

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 525
Ways and Means

(Delegate Zirkin, *et al.*)

Private Residential Child Care Programs - Community Advisory Boards

This bill requires all licensed “private residential child care programs” to establish community advisory boards.

Fiscal Summary

State Effect: The bill’s requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: No fiscal impact on residential child care providers that are considered small businesses because the advisory board members would not be paid.

Analysis

Bill Summary: A private residential child care program licensed after October 1, 2003 must establish an advisory board within six months of licensure. A program licensed before October 1, 2003 has until October 1, 2004 to establish an advisory board. A private residential child care program is an entity that provides 24-hour care for children within a structured set of services and activities designed to achieve specific objectives. Such a program includes residential services for children with developmental disabilities, child care homes, child care institutions, private therapeutic group homes, and private group homes.

Advisory boards must consist of at least ten adults from the surrounding community who have an interest in, or knowledge of the needs of children. The boards must: (1) meet at

least three times a year with the licensee and program administrator; (2) provide the licensee with advice and input regarding the program's operation; (3) assist the licensee in its relations with the community; and (4) perform other duties and functions so that children in the programs can participate in community activities, resources, and services.

The program must register its advisory board with the State agency that licenses the program: the Department of Health and Mental Hygiene (DHMH), the Department of Human Resources (DHR), or the Department of Juvenile Justice (DJJ). DJJ and DHR, may not place a child in a group home or other residential facility that does not have an advisory board.

The Governor's Office of Children, Youth, and Families (OCYF), in consultation with DHMH, DHR, and DJJ, must adopt regulations to establish advisory board standards and procedures.

Current Law: Residential child care providers licensed by the State currently are not required by statute to have community advisory boards.

Background: OCYF reports that its resource directory database contains more than 400 community-based homes for children that would be covered under this bill.

DHMH advises that while residential child care providers licensed by the department do not have community advisory boards, these providers often have community members on their board of directors.

State Fiscal Effect: Expenditures to implement the bill would not be directly affected. DHMH, DHR, and DJJ could implement the bill's requirements with existing resources. OCYF reports that general fund expenditures could increase by \$114,359 in fiscal 2004, \$100,000 (one-time) to expand its provider database and \$14,359 for a half-time administrative employee to maintain the advisory board information. The Department of Legislative Services disagrees. The bill requires the departments that license the providers (DHMH, DHR, and DJJ) to maintain the advisory board information. The bill does not require OCYF to expand its provider database. OCYF should be able to develop the advisory board regulations with DHMH, DHR, and DJJ using existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Justice, Department of Human Resources, Governor's Office (Children, Youth, and Families), Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2003
ncs/jr

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