Unofficial Copy E3 2003 Regular Session 3lr2334

By: **Delegates Zirkin, Amedori, and O'Donnell** Introduced and read first time: February 14, 2003

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

| | Λ | Λ("Ι" | concerning |
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| 1 | $\Delta I I$ | ΔCI | COHCCHIIII |
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2 Juvenile Justice - Day Treatment Center - Pilot Program

- 3 FOR the purpose of establishing the Day Treatment Center Pilot Program in the
- 4 Department of Juvenile Justice in certain counties; establishing the purpose of
- 5 the Program; requiring the Program, in cooperation with the State Department
- 6 of Education, to provide certain educational instruction; making certain
- 7 provisions relating to education applicable to the educational instruction
- 8 provided by the Program; requiring the Program to provide certain services;
- 9 limiting the number of children in each center; authorizing the Governor to
- include funds in the State budget for the Program; authorizing the Department
- 11 to adopt certain regulations; defining certain terms; providing for the
- 12 termination of this Act; and generally relating to the Day Treatment Center
- 13 Pilot Program.
- 14 BY repealing and reenacting, with amendments,
- 15 Article 83C Juvenile Justice
- 16 Section 2-127(a)
- 17 Annotated Code of Maryland
- 18 (1998 Replacement Volume and 2002 Supplement)
- 19 BY adding to
- 20 Article 83C Juvenile Justice
- 21 Section 2-127.1
- 22 Annotated Code of Maryland
- 23 (1998 Replacement Volume and 2002 Supplement)
- 24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 25 MARYLAND, That the Laws of Maryland read as follows:

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| 1 | 1 Article 83C - Juvenile Justice | | | | | | | | |
|---|----------------------------------|-----------------|---------|---|--|--|--|--|--|
| 2 2-127. | | | | | | | | | |
| 3 (a) 4 communit | (1) y detention | | | nall establish programs for juvenile intake, robation, and aftercare services. | | | | | |
| 5 (2) (I) THE SECRETARY SHALL ESTABLISH A PILOT PROGRAM FOR DAY 6 TREATMENT CENTERS FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT WHO 7 RETURN TO THEIR COMMUNITY AFTER PLACEMENT IN A RESIDENTIAL FACILITY IN 8 ACCORDANCE WITH § 2-120 OF THIS TITLE. | | | | | | | | | |
| 9 10 WITH § 2 | 2-127.1 OF | (II) THIS TI | | ILOT PROGRAM SHALL BE ESTABLISHED IN ACCORDANCE | | | | | |
| 11 2-127.1. | | | | | | | | | |
| 12 (A) 13 INDICAT | (1) TED. | IN THI | S SECTI | ION THE FOLLOWING WORDS HAVE THE MEANINGS | | | | | |
| 14 (2) "DAY TREATMENT CENTER" MEANS A FACILITY WHICH PROVIDES 15 EDUCATION AND TREATMENT SERVICES FOR A CHILD WHO: | | | | | | | | | |
| 16 | | (I) | IS STII | LL IN THE CUSTODY OF THE DEPARTMENT; | | | | | |
| 17 18 OPERAT 19 THIS TIT | | (II) HE DEPA | | OMPLETED A PLACEMENT IN A RESIDENTIAL FACILITY IT OR BY A PRIVATE PROVIDER IN ACCORDANCE WITH | | | | | |
| 20 | | (III) | RETUR | RNS TO THE CHILD'S COMMUNITY; AND | | | | | |
| 21 | | (IV) | CONTI | INUES TO NEED SERVICES ON A DAILY BASIS. | | | | | |
| 22 23 OF: | (3) | "INDIV | 'IDUALI | IZED SERVICE PLAN" MEANS A WRITTEN DESCRIPTION | | | | | |
| 24 | | (I) | A CHII | LD'S NEEDS; | | | | | |
| 25 | | (II) | GOALS | S TO BE ACHIEVED; | | | | | |
| 26 27 THE PLA | AN; AND | (III) | PERSO | ONS AND AGENCIES RESPONSIBLE FOR CARRYING OUT | | | | | |
| 28 29 INCLUD | ING: | (IV) | PROGI | RAM ELEMENTS TO ACHIEVE IDENTIFIED GOALS, | | | | | |
| 30 | | | 1. | ASSESSMENTS; | | | | | |
| 31 | | | 2. | SERVICES; | | | | | |
| 32 | | | 3. | SUPPORTS; AND | | | | | |

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| 1 2 | APPROPRIATE. | | 4. | EDUCATION AND LIFE SKILLS TRAINING, AS |
|----------|-------------------------|-------------------|---------|---|
| 3 | (B) (1) CENTER PILOT | | | EPARTMENT OF JUVENILE JUSTICE DAY TREATMENT |
| 5 | (2) | THE PI | LOT PRO | OGRAM SHALL BE ESTABLISHED IN: |
| 6 | | (I) | ANNE | ARUNDEL COUNTY; |
| 7 | | (II) | BALTI | MORE CITY; |
| 8 | | (III) | BALTI | MORE COUNTY; |
| 9 | | (IV) | MONT | GOMERY COUNTY; AND |
| 10 | | (V) | PRINC | E GEORGE'S COUNTY. |
| 11 | (C) A D | AY TREAT | MENT C | ENTER SHALL: |
| 12 | (1) | SERVE | NO FEV | WER THAN 20 AND NO MORE THAN 40 CHILDREN; |
| | | | OF ED | DE EDUCATIONAL INSTRUCTION THAT IS APPROVED BY UCATION AND DESIGNED TO MEET THE PARTICULAR CENTER POPULATION; |
| | TREATMENT C | | R 12 MO | UCT EDUCATIONAL INSTRUCTION ON SITE AT THE DAY NTHS OF THE YEAR, BY TEACHERS WHO HOLD A IBTITLE 1 OF THE EDUCATION ARTICLE; AND |
| | | | PLIED T | HE PROVISIONS OF DIVISION I AND DIVISION II OF THE O THE PRIMARY AND SECONDARY EDUCATIONAL E DAY TREATMENT CENTER; |
| 22 | (3) | PROVII | DE FOR | 12 MONTHS A YEAR: |
| 23 24 | TREATMENT S. | (I) ERVICES, I | | CAL AND MENTAL HEALTH ASSESSMENT AND ING FAMILY THERAPIES AS NEEDED; AND |
| 25 26 | SERVICES; ANI | (II) | ALCOH | HOL AND DRUG ABUSE EDUCATION AND COUNSELING |
| 27 | | (III) | VOCA | TIONAL AND JOB SKILLS DEVELOPMENT COUNSELING. |
| 28 29 | | | | REQUIREMENTS STATED IN SUBSECTION (C) OF THIS ENTER SHALL INCLUDE: |
| 30 | (1) | OPPOR | TUNITI | ES FOR SUPERVISED COMMUNITY SERVICE TO: |
| 31 32 | AND | (I) | ALLOV | V CHILDREN TO MAKE RESTITUTION TO THEIR VICTIMS |

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- 1 (II) DEVELOP RESPONSIBILITY FOR THE COMMUNITY IN WHICH 2 THEY LIVE; AND
- 3 (2) EDUCATION AND COUNSELING DESIGNED TO FOSTER VICTIM 4 AWARENESS AND EMPATHY AMONG THE CHILDREN ENROLLED.
- 5 (E) BEFORE A CHILD IS PLACED IN A DAY TREATMENT CENTER, THE
- 6 DEPARTMENT CASE MANAGER, THE CHILD, THE CHILD'S FAMILY, AND DESIGNATED
- 7 STAFF FROM THE DAY TREATMENT CENTER SHALL DEVELOP AN INDIVIDUALIZED
- 8 SERVICE PLAN FOR THE CHILD.
- 9 (F) THE CHILD WILL REMAIN IN THE DAY TREATMENT CENTER UNTIL:
- 10 (1) THE GOALS OF THE INDIVIDUALIZED SERVICE PLAN HAVE BEEN 11 ACHIEVED; OR
- 12 (2) THE ADMINISTRATION AND TREATMENT STAFF OF THE DAY
- 13 TREATMENT CENTER CERTIFY THAT THE CHILD HAS ACHIEVED MAXIMUM BENEFIT
- 14 FROM THE PROGRAM.
- 15 (G) BEFORE A CHILD IS RELEASED FROM THE DAY TREATMENT CENTER, THE
- 16 CHILD, THE CHILD'S FAMILY, THE DEPARTMENT CASE MANAGER, AND DESIGNATED
- 17 STAFF AT THE DAY TREATMENT CENTER SHALL DEVELOP A COMMUNITY
- 18 TRANSITION PLAN WHICH SHALL INCLUDE, AT A MINIMUM:
- 19 (1) AN INDIVIDUALIZED PLAN FOR HOME AND COMMUNITY
- 20 SUPERVISION WHICH INVOLVES THE CHILD'S FAMILY;
- 21 (2) A PLAN FOR RE-ENROLLMENT IN A PUBLIC SCHOOL, STATE
- 22 DEPARTMENT OF EDUCATION APPROVED NONPUBLIC SCHOOL, OR OTHER
- 23 EDUCATIONAL OR VOCATIONAL TRAINING PROGRAM APPROVED BY THE
- 24 DEPARTMENT; AND
- 25 (3) CONTINUED MENTAL HEALTH TREATMENT AND SUBSTANCE ABUSE
- 26 TREATMENT AND EDUCATION SERVICES IF CONSIDERED NECESSARY BY THE DAY
- 27 TREATMENT CENTER STAFF.
- 28 (H) FOR FISCAL YEAR 2004 AND EACH SUCCEEDING FISCAL YEAR, THE
- 29 GOVERNOR MAY INCLUDE FUNDS IN THE STATE BUDGET FOR THE PROGRAM.
- 30 (I) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE
- 31 PROVISIONS OF THIS SECTION.
- 32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 33 October 1, 2003. It shall remain effective for a period of 3 years and, at the end of
- 34 September 30, 2006, with no further action required by the General Assembly, this
- 35 Act shall be abrogated and of no further force and effect.