
By: **The Speaker (By Request - Administration)**

Introduced and read first time: January 26, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Government - Executive Department - Children, Youth, and Family**
3 **Services**

4 FOR the purpose of establishing a coordinated interagency and intergovernmental
5 office for children, youth, and family services; creating a Children's Cabinet
6 within the Governor's Executive Council; providing for an Advisory Council on
7 Children, Youth, and Families; establishing an interagency fund within the
8 Children's Cabinet and providing for allocations from that fund; providing for
9 the duties and responsibilities of the Special Secretary for Children, Youth, and
10 Families; providing for the duties and responsibilities of the Office for Children,
11 Youth, and Families; establishing a Children's Trust Fund and providing for
12 allocations from that Fund; providing for the duties and responsibilities of the
13 Office of the Independent Juvenile Justice Monitor; requiring the Children's
14 Cabinet to report to the Governor on or before a certain date; and generally
15 relating to children, youth, and family services.

16 BY repealing
17 Article 49D - Office for Children, Youth, and Families
18 In its entirety
19 Annotated Code of Maryland
20 (2003 Replacement Volume and 2004 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - State Government
23 Section 8-103
24 Annotated Code of Maryland
25 (2004 Replacement Volume)

26 BY adding to
27 Article - State Government
28 Section 8-1A-01 through 8-1A-07, inclusive, to be under the new subtitle
29 "Subtitle 1A. Children's Cabinet"; 8-2A-01 through 8-2A-08, inclusive, to
30 be under the new subtitle "Subtitle 2A. Children, Youth, and Family
31 Services"; and 8-3A-01 through 8-3A-07, inclusive, to be under the new

1 subtitle "Subtitle 3A. Office of the Independent Juvenile Justice Monitor"
2 Annotated Code of Maryland
3 (2004 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That Article 49D - Office for Children, Youth, and Families of the
6 Annotated Code of Maryland be repealed in its entirety.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
8 read as follows:

9 **Article - State Government**

10 8-103.

11 The Council includes:

- 12 (1) the Governor;
- 13 (2) the Lieutenant Governor;
- 14 (3) the Secretary of State;
- 15 (4) the secretary of each principal department of the Executive Branch of
16 the State government;
- 17 (5) the State Superintendent of Schools; [and]
- 18 (6) the Secretary of Higher Education; AND
- 19 (7) THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES.

20 SUBTITLE 1A. CHILDREN'S CABINET.

21 8-1A-01.

22 THERE IS A CHILDREN'S CABINET WITHIN THE GOVERNOR'S EXECUTIVE
23 COUNCIL.

24 8-1A-02.

25 (A) THE CHILDREN'S CABINET SHALL CONSIST OF THE FOLLOWING MEMBERS
26 OF THE GOVERNOR'S EXECUTIVE COUNCIL:

- 27 (1) THE SECRETARY OF HEALTH AND MENTAL HYGIENE;
- 28 (2) THE SECRETARY OF HUMAN RESOURCES;
- 29 (3) THE SECRETARY OF JUVENILE SERVICES;
- 30 (4) THE STATE SUPERINTENDENT OF SCHOOLS;

1 (5) THE SECRETARY OF BUDGET AND MANAGEMENT; AND

2 (6) THE SECRETARY OF DISABILITIES.

3 (B) THE GOVERNOR, ON THE GOVERNOR'S OWN INITIATIVE OR AT THE
4 REQUEST OF THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES, MAY
5 DESIGNATE ADDITIONAL REPRESENTATIVES FROM EXECUTIVE AGENCIES TO ASSIST
6 THE CHILDREN'S CABINET IN DISCHARGING ITS DUTIES AND RESPONSIBILITIES.

7 (C) (1) THE SECRETARY OF EACH EXECUTIVE DEPARTMENT SERVING ON
8 THE CHILDREN'S CABINET SHALL SELECT A MEMBER OF THAT DEPARTMENT TO ACT
9 AS THE PRIMARY LIAISON TO THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND
10 FAMILIES.

11 (2) ANY ADDITIONAL PERSONNEL DEEMED NECESSARY BY THE SPECIAL
12 SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES TO ASSIST THE CHILDREN'S
13 CABINET IN DISCHARGING ITS DUTIES AND RESPONSIBILITIES SHALL BE
14 COORDINATED WITH THE SECRETARY OF EACH EXECUTIVE DEPARTMENT AGENCY.

15 8-1A-03.

16 (A) (1) THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES
17 SHALL SERVE AS THE CHAIR AND BE RESPONSIBLE FOR THE ADMINISTRATION AND
18 OPERATION OF THE CHILDREN'S CABINET.

19 (2) THE CHAIR OF THE CHILDREN'S CABINET SHALL ALSO SERVE AS A
20 MEMBER OF THE EXECUTIVE COUNCIL AND REGULARLY REPORT TO THE EXECUTIVE
21 COUNCIL ON THE ACTIVITIES OF THE CHILDREN'S CABINET.

22 (3) THE CHILDREN'S CABINET SHALL MEET AT THE CALL OF THE CHAIR,
23 NO LESS THAN SIX TIMES PER YEAR.

24 (B) THE OFFICE FOR CHILDREN, YOUTH, AND FAMILIES SHALL PROVIDE
25 STAFF TO THE CHILDREN'S CABINET AS NECESSARY.

26 8-1A-04.

27 (A) THE CHILDREN'S CABINET IS CHARGED WITH:

28 (1) PROMOTING THE STATE'S VISION FOR A STABLE, SAFE, AND
29 HEALTHY ENVIRONMENT FOR CHILDREN AND FAMILIES THROUGH:

30 (I) THE INTEGRATED AND COLLABORATIVE POLICIES OF STATE
31 AGENCIES; AND

32 (II) COOPERATION WITH LOCAL AGENCIES AND PRIVATE
33 ORGANIZATIONS;

34 (2) PROVIDING A REGULAR FORUM FOR STATE AGENCIES RESPONSIBLE
35 FOR IMPLEMENTING THE STATE'S VISION TO MEET AND DEVELOP COORDINATED
36 POLICY RECOMMENDATIONS FOR THE GOVERNOR; AND

1 (3) ENSURING THAT STATE POLICIES AND PROGRAMS FOR INTEGRATED
2 PREVENTION, INTERVENTION, AND COMMUNITY-BASED SERVICES FOR CHILDREN
3 AND FAMILIES ARE OUTCOME-BASED AND EFFICIENTLY IMPLEMENTED.

4 (B) THE CHILDREN'S CABINET SHALL:

5 (1) DEVELOP AND SUBMIT TO THE GOVERNOR A STATE 3-YEAR PLAN
6 FOR CHILDREN, YOUTH, AND FAMILY SERVICES THAT:

7 (I) IDENTIFIES AND RECOMMENDS POLICIES AND PROGRAMS
8 THAT RESULT IN THE COMPREHENSIVE DELIVERY OF EFFECTIVE, EFFICIENT, AND
9 INTEGRATED SERVICES TO CHILDREN AND FAMILIES, INCLUDING INDIVIDUALIZED
10 SERVICES FOR CHILDREN AT RISK OF RESIDENTIAL PLACEMENT AND FAMILIES
11 CARING FOR CHILDREN WITH INTENSIVE NEEDS, AS DEFINED IN § 8-2A-01(D) OF
12 THIS TITLE;

13 (II) IDENTIFIES AND RECOMMENDS IMPLEMENTATION OF
14 COMPREHENSIVE SYSTEMATIC IMPROVEMENTS IN STATE PROGRAMS THAT PROVIDE
15 CHILDREN AND FAMILY SERVICES;

16 (III) IDENTIFIES AND RECOMMENDS POLICIES THAT IMPLEMENT
17 INTERAGENCY STRATEGIC BUDGETING AND FACILITATE ORGANIZATIONAL
18 DEVELOPMENT, PERFORMANCE MEASURES, AND COORDINATION IN CHILDREN AND
19 FAMILY SERVICES;

20 (IV) IDENTIFIES APPROPRIATE EXPENDITURES BY DEPARTMENTS
21 IN THE CHILDREN'S CABINET THAT AFFECT FAMILIES AND CHILDREN WITH
22 INTENSIVE NEEDS, AS DEFINED IN § 8-2A-01(D) OF THIS TITLE; AND

23 (V) RECOMMENDS INTERAGENCY FUNDING SYSTEMS THAT WILL
24 PROMOTE THE EFFICIENT AND COMPREHENSIVE DELIVERY OF INTEGRATED
25 SERVICES FOR THE AFFECTED CHILDREN AND FAMILIES;

26 (2) MAKE ANY REVISIONS TO THE STATE 3-YEAR PLAN AS MAY BE
27 NECESSARY;

28 (3) ANNUALLY IDENTIFY APPROPRIATE PROGRAMS INCLUDED IN THE
29 STATE 3-YEAR PLAN THAT ARE FUNDED BY APPROPRIATIONS OR GRANTS TO THE
30 DEPARTMENTS REPRESENTED IN THE CHILDREN'S CABINET BY:

31 (I) REVIEWING ANY PROPOSAL SUBMITTED BY A DEPARTMENT TO
32 MODIFY OR ELIMINATE A COMPONENT OF THE 3-YEAR PLAN; AND

33 (II) MAKING A RECOMMENDATION TO THE GOVERNOR REGARDING
34 THE PROPOSAL;

35 (4) IMPLEMENT THE:

36 (I) STATE 3-YEAR PLAN ADOPTED UNDER ITEM (1) OF THIS
37 SUBSECTION; AND

1 (II) POLICIES AND PROGRAMS DEVELOPED FOR COMPREHENSIVE
2 CHILDREN AND FAMILY SERVICES, STRATEGIC BUDGETING, AND INTEGRATED
3 SYSTEMS OF CARE AS THE GOVERNOR DIRECTS, AND AS MAY BE ENACTED BY THE
4 GENERAL ASSEMBLY;

5 (5) DEVELOP AND MAINTAIN A SYSTEM OF STATE INTERAGENCY
6 BUDGETING, FUNDING, AND ACCOUNTABILITY FOR CHILDREN AND FAMILY
7 SERVICES, INCLUDING INTEGRATED SYSTEMS OF CARE, AND ADOPT POLICIES AND
8 PROCEDURES FOR EXPENDITURE OF THOSE FUNDS CONSISTENT WITH THE STATE
9 BUDGET AND STATE LAW;

10 (6) DEVELOP AND IMPLEMENT A COMPREHENSIVE PLAN FOR THE
11 RESIDENTIAL PLACEMENT OF CHILDREN WITH INTENSIVE NEEDS, AS DEFINED IN §
12 8-2A-01(D) OF THIS TITLE;

13 (7) REVIEW AND MAKE RECOMMENDATIONS ON PROPOSALS FOR
14 LEGISLATION AFFECTING CHILDREN AND FAMILY SERVICES;

15 (8) COORDINATE WITH THE APPROPRIATE EXECUTIVE BRANCH
16 AGENCIES TO MAXIMIZE FUNDS FOR PREVENTION, EARLY INTERVENTION, AND
17 COMMUNITY-BASED SERVICES FOR CHILDREN AND FAMILIES;

18 (9) ADOPT REGULATIONS TO IMPLEMENT THE STATE 3-YEAR PLAN; AND

19 (10) REVIEW THE REPORTS SUBMITTED BY THE ADVISORY COUNCIL ON
20 CHILDREN, YOUTH, AND FAMILIES AND THE SPECIAL SECRETARY FOR CHILDREN,
21 YOUTH, AND FAMILIES AND ADOPT THE RECOMMENDATIONS THE CHILDREN'S
22 CABINET DETERMINES TO BE NECESSARY AND APPROPRIATE.

23 8-1A-05.

24 THE CHILDREN'S CABINET SHALL SUBMIT THE STATE 3-YEAR PLAN FOR
25 CHILDREN, YOUTH, AND FAMILIES TO THE GOVERNOR ON OR BEFORE OCTOBER 1,
26 2006.

27 8-1A-06.

28 (A) IN ACCORDANCE WITH § 8-1A-04(B)(5) OF THIS SUBTITLE, THE CHILDREN'S
29 CABINET SHALL MAINTAIN A CHILDREN, YOUTH, AND FAMILIES INTERAGENCY
30 FUND.

31 (B) THE FUND CONSISTS OF:

32 (1) MONEYS APPROPRIATED, TRANSFERRED, CREDITED, OR PAID INTO
33 THE FUND FROM ANY SOURCE; AND

34 (2) FEDERAL GRANTS OR ALLOCATIONS ACCEPTED FOR THE BENEFIT
35 OF THE FUND.

1 (C) FUNDS NOT APPROPRIATED AT THE END OF EACH FISCAL YEAR SHALL
2 REVERT TO THE GENERAL FUND OF THE STATE, AS PROVIDED IN § 7-302 OF THE
3 STATE FINANCE AND PROCUREMENT ARTICLE.

4 (D) THE DEPARTMENT OF EDUCATION SHALL BE THE FISCAL AGENT FOR THE
5 FUND.

6 (E) EXPENDITURES FROM THE FUND SHALL:

7 (1) REFLECT THE PRIORITIES SET FORTH IN THE STATE 3-YEAR PLAN;
8 AND

9 (2) BE MADE BY THE CHILDREN'S CABINET IN ACCORDANCE WITH
10 THOSE PRIORITIES.

11 (F) THE CHILDREN'S CABINET SHALL REVIEW AND APPROVE APPLICATIONS
12 FOR GRANTS FROM THE INTERAGENCY FUND AND ENSURE THAT ALL PROGRAMS
13 FUNDED BY THE INTERAGENCY FUND ARE IMPLEMENTED IN ACCORDANCE WITH
14 THE POLICIES AND PROCEDURES ADOPTED IN ACCORDANCE WITH THIS SUBTITLE.

15 8-1A-07.

16 (A) IN THIS SECTION, "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL
17 ON CHILDREN, YOUTH, AND FAMILIES.

18 (B) THERE IS AN ADVISORY COUNCIL ON CHILDREN, YOUTH, AND FAMILIES
19 CONSISTING OF NOT MORE THAN 21 VOTING MEMBERS APPOINTED BY THE
20 GOVERNOR.

21 (C) (1) THE VOTING MEMBERS OF THE ADVISORY COUNCIL SHALL BE
22 REPRESENTATIVE OF INDIVIDUALS WHO HAVE INTEREST OR EXPERTISE IN THE
23 FOLLOWING AREAS:

24 (I) PREVENTION OF ADOLESCENT PREGNANCY AND INFANT
25 MORTALITY;

26 (II) EARLY CHILDHOOD INTERVENTIONS;

27 (III) INTEGRATED SYSTEMS OF CARE;

28 (IV) SCHOOL-BASED HEALTH POLICIES; AND

29 (V) COMMUNITY-BASED SERVICES FOR CHILDREN AND FAMILIES.

30 (2) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE ADVISORY
31 COUNCIL.

32 (3) WITH THE CONSENT OF THE ADVISORY COUNCIL, THE CHAIR MAY
33 DESIGNATE ADDITIONAL INDIVIDUALS, INCLUDING INTERESTED CITIZENS,
34 ELECTED OFFICIALS, EDUCATORS, OR SPECIALISTS WITH RELEVANT EXPERIENCE

1 TO SERVE AS NONVOTING MEMBERS OF ANY SUBCOMMITTEE OR WORK GROUP OF
2 THE ADVISORY COUNCIL.

3 (D) (1) THE MEMBERS OF THE ADVISORY COUNCIL SHALL SERVE AT THE
4 PLEASURE OF THE GOVERNOR.

5 (2) THE TERM OF A MEMBER IS 3 YEARS, WHICH SHALL BE STAGGERED
6 FROM INITIAL APPOINTMENT.

7 (3) A MEMBER OF THE ADVISORY COUNCIL MAY BE REAPPOINTED, BUT
8 MAY SERVE NO MORE THAN TWO CONSECUTIVE TERMS.

9 (E) A MEMBER OF THE ADVISORY COUNCIL:

10 (1) MAY NOT RECEIVE COMPENSATION; BUT

11 (2) SHALL BE ENTITLED TO REIMBURSEMENT FOR REASONABLE
12 EXPENSES INCURRED IN THE PERFORMANCE OF ADVISORY COUNCIL DUTIES.

13 (F) THE ADVISORY COUNCIL SHALL MEET AT LEAST FOUR TIMES PER YEAR
14 AND ADVISE THE CHILDREN'S CABINET ON:

15 (1) PREVENTION, EARLY INTERVENTION, AND COMMUNITY-BASED
16 SERVICES FOR CHILDREN, YOUTH, AND FAMILIES;

17 (2) PREPARATION OF THE STATE 3-YEAR PLAN FOR CHILDREN AND
18 FAMILY SERVICES; AND

19 (3) THE ACTIVITIES OF ANY OTHER BOARD, COUNCIL, COMMISSION OR
20 TASK FORCE CONSIDERING ISSUES THAT RELATE TO PREVENTION, INTERVENTION,
21 OR COMMUNITY-BASED SERVICES FOR CHILDREN, YOUTH, OR FAMILIES.

22 (G) A MAJORITY OF THE MEMBERS OF THE ADVISORY COUNCIL SHALL
23 CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS AND THE
24 ADVISORY COUNCIL MAY ADOPT SUCH OTHER PROCEDURES, INCLUDING THE
25 CREATION OF SUBCOMMITTEES OR WORK GROUPS, AS MAY BE NECESSARY TO
26 ENSURE THE ORDERLY TRANSACTION OF BUSINESS.

27 (H) THE ADVISORY COUNCIL SHALL REVIEW GRANT APPLICATIONS FROM THE
28 CHILDREN'S TRUST FUND AND PROVIDE RECOMMENDATIONS TO THE CHILDREN'S
29 CABINET, AS APPROPRIATE.

30 (I) (1) THE ADVISORY COUNCIL SHALL SUBMIT TO THE GOVERNOR AND, IN
31 ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, TO THE GENERAL ASSEMBLY AN
32 ANNUAL REPORT ON THE ACTIVITIES OF THE ADVISORY COUNCIL.

33 (2) THE REPORT SHALL INCLUDE RECOMMENDATIONS ON:

34 (I) THE STATUS OF EFFORTS TO REDUCE ADOLESCENT
35 PREGNANCY AND INFANT MORTALITY IN THE STATE;

1 (II) THE COSTS AND OUTCOMES OF STATE-FUNDED FAMILY
2 PRESERVATION SERVICES; AND

3 (III) SCHOOL-BASED HEALTH PROGRAMS AND ACTIVITIES.

4 (J) NOTHING IN THIS SUBTITLE SHALL AFFECT THE DESIGNATION BY THE
5 GOVERNOR OF A STATE ADMINISTERING AGENCY FOR THE PURPOSES OF GRANTS OR
6 APPROPRIATIONS FROM THE UNITED STATES GOVERNMENT.

7 SUBTITLE 2A. CHILDREN, YOUTH, AND FAMILY SERVICES.

8 8-2A-01.

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

11 (B) "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL ON CHILDREN,
12 YOUTH, AND FAMILIES ESTABLISHED UNDER § 8-1A-07 OF THIS TITLE.

13 (C) "CHILDREN'S CABINET" MEANS THE CHILDREN'S CABINET ESTABLISHED
14 UNDER § 8-1A-01 OF THIS TITLE.

15 (D) "INTENSIVE NEEDS" MEANS ANY COMBINATION OF BEHAVIORAL,
16 EDUCATIONAL, DEVELOPMENTAL, OR MENTAL HEALTH NEEDS THAT CANNOT BE
17 MET BY A SINGLE PUBLIC AGENCY OR BY ANY SINGLE MANDATED FUNDING SOURCE.

18 (E) "INTERAGENCY FUND" MEANS THE CHILDREN, YOUTH, AND FAMILIES
19 INTERAGENCY FUND ESTABLISHED UNDER § 8-1A-06 OF THIS TITLE.

20 (F) "OFFICE" MEANS THE OFFICE FOR CHILDREN, YOUTH, AND FAMILIES
21 ESTABLISHED UNDER § 8-2A-04 OF THIS SUBTITLE.

22 (G) "SPECIAL SECRETARY" MEANS THE SPECIAL SECRETARY FOR CHILDREN,
23 YOUTH, AND FAMILIES.

24 8-2A-02.

25 IT IS THE POLICY OF THE STATE TO PROMOTE A STABLE, SAFE, AND HEALTHY
26 ENVIRONMENT FOR CHILDREN AND FAMILIES. THIS POLICY REQUIRES INTEGRATED
27 SYSTEMS OF CARE THAT ARE FAMILY AND CHILD ORIENTED AND EMPHASIZE
28 PREVENTION, EARLY INTERVENTION, AND COMMUNITY-BASED SERVICES, WITH
29 SPECIAL ATTENTION FOCUSED ON CHILDREN AND FAMILIES WITH INTENSIVE
30 NEEDS, AS DEFINED IN § 8-2A-01(D) OF THIS SUBTITLE.

31 8-2A-03.

32 THERE IS A NEED FOR AN OFFICE WITHIN THE EXECUTIVE DEPARTMENT THAT
33 IS RESPONSIBLE FOR THE COMPREHENSIVE IMPLEMENTATION OF THE STATE
34 3-YEAR PLAN, INTERAGENCY POLICIES FOR CHILDREN AND FAMILY SERVICES, AND
35 EFFICIENT INTERAGENCY USE OF FEDERAL AND STATE FUNDS.

1 8-2A-04.

2 THERE IS AN OFFICE FOR CHILDREN, YOUTH, AND FAMILIES ESTABLISHED AS
3 PART OF THE EXECUTIVE DEPARTMENT.

4 8-2A-05.

5 (A) THE SPECIAL SECRETARY IS THE HEAD OF THE OFFICE, WHO SHALL BE
6 APPOINTED BY AND SERVE AT THE PLEASURE OF THE GOVERNOR.

7 (B) THE SPECIAL SECRETARY IS RESPONSIBLE FOR THE OPERATION AND
8 ADMINISTRATION OF THE OFFICE AND ITS RELATIONSHIP WITH OTHER STATE
9 AGENCIES, LOCAL GOVERNMENTAL AGENCIES, PRIVATE ORGANIZATIONS, AND THE
10 GENERAL PUBLIC.

11 (C) THE SPECIAL SECRETARY SHALL IS ENTITLED TO THE SALARY PROVIDED
12 IN THE STATE BUDGET.

13 (D) THE OFFICE SHALL HAVE SUCH STAFF AS SHALL BE PROVIDED FOR IN
14 THE STATE BUDGET.

15 (E) THE OFFICE SHALL:

16 (1) ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT AND
17 IMPLEMENTATION OF:

18 (I) THE STATE 3-YEAR PLAN;

19 (II) THE INTERAGENCY POLICIES AND PROGRAMS; AND

20 (III) THE COORDINATION OF THE POLICIES AND PROGRAMS WITH
21 SIMILAR PROGRAMS IN LOCAL JURISDICTIONS TO PROVIDE A COMPREHENSIVE
22 INTEGRATED SERVICES DELIVERY SYSTEM FOR CHILDREN AND FAMILIES;

23 (2) ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT AND
24 IMPLEMENTATION OF INTERAGENCY REGULATIONS, POLICIES, AND PROGRAMS,
25 INCLUDING POLICIES FOR THE APPLICATION, REVIEW, EVALUATION, AND AWARD OF
26 GRANTS, THAT WILL PROMOTE AN EFFECTIVE AND EFFICIENT APPROACH TO
27 ADDRESSING THE NEEDS OF CHILDREN AND FAMILIES;

28 (3) ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT OF THE
29 LOCAL MANAGEMENT BOARDS;

30 (4) DEVELOP NOTICES OF FUNDING AVAILABILITY, REQUESTS FOR
31 PROPOSALS, AND GRANT APPLICATION FORMS FOR THE AWARD OF FUNDS FROM THE
32 INTERAGENCY FUND OR OTHER STATE OR FEDERAL FUNDS AS DIRECTED BY THE
33 CHILDREN'S CABINET;

34 (5) REVIEW AND EVALUATE APPLICATIONS FOR INTERAGENCY FUNDS
35 AND OTHER STATE OR FEDERAL FUNDS, AS THE CHILDREN'S CABINET MAY DIRECT;

1 (6) DEVELOP GRANT AWARD DOCUMENTS FOR THOSE GRANTS THAT:

2 (I) INCORPORATE PERFORMANCE MEASURES AND APPROPRIATE
3 METHODS OF MEASURING THE EFFECTIVENESS OF PROGRAMS THAT RECEIVE
4 GRANT FUNDS;

5 (II) PROVIDE FOR TECHNICAL ASSISTANCE FOR THE GRANTEEES;
6 AND

7 (III) PROVIDE CONSEQUENCES FOR FAILURE TO REACH
8 PERFORMANCE MEASURES OR TO MEASURE THE EFFECTIVENESS OF PROGRAMS
9 THAT RECEIVE GRANT FUNDS FOLLOWING RECEIPT OF TECHNICAL ASSISTANCE;

10 (7) PROVIDE PROGRAM MANAGEMENT, FISCAL OVERSIGHT, AND
11 TECHNICAL ASSISTANCE, AS MAY BE DIRECTED BY THE CHILDREN'S CABINET, FOR
12 ANY APPLICANT OR GRANTEE OF INTERAGENCY FUNDS;

13 (8) MONITOR AND REPORT AT EACH MEETING OF THE CHILDREN'S
14 CABINET ON:

15 (I) THE PERFORMANCE AND EFFECTIVENESS OF ANY GRANTEE OF
16 INTERAGENCY FUNDS;

17 (II) ANY TECHNICAL ASSISTANCE PROVIDED TO A GRANTEE; AND

18 (III) ANY RECOMMENDATIONS THE SPECIAL SECRETARY DEEMS
19 NECESSARY WITH RESPECT TO SUCH GRANTEE; AND

20 (9) PROVIDE SUCH STAFF ASSISTANCE TO THE CHILDREN'S CABINET
21 AND THE ADVISORY COUNCIL AS MAY BE REQUIRED AND PROVIDED FOR IN THE
22 STATE BUDGET.

23 8-2A-06.

24 (A) EACH COUNTY SHALL HAVE A LOCAL MANAGEMENT BOARD.

25 (B) ON APPLICATION FROM A COUNTY, THE SPECIAL SECRETARY MAY, WITH
26 THE CONSENT OF THE CHILDREN'S CABINET, DESIGNATE AN EXISTING PUBLIC
27 AGENCY OR OTHER BOARD OR ORGANIZATION AS THE LOCAL MANAGEMENT BOARD
28 FOR THAT COUNTY.

29 (C) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A LOCAL
30 MANAGEMENT BOARD SHALL BE ESTABLISHED IN ACCORDANCE WITH
31 REGULATIONS ADOPTED BY THE CHILDREN'S CABINET.

32 (D) A LOCAL MANAGEMENT BOARD SHALL:

33 (1) DETERMINE ITS OWN GOVERNING STRUCTURE, INCLUDING
34 SELECTION OR DESIGNATION OF A CHAIR;

1 (2) MAKE APPLICATION FOR FUNDS FROM THE INTERAGENCY FUND TO
2 THE OFFICE, IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE
3 CHILDREN'S CABINET AND UTILIZING SUCH FORMS AS THE OFFICE MAY REQUIRE;
4 AND

5 (3) IN CONNECTION WITH AN APPLICATION FOR FUNDS FROM THE
6 INTERAGENCY FUND, DEVELOP AND SUBMIT TO THE OFFICE A COMMUNITY
7 PARTNERSHIP PLAN THAT:

8 (I) REFLECTS COORDINATION WITH THE STATE 3-YEAR PLAN AND
9 THE LOCAL SUBSTANCE ABUSE PLAN DEVELOPED IN ACCORDANCE WITH TITLE 8,
10 SUBTITLE 10 OF THE HEALTH - GENERAL ARTICLE; AND

11 (II) ADDRESSES THE PRIORITIES AND STRATEGIES OF THE COUNTY
12 FOR MEETING THE IDENTIFIED NEEDS OF CHILDREN AND FAMILIES FOR:

13 1. OUT-OF-HOME PLACEMENT AND TREATMENT;

14 2. CRISIS INTERVENTION;

15 3. SERVICES FOR CHILDREN AT RISK OF OUT-OF-HOME
16 PLACEMENT;

17 4. EARLY INTERVENTION AND DELINQUENCY PREVENTION
18 SERVICES; AND

19 5. EDUCATION, HEALTH CARE, OR OTHER CHILD AND
20 FAMILY SERVICES.

21 (E) A GRANT OF FUNDS TO A LOCAL MANAGEMENT BOARD IS SUBJECT TO THE
22 CONDITIONS, PERFORMANCE MEASURES, OR OUTCOME EVALUATIONS THAT THE
23 CHILDREN'S CABINET SHALL DEEM NECESSARY AND APPROPRIATE, OR AS
24 RECOMMENDED BY THE OFFICE AND APPROVED BY THE CHILDREN'S CABINET.

25 (F) THE LOCAL MANAGEMENT BOARD IS RESPONSIBLE FOR ENSURING THE
26 USE OF INTERAGENCY FUND GRANTS TO IMPLEMENT:

27 (1) A LOCAL, INTERAGENCY SERVICE DELIVERY SYSTEM FOR CHILDREN
28 AND FAMILY SERVICES IN ACCORDANCE WITH THE PLAN SUBMITTED BY THE BOARD;
29 AND

30 (2) ANY TERMS, CONDITIONS, PERFORMANCE MEASURES, OR OUTCOME
31 EVALUATIONS AS MAY BE MADE A PART OF THE GRANT AWARD.

32 (G) THE LOCAL MANAGEMENT BOARD SHALL REVIEW RESIDENTIAL
33 PLACEMENT DECISIONS IN ACCORDANCE WITH THE REGULATIONS ADOPTED BY THE
34 CHILDREN'S CABINET.

35 (H) THE OFFICE SHALL PROVIDE APPROPRIATE TECHNICAL ASSISTANCE TO A
36 LOCAL MANAGEMENT BOARD.

1 8-2A-07.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "ADULT" MEANS AN INDIVIDUAL AT LEAST 18 YEARS OLD.

5 (3) (I) "ADULT WHO HAS CARE AND CONTROL OF THE MINOR" MEANS
6 AN INDIVIDUAL WHO IS ACTING AS THE PARENT OF THE CHILD.

7 (II) "ADULT WHO HAS CARE AND CONTROL OF THE MINOR" DOES
8 NOT INCLUDE A TEACHER OR A BABY-SITTER.

9 (4) "NOT REASONABLY AVAILABLE" MEANS:

10 (I) AFTER REASONABLE ORAL OR WRITTEN INQUIRY, THE
11 REQUESTING AGENCY IS UNAWARE OF THE EXISTENCE OF A PERSON IN INTEREST;

12 (II) AFTER REASONABLE INQUIRY, THE REQUESTING AGENCY
13 CANNOT ASCERTAIN THE LOCATION OF A PERSON IN INTEREST; OR

14 (III) AFTER REASONABLE EFFORTS BY THE REQUESTING AGENCY
15 TO CONTACT THE PERSON IN INTEREST, THE PERSON IN INTEREST HAS NOT
16 RESPONDED IN A TIMELY MANNER, TAKING INTO ACCOUNT THE NEEDS OF THE
17 CHILD FOR WHOM SERVICES ARE TO BE PROVIDED.

18 (5) "PERSON IN INTEREST" MEANS:

19 (I) A MINOR, IF THE INFORMATION REQUESTED CONCERNS
20 TREATMENT TO WHICH THE MINOR HAS THE RIGHT TO CONSENT AND HAS
21 CONSENTED UNDER TITLE 20, SUBTITLE 1 OF THE HEALTH - GENERAL ARTICLE;

22 (II) A PARENT, IF THE PARENT'S PARENTAL RIGHTS HAVE NOT
23 BEEN TERMINATED;

24 (III) A GUARDIAN, CUSTODIAN, OR A REPRESENTATIVE OF THE
25 MINOR DESIGNATED BY A COURT IF AUTHORIZED TO ACT ON BEHALF OF OR IN LIEU
26 OF A PARENT; OR

27 (IV) AN INDIVIDUAL AUTHORIZED TO ACT AS A SURROGATE FOR
28 THE PARENT OR GUARDIAN IN ACCORDANCE WITH THE INDIVIDUALS WITH
29 DISABILITIES EDUCATION ACT, 20 U.S.C. § 1415(B)(1)(B) AND § 1480(5).

30 (6) "PUBLIC AGENCY" MEANS A STATE OR LOCAL GOVERNMENTAL OR
31 QUASI-GOVERNMENTAL ENTITY, INCLUDING A LOCAL MANAGEMENT BOARD
32 ESTABLISHED OR DESIGNATED IN ACCORDANCE WITH § 8-2A-06 OF THIS TITLE.

33 (B) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW AND WHERE
34 NOT PROHIBITED BY FEDERAL LAW, ON THE WRITTEN REQUEST OF A REQUESTING
35 PUBLIC AGENCY, A PUBLIC AGENCY SHALL DISCLOSE INFORMATION AND

1 APPROPRIATE PORTIONS OF RECORDS ON THE CHILDREN, YOUTH, AND FAMILIES
2 SERVED BY THAT AGENCY TO:

3 (1) ANOTHER PUBLIC AGENCY SERVING THE SAME CHILDREN, YOUTH,
4 AND FAMILIES;

5 (2) ANOTHER PUBLIC AGENCY HAVING CHILDREN OR YOUTH IN A
6 PROGRAM, HOME, OR RESIDENTIAL FACILITY FUNDED OR LICENSED BY THAT
7 AGENCY; OR

8 (3) THE OFFICE FOR CHILDREN, YOUTH, AND FAMILIES.

9 (C) THE INFORMATION AND PORTIONS OF RECORDS DISCLOSED UNDER THIS
10 SECTION ARE LIMITED TO THOSE THAT ARE IDENTIFIED SPECIFICALLY IN THE
11 WRITTEN REQUEST.

12 (D) EXCEPT WHERE THE CONSENT OF THE PERSON IN INTEREST IS NOT
13 REQUIRED BY LAW, INFORMATION AND RECORDS SHALL BE DISCLOSED UNDER
14 SUBSECTION (C) OF THIS SECTION ONLY AFTER WRITTEN CONSENT HAS BEEN
15 OBTAINED FROM THE PERSON IN INTEREST OR OTHER INDIVIDUAL AUTHORIZED TO
16 GIVE CONSENT IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.

17 (E) IF THE PERSON IN INTEREST IS NOT REASONABLY AVAILABLE TO GIVE
18 WRITTEN CONSENT, THE FOLLOWING INDIVIDUALS, NOT LISTED IN ORDER OF
19 PRIORITY, MAY CONSENT IN WRITING TO THE RELEASE OF INFORMATION
20 REGARDING A MINOR:

21 (1) AN ADULT WHO HAS CARE AND CONTROL OF THE MINOR;

22 (2) A COURT THAT HAS JURISDICTION OVER A PROCEEDING AFFECTING
23 THE PARENT-CHILD RELATIONSHIP OF WHICH THE MINOR IS THE SUBJECT; OR

24 (3) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE
25 DEPARTMENT OF JUVENILE SERVICES, OR A LOCAL DEPARTMENT OF SOCIAL
26 SERVICES, FOR MINORS IN THE AGENCY'S CARE AND CUSTODY.

27 (F) A PERSON AUTHORIZED TO CONSENT TO THE RELEASE OF INFORMATION
28 UNDER SUBSECTION (E) OF THIS SECTION SHALL:

29 (1) CONFIRM IN WRITING THAT THE PERSON IN INTEREST IS NOT
30 REASONABLY AVAILABLE; AND

31 (2) INCLUDE THE WRITTEN CONFIRMATION IN THE RECORD FROM
32 WHICH THE INFORMATION IS RELEASED.

33 (G) (1) CHILD PROTECTIVE SERVICES RECORDS COLLECTED BEFORE
34 OCTOBER 1, 1993, ARE EXCLUDED FROM THE INFORMATION AND RECORDS THAT MAY
35 BE EXCHANGED IN ACCORDANCE WITH THIS SECTION UNLESS THE PERSON IN
36 INTEREST:

1 (I) IS GIVEN THE OPPORTUNITY TO REVIEW THE RECORDS AND
2 THE INFORMATION TO BE EXCHANGED; AND

3 (II) GIVES CONSENT.

4 (2) ON REQUEST, THE PERSON IN INTEREST MAY REVIEW THE ENTIRE
5 CHILD PROTECTIVE SERVICES RECORD ON THE MINOR.

6 (3) EXCEPT AS REQUIRED BY LAW OR COURT ORDER, THE IDENTITY OF A
7 REPORTER OF ABUSE OR NEGLECT OR ANY OTHER PERSON WHOSE LIFE OR SAFETY
8 IS LIKELY TO BE ENDANGERED BY DISCLOSURE OF THE INFORMATION MAY NOT BE:

9 (I) DISCLOSED TO THE PERSON IN INTEREST; OR

10 (II) EXCHANGED WITH THE REQUESTING AGENCY.

11 (H) INFORMATION AND RECORDS PROVIDED TO ANOTHER AGENCY UNDER
12 THIS SECTION SHALL REMAIN CONFIDENTIAL AND, EXCEPT AS OTHERWISE
13 PROVIDED FOR IN THIS SECTION, MAY NOT BE DISCLOSED TO ANY PERSON OR
14 ENTITY.

15 8-2A-08.

16 (A) IN THIS SECTION, "FUND" MEANS THE CHILDREN'S TRUST FUND.

17 (B) THERE IS A CHILDREN'S TRUST FUND.

18 (C) THE PURPOSE OF THE FUND IS TO ALLOW THE CHILDREN'S CABINET TO:

19 (1) PROVIDE GRANTS TO PUBLIC AND PRIVATE COMMUNITY-BASED
20 ORGANIZATIONS AND AGENCIES IN A COUNTY FOR:

21 (I) DEVELOPMENT, IMPLEMENTATION, OR EVALUATION OF
22 INNOVATIVE CHILD ABUSE AND NEGLECT PREVENTION, TREATMENT, OR
23 EDUCATION PROGRAMS; OR

24 (II) OPERATION OF INNOVATIVE SUPPORT PROGRAMS FOR
25 PARENTS, FAMILIES, AND ABUSED OR NEGLECTED CHILDREN; AND

26 (2) TO THE EXTENT ALLOWED BY LAW OR REGULATION, PROVIDE
27 MATCHING FUNDS FOR ANY FEDERAL GRANT OR APPROPRIATION OR ANY GRANT BY
28 A PRIVATE ORGANIZATION FOR CHILD OR FAMILY SERVICES PROGRAMS.

29 (D) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO §
30 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

31 (E) THE FUND CONSISTS OF:

32 (1) FUNDS FROM GRANTS OR ALLOCATIONS FROM THE UNITED STATES
33 GOVERNMENT THAT SHALL BE MAINTAINED AND ACCOUNTED FOR IN ACCORDANCE
34 WITH FEDERAL LAW AND REGULATIONS;

1 (2) FUNDS COLLECTED UNDER § 4-217(A)(2) OF THE HEALTH - GENERAL
2 ARTICLE;

3 (3) FUNDS PROVIDED IN THE STATE BUDGET; AND

4 (4) GRANTS OR GIFTS TO THE STATE TO OR FOR THE USE OF THE
5 CHILDREN'S TRUST FUND.

6 (F) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE
7 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

8 (G) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER
9 AS OTHER STATE FUNDS.

10 (H) THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND AS
11 DIRECTED BY THE SPECIAL SECRETARY OR AS APPROVED IN THE STATE BUDGET.

12 (I) THE FUND SHALL BE MAINTAINED AND ACCOUNTED FOR IN ACCORDANCE
13 WITH FEDERAL LAW AND REGULATIONS.

14 (J) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS
15 UNDER § 2-1220 OF THIS ARTICLE.

16 (K) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

17 (1) THE GENERAL FUND OF THE STATE; OR

18 (2) ANY OTHER SPECIAL FUND OF THE STATE.

19 (L) APPLICATIONS FOR GRANTS FROM THE FUND SHALL:

20 (1) BE MADE ON THE FORMS SPECIFIED BY THE CHILDREN'S CABINET
21 AND PROVIDE INFORMATION ON THE OUTCOMES OR PERFORMANCE MEASURES OF
22 THE PROGRAM, AS THE SPECIAL SECRETARY SHALL DIRECT; AND

23 (2) BE REVIEWED BY THE ADVISORY COUNCIL.

24 (M) ADMINISTRATIVE EXPENDITURES FROM THE FUND MAY BE MADE ONLY
25 IN ACCORDANCE WITH THE STATE BUDGET.

26 (N) THE SPECIAL SECRETARY SHALL ADMINISTER THE FUND IN ACCORDANCE
27 WITH THIS SECTION AND OTHER APPLICABLE LAWS.

28 (O) DISBURSEMENTS FROM THE FUND SHALL SUPPLEMENT, AND MAY NOT
29 SUBSTITUTE FOR, ANY FUNDS IN THE STATE BUDGET FOR ENFORCEMENT OF THE
30 CHILD ABUSE AND NEGLECT LAWS, SERVICES FOR CHILD PROTECTIVE SERVICES, OR
31 CHILD ABUSE AND NEGLECT PREVENTION, TREATMENT, OR EDUCATION PROGRAMS.

1 SUBTITLE 3A. OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR.

2 8-3A-01.

3 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.

5 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF JUVENILE SERVICES.

6 (C) "OFFICE" MEANS THE OFFICE OF THE INDEPENDENT JUVENILE JUSTICE
7 MONITOR.

8 (D) "SECRETARY" MEANS THE SECRETARY OF JUVENILE SERVICES.

9 8-3A-02.

10 THERE IS AN OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR.

11 8-3A-03.

12 (A) THE OFFICE IS INDEPENDENT OF ANY AGENCY OF THE EXECUTIVE
13 DEPARTMENT IN ITS DECISIONS AND RECOMMENDATIONS MADE IN ACCORDANCE
14 WITH THIS SUBTITLE.

15 (B) THE OFFICE SHALL BE PART OF THE GOVERNOR'S OFFICE OF CRIME
16 CONTROL AND PREVENTION FOR ADMINISTRATIVE AND BUDGETARY PURPOSES.

17 8-3A-04.

18 (A) THE OFFICE SHALL INCLUDE:

19 (1) A FULL TIME EXECUTIVE DIRECTOR; AND

20 (2) STAFF AS PROVIDED FOR IN THE STATE BUDGET.

21 (B) ALL SALARIES FOR THE EXECUTIVE DIRECTOR AND INDEPENDENT
22 JUVENILE JUSTICE MONITORS AND EXPENSES FOR RENT, EQUIPMENT, SUPPLIES,
23 AND GENERAL OPERATING EXPENSES NECESSARY FOR THE WORK OF THE OFFICE
24 SHALL BE AS PROVIDED FOR IN THE STATE BUDGET.

25 (C) IN COOPERATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT,
26 THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND PREVENTION
27 SHALL SET MINIMUM SALARIES, QUALIFICATIONS, AND STANDARDS OF TRAINING
28 AND EXPERIENCE FOR POSITIONS WITH THE OFFICE.

29 8-3A-05.

30 (A) FOR EACH RESIDENTIAL FACILITY OWNED OR OPERATED BY THE
31 DEPARTMENT OR ANY OTHER FACILITY TO WHICH JUVENILES ARE REFERRED BY
32 THE DEPARTMENT OR A COURT OF COMPETENT JURISDICTION, THE OFFICE SHALL:

1 (1) EVALUATE:

2 (I) THE DEPARTMENT'S PROCESS FOR RESPONDING TO
3 COMPLAINTS MADE BY A CHILD OR ON BEHALF OF A CHILD RELATING TO:

4 1. TREATMENT OR SERVICES PROVIDED OR NOT PROVIDED
5 TO THE CHILD;

6 2. THE CHILD'S PHYSICAL CONDITION; OR

7 3. ACTIONS TAKEN WITH RESPECT TO THE CHILD BY
8 FACILITY STAFF;

9 (II) THE DEPARTMENT'S MONITORING PROCESS RELATING TO:

10 1. THE TREATMENT AND SERVICES PROVIDED TO YOUTH;

11 2. THE PHYSICAL CONDITION OF THE FACILITY; AND

12 3. THE ADEQUACY OF STAFFING.

13 (2) REVIEW ALL REPORTS OF DISCIPLINARY ACTIONS, GRIEVANCES,
14 AND GRIEVANCE DISPOSITIONS RELATING TO A CHILD IN A FACILITY THAT RESULT
15 IN MORE SECURITY, ADDITIONAL OBLIGATIONS, LESS PERSONAL FREEDOM, OR
16 OTHER ALTERATIONS IN THE STATUS OR PLACEMENT OF A CHILD;

17 (3) RECEIVE A COPY OF EACH COMPLAINT MADE TO THE DEPARTMENT
18 BY A CHILD OR ON BEHALF OF A CHILD RELATING TO:

19 (I) TREATMENT OR SERVICES PROVIDED OR NOT PROVIDED TO
20 THE CHILD;

21 (II) THE CHILD'S PHYSICAL CONDITION; OR

22 (III) ACTIONS TAKEN WITH RESPECT TO THE CHILD BY FACILITY
23 STAFF;

24 (4) PERFORM UNANNOUNCED SITE VISITS AND ON-SITE INSPECTIONS
25 OF THE FACILITY;

26 (5) RECEIVE AND REVIEW ALL INCIDENT REPORTS SUBMITTED TO THE
27 DEPARTMENT FROM THE FACILITY;

28 (6) RECEIVE REPORTS OF THE FINDING OF CHILD PROTECTIVE
29 SERVICES INVESTIGATIONS OF ALLEGATIONS OF ABUSE OR NEGLECT OF A CHILD IN
30 THE FACILITY; AND

31 (7) BE RESPONSIBLE FOR MONITORING STATE COMPLIANCE WITH THE
32 REQUIREMENTS OF FEDERAL LAW AND REGULATIONS FOR THE HOUSING,
33 DETENTION, AND TREATMENT OF JUVENILE OFFENDERS.

1 (B) NOTHING IN THIS SUBTITLE SHALL AUTHORIZE THE REVIEW BY THE
2 OFFICE OF ANY GRIEVANCE, DISCIPLINARY APPEAL, OR COMPLAINT FILED OR MADE
3 BY AN EMPLOYEE OF THE DEPARTMENT.

4 8-3A-06.

5 (A) THE OFFICE MAY REVIEW RELEVANT LAWS, POLICIES, PROCEDURES, AND
6 JUVENILE JUSTICE RECORDS, INCLUDING RECORDS RELATING TO INDIVIDUAL
7 YOUTH.

8 (B) THE OFFICE MAY, ON REQUEST, CONDUCT INTERVIEWS WITH:

9 (1) EMPLOYEES OF THE DEPARTMENT OR A FACILITY;

10 (2) A YOUTH HOUSED IN A FACILITY; AND

11 (3) ANOTHER PERSON WITH INFORMATION THAT WOULD ASSIST THE
12 OFFICE IN THE PERFORMANCE OF ITS DUTIES.

13 (C) THE OFFICE MAY REVIEW INVESTIGATIVE REPORTS PRODUCED BY THE
14 DEPARTMENT RELATING TO YOUTH IN RESIDENTIAL FACILITIES.

15 (D) IN CONNECTION WITH A CHILD PROTECTIVE SERVICES INVESTIGATION
16 CONDUCTED PURSUANT TO TITLE 5, SUBTITLE 7 OF THE FAMILY LAW ARTICLE, THE
17 EXECUTIVE DIRECTOR MAY DESIGNATE AN EMPLOYEE OF THE OFFICE TO
18 PARTICIPATE IN THE LOCAL DEPARTMENT OF SOCIAL SERVICES'
19 MULTIDISCIPLINARY TEAM PROCESS.

20 (E) THE EXECUTIVE DIRECTOR AND SUCH OTHER EMPLOYEES OF THE
21 OFFICE AS MAY BE NECESSARY SHALL BE AVAILABLE TO ATTEND MEETINGS OF THE
22 ADVISORY BOARD ESTABLISHED UNDER ARTICLE 83C, § 2-119 OF THE CODE.

23 8-3A-07.

24 (A) THE OFFICE SHALL REPORT IN A TIMELY MANNER TO THE SECRETARY,
25 THE CHILDREN'S CABINET, THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND
26 FAMILIES, THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND
27 PREVENTION, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE SPEAKER
28 OF THE HOUSE OF DELEGATES AND THE PRESIDENT OF THE SENATE ON:

29 (1) KNOWLEDGE OF ANY PROBLEM REGARDING THE CARE,
30 SUPERVISION, AND TREATMENT OF CHILDREN IN FACILITIES OWNED OR OPERATED
31 BY THE DEPARTMENT;

32 (2) FINDINGS, ACTIONS, AND RECOMMENDATIONS RELATED TO THE
33 INVESTIGATIONS OF DISCIPLINARY ACTIONS, GRIEVANCES, INCIDENT REPORTS, AND
34 ALLEGED CASES OF CHILD ABUSE AND NEGLECT; AND

35 (3) ALL OTHER FINDINGS AND ACTIONS RELATED TO THE
36 PERFORMANCE OF ITS DUTIES UNDER THIS SUBTITLE.

1 (B) THE OFFICE SHALL REPORT QUARTERLY TO THE SECRETARY, THE
2 SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES, THE EXECUTIVE
3 DIRECTOR OF THE OFFICE OF CRIME CONTROL AND PREVENTION, AND EACH
4 MEMBER OF THE CHILDREN'S CABINET ON:

5 (1) ALL ACTIVITIES OF THE OFFICE;

6 (2) ACTIONS TAKEN OR RESPONSES BY THE DEPARTMENT TO FINDINGS
7 AND RECOMMENDATIONS MADE BY THE OFFICE; AND

8 (3) ALL VIOLATIONS OF THE STANDARDS AND REGULATIONS OF THE
9 DEPARTMENT THAT REMAINED UNABATED FOR 30 DAYS OR MORE DURING THE
10 REPORTING PERIOD.

11 (C) ON NOVEMBER 30 OF EACH YEAR, THE OFFICE SHALL REPORT TO THE
12 GOVERNOR, THE SECRETARY, THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND
13 FAMILIES, EACH MEMBER OF THE CHILDREN'S CABINET AND THE ADVISORY BOARD
14 OF THE DEPARTMENT, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE
15 GENERAL ASSEMBLY, ON ALL ACTIVITIES OF THE OFFICE AND THE ACTIONS TAKEN
16 BY THE DEPARTMENT IN RESPONSE TO FINDINGS AND RECOMMENDATIONS MADE
17 BY THE OFFICE.

18 (D) ALL REPORTS SUBMITTED IN ACCORDANCE WITH THIS SECTION SHALL BE
19 CONSISTENT WITH ANY AGREEMENT OR MEMORANDUM OF UNDERSTANDING
20 ENTERED INTO BY THE OFFICE WITH ANY OTHER EXECUTIVE AGENCY OR
21 DEPARTMENT.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect July 1, 2005.