND

29           ~~(6)~~    (5)    THE EXTENT TO WHICH THE PROPOSAL IS PART OF OR  
30 CONSISTENT WITH A REGIONAL STRATEGY FOR SUBSTANCE ABUSE TREATMENT  
31 PROGRAMS AFFECTING ADJOINING JURISDICTIONS.

32       (F)    (1)    ~~THE COUNCIL~~ THE DEPARTMENT SHALL AWARD PARTNERSHIP  
33 FUNDING FOLLOWING THE CONSIDERATIONS IN THIS SECTION.

34           (2)    (1)    A COUNTY EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF  
35 THIS PARAGRAPH, THE COUNTY OR COUNTIES GRANTED FUNDING SHALL BE  
36 RESPONSIBLE FOR ~~NOT MORE THAN~~ ONE-HALF OF THE COST OF THE APPROVED  
37 PROGRAM PARTNERSHIP.

1                   (II)     THE DEPARTMENT MAY AWARD PARTNERSHIP FUNDING THAT  
2 RESULTS IN A COUNTY OR COUNTIES BEING RESPONSIBLE FOR LESS THAN  
3 ONE-HALF OF THE COST OF THE APPROVED PARTNERSHIP AFTER CONSIDERING:

4                             1.     THE FINANCIAL HARDSHIP OF THE PARTICIPATING  
5 COUNTY OR COUNTIES;

6                             2.     PRIOR CONTRIBUTIONS OF FUNDS FOR SUBSTANCE  
7 ABUSE TREATMENT PROGRAMS MADE BY THE PARTICIPATING COUNTY OR  
8 COUNTIES; OR

9                             3.     OTHER RELEVANT CONSIDERATIONS DEEMED  
10 APPROPRIATE BY THE DEPARTMENT.

11                   (3)     A PARTICIPATING COUNTY:

12                             (I)     MAY USE PARTNERSHIP FUNDS ONLY TO SUPPLEMENT LEVELS  
13 OF SPENDING BY THE PARTICIPATING COUNTY ON DRUG TREATMENT PROGRAMS;  
14 AND

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

17     SECTION 2. AND BE IT FURTHER ENACTED, That ~~the Governor shall~~  
18 ~~include in the State budget for fiscal years 2002, 2003, and 2004 at least \$12.5 million~~  
19 ~~each year for the Substance Abuse Treatment Outcomes Partnership Fund~~  
20 ~~established under this Act, to be distributed and managed in accordance with this Act~~  
21 the Department shall consult with the Statewide Task Force to Study Increasing the  
22 Availability of the Substance Abuse Programs;

23                             (1)     in determining a schedule and format for Partnership funding  
24 requests; and

25                             (2)     when evaluating a request for Partnership funding.

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