
By: **Delegate Rosenberg**

Introduced and read first time: February 11, 2005

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Child Welfare Accountability Act of 2005**

3 FOR the purpose of requiring the Secretary of Human Resources and the Secretary of
4 Budget and Management to develop and implement a certain system of
5 accountability to measure the effectiveness of certain child welfare services;
6 requiring a variety of indicators to be used to measure the effectiveness of
7 certain child welfare services; requiring certain measures to be utilized when
8 the Children's Electronic Social Services Information Exchange is operational;
9 requiring the Secretary of Human Resources, in collaboration with certain
10 representatives, to develop a protocol for a certain assessment; requiring certain
11 child and family case reviews and system performance reviews to make certain
12 determinations; requiring the Secretary of Human Resources to implement a
13 certain self-assessment process at certain intervals and requiring a county to
14 incorporate certain results; requiring the county to develop a child welfare plan
15 after a certain requirement is met; requiring the Secretary of Human Resources
16 to adopt certain regulations; requiring the Governor to appoint a team to plan
17 and oversee the implementation of certain measures and a certain
18 self-assessment process; providing for the composition of the team; requiring
19 certain agencies to clarify their roles and improve coordination in the child
20 welfare system; requiring the Secretary of Human Resources to submit certain
21 reports in the implementation of certain measures on or before certain dates;
22 requiring the Secretary of Human Resources and the Secretary of Budget and
23 Management to ensure that certain caseload ratios are achieved using certain
24 criteria; requiring the Department of Human Resources to establish a Child
25 Welfare Training Academy and to establish a university-based information
26 repository for certain purposes; requiring the Department of Human Resources
27 to request that a certain study be replicated at certain intervals; requiring the
28 Department of Human Resources to pursue national accreditation for each local
29 department of social services and the Social Services Administration; requiring
30 the Secretary of Budget and Management to ensure the implementation of a
31 certain child welfare information system on or before a certain date; requiring
32 the Secretary of Human Resources and the Secretary of Budget and
33 Management, on or before a certain date, to revise certain accounting structures
34 and workload measures; requiring the Department of Budget and Management
35 to make certain comparisons, analyzations, and calculations; requiring the

1 Secretary of Human Resources and the Secretary of Budget and Management to
2 prepare a certain report on fiscal needs and a current funding gap analysis
3 within the child welfare system consistent with certain principles; requiring the
4 Secretary of Human Resources and the Secretary of Budget and Management to
5 submit a report on a plan for implementation of reduced caseload ratios on or
6 before a certain date; requiring the Department of Human Resources to develop
7 a new vision and set of principles for the child welfare system, and to clarify
8 certain roles and relationships within the Department of Human Resources;
9 requiring the Citizens' Review Board for Children to submit a certain report on
10 or before a certain date; requiring the Department of Human Resources to
11 contract for review of certain funding maximization issues; and generally
12 relating to child welfare accountability.

13 BY adding to

14 Article - Family Law

15 Section 5-1301 through 5-1314, inclusive, to be under the new subtitle "Subtitle
16 13. Child Welfare Accountability"

17 Annotated Code of Maryland
18 (2004 Replacement Volume)

19 Preamble

20 WHEREAS, Each year the Maryland child welfare system touches the lives of
21 90,000 children and their families; and

22 WHEREAS, When abused and neglected children fail to receive necessary,
23 timely, and appropriate services and interventions, the human and social costs are
24 enormous; and

25 WHEREAS, Inadequate resources in the child welfare system prevent abused
26 and neglected children and their families from receiving high quality services and
27 require agencies to focus on meeting only the most pressing needs and to aim only for
28 compliance with State and federal minimum standards; and

29 WHEREAS, In order for abused and neglected children and their families to
30 receive high quality services, the child welfare system must aim to create a culture of
31 excellence and to develop child welfare best practices that provide cutting edge
32 services to children and families; and

33 WHEREAS, In order to create a culture of excellence and to develop child
34 welfare best practices in the child welfare system, the Governor and the General
35 Assembly must make a long-term commitment to enhanced and stable funding and
36 support for abused and neglected children; and

37 WHEREAS, A culture of excellence in the child welfare system cannot be
38 accomplished without a long-term commitment to the communities within the State
39 that contribute the highest number of children to out-of-home care; now, therefore,

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

3 **Article - Family Law**

4 SUBTITLE 13. CHILD WELFARE ACCOUNTABILITY.

5 5-1301.

6 (A) THE SECRETARY OF HUMAN RESOURCES AND THE SECRETARY OF
7 BUDGET AND MANAGEMENT SHALL DEVELOP AND IMPLEMENT AN OUTCOME BASED
8 SYSTEM OF ACCOUNTABILITY FOR MEASURING THE EFFECTIVENESS OF CHILD
9 WELFARE SERVICES ON CHILDREN AND FAMILIES.

10 (B) THE OUTCOME BASED SYSTEM OF ACCOUNTABILITY SHALL SUPPLEMENT
11 EXISTING PERFORMANCE BASED SYSTEMS AND THE EXISTING PERFORMANCE
12 BASED SYSTEM SHALL BE EXPANDED AND IMPROVED.

13 (C) OUTCOME MEASUREMENT SHALL ADDRESS THE AREAS OF SAFETY,
14 PERMANENCE, AND WELL-BEING FOR ALL CHILDREN IN THE CHILD WELFARE
15 SYSTEM AND SHALL BE MEASURED BY THE INDICATORS IN §§ 5-1302 THROUGH
16 5-1305 OF THIS SUBTITLE.

17 5-1302.

18 THE EFFECTIVENESS OF EFFORTS TO ADDRESS ABUSE AND NEGLECT OF
19 CHILDREN SHALL BE MEASURED BY A VARIETY OF INDICATORS, INCLUDING:

20 (1) THE INCIDENCE OF UNREPORTED CHILD MALTREATMENT;

21 (2) THE RECURRENCE OF MALTREATMENT OF VICTIMS OF
22 SUBSTANTIATED OR INDICATED CHILD ABUSE OR NEGLECT; AND

23 (3) THE RECURRENCE OF CHILD ABUSE OR NEGLECT IN HOMES WHERE
24 CHILDREN WERE NOT REMOVED FROM THE HOME.

25 5-1303.

26 THE EFFECTIVENESS OF EFFORTS TO PROTECT CHILDREN REMOVED FROM
27 THEIR HOMES FROM FURTHER ABUSE OR NEGLECT SHALL BE MEASURED BY A
28 VARIETY OF INDICATORS, INCLUDING:

29 (1) THE RATES OF CHILD ABUSE OR NEGLECT OF CHILDREN IN THE
30 CUSTODY OF A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A PLACEMENT AGENCY
31 FOR PLACEMENTS:

32 (I) IN FOSTER HOMES;

33 (II) IN KINSHIP CARE HOMES;

1 (III) IN GROUP OR RESIDENTIAL CARE;

2 (IV) WITH FAMILY MEMBERS; AND

3 (V) IN OTHER FORMS OF SUBSTITUTE CARE;

4 (2) THE EFFECTIVENESS AND TIMELINESS OF THE INVESTIGATIONS OF
5 REPORTS OF ABUSE OR NEGLECT IN ITEM (1) OF THIS SECTION; AND

6 (3) THE RATES OF CHILD ABUSE OR NEGLECT FOLLOWING
7 PERMANENCY.

8 5-1304.

9 THE EFFECTIVENESS OF EFFORTS TO ADDRESS PERMANENCY AND STABILITY
10 IN THE LIVING SITUATIONS OF CHILDREN IN THE CUSTODY OF A LOCAL
11 DEPARTMENT OF SOCIAL SERVICES OR A PLACEMENT AGENCY SHALL BE MEASURED
12 BY A VARIETY OF INDICATORS, INCLUDING BUT NOT LIMITED TO:

13 (1) THE PERCENTAGE OF CHILDREN WHO RECEIVE FAMILY
14 PRESERVATION SERVICES AND WHO ARE ABLE TO REMAIN SAFELY IN THEIR OWN
15 HOMES;

16 (2) THE PERCENTAGE OF CHILDREN WHO ENTER CARE WITHOUT
17 HAVING RECEIVED FAMILY PRESERVATION SERVICES;

18 (3) THE LENGTH OF TIME FOR CHILDREN TO EXIT FOSTER CARE;

19 (4) THE PERCENTAGE OF CHILDREN WITH MULTIPLE PLACEMENTS IN
20 FOSTER CARE;

21 (5) THE PERCENTAGE OF CHILDREN WHO HAVE REENTERED FOSTER
22 CARE OR HAVE BEEN PLACED IN THE CUSTODY OF THE DEPARTMENT OF JUVENILE
23 SERVICES AFTER A PRIOR FOSTER CARE EPISODE;

24 (6) THE PERCENTAGE OF CHILDREN IN THE CUSTODY OF A LOCAL
25 DEPARTMENT OF SOCIAL SERVICES OR A PLACEMENT AGENCY WHO HAVE SIBLINGS
26 LIVING IN DIFFERENT PLACEMENTS;

27 (7) THE PERCENTAGE OF CHILDREN IN THE LEAST RESTRICTIVE CARE
28 SETTINGS;

29 (8) THE AVERAGE LENGTH OF TIME, CALCULATED BY MEAN AND
30 MEDIAN, NEEDED TO ACHIEVE EACH TYPE OF PERMANENCY PLAN FOR CHILDREN,
31 INCLUDING NECESSARY MILESTONES FOR ACHIEVING ADOPTIONS, AND THE
32 PERCENTAGE OF CHILDREN FOR WHOM THOSE PLANS ARE ESTABLISHED;

33 (9) THE PERCENTAGE OF CHILDREN WITH PERMANENCY PLANS OF
34 REUNIFICATION WHO RECEIVE WEEKLY VISITS WITH THEIR PARENTS AND MORE
35 FREQUENT EXTENDED VISITS WITHIN A 2-MONTH PERIOD PRIOR TO THE
36 SCHEDULED DATE OF REUNIFICATION;

1 (10) THE PERCENTAGE OF CHILDREN OVER THE AGE OF 4 YEARS FOR
2 WHOM A PLAN OF ADOPTION IS ESTABLISHED AND WHO ARE ADOPTED;

3 (11) THE GAIN OR LOSS OF FOSTER HOMES AVAILABLE FOR CHILDREN IN
4 THE CUSTODY OF A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A PLACEMENT
5 AGENCY;

6 (12) THE PERCENTAGE OF FOSTER HOMES AND KINSHIP CARE HOMES
7 RECEIVING DAY CARE, RESPITE CARE, AND COMPARABLE SUPPORTIVE SERVICES;
8 AND

9 (13) THE PERCENTAGE OF FOSTER HOMES AND KINSHIP CARE HOMES
10 FOR WHICH THE FOLLOWING HAVE NOT BEEN CONDUCTED ON A TIMELY BASIS:

11 (I) REQUIRED CRIMINAL BACKGROUND CHECKS;

12 (II) FIRE AND SAFETY INSPECTIONS;

13 (III) HEALTH CHECKS;

14 (IV) RECONSIDERATIONS; AND

15 (V) OTHER SAFETY MEASURES.

16 5-1305.

17 THE EFFECTIVENESS OF EFFORTS TO ADDRESS THE HEALTH, MENTAL HEALTH,
18 EDUCATION, FINANCIAL STABILITY, AND WELL-BEING OF CHILDREN IN THE
19 CUSTODY OF LOCAL DEPARTMENTS OF SOCIAL SERVICES, PLACEMENT AGENCIES,
20 OR WITH FAMILY MEMBERS, SHALL BE MEASURED BY A VARIETY OF INDICATORS,
21 INCLUDING:

22 (1) THE PROVISION OF SUPPORT SERVICES TO PARENTS, ACCORDING TO
23 THE TERMS AND TIMELINESS ESTABLISHED IN CASE PLANS AND SERVICE
24 AGREEMENTS, THAT ARE APPROPRIATE FOR ADDRESSING THE PROBLEMS OF
25 PARENTS THAT RESULTED IN THE PLACEMENT OF THEIR CHILDREN INTO
26 OUT-OF-HOME CARE;

27 (2) THE PERCENTAGE OF CHILDREN WHO RECEIVE ALL MEDICAL,
28 MENTAL HEALTH, DENTAL, EDUCATION, INDEPENDENT LIVING, AND OTHER
29 SUPPORTIVE SERVICES FOR THEIR WELL-BEING AND FINANCIAL STABILITY, AS
30 REQUIRED BY LAW, REGULATION, CONSENT DECREE, AND PROFESSIONAL
31 STANDARDS AS DEVELOPED BY THE AMERICAN ACADEMY OF PEDIATRICS OR THE
32 CHILD WELFARE LEAGUE OF AMERICA; AND

33 (3) THE PERCENTAGE OF CHILDREN AT LEAST 18 YEARS OLD WHO EXIT
34 THE CUSTODY OF A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A PLACEMENT
35 AGENCY WHO:

1 (I) HAVE A HIGH SCHOOL DIPLOMA AT THE TIME OF THEIR EXIT
2 FROM OUT-OF-HOME CARE;

3 (II) HAVE SAFE, ADEQUATE, AND APPROPRIATE HOUSING FROM
4 THE TIME OF THEIR EXIT FROM OUT-OF-HOME CARE UNTIL THE AGE OF 21; AND

5 (III) ARE EITHER EMPLOYED WITH SUFFICIENT WAGES TO HAVE
6 ADEQUATE INDEPENDENCE OR ARE ENROLLED IN HIGHER EDUCATION.

7 5-1306.

8 WHEN THE CHILDREN'S ELECTRONIC SOCIAL SERVICES INFORMATION
9 EXCHANGE, KNOWN AS CHESSIE, IS OPERATIONAL, THE MEASURES IN §§ 5-1302
10 THROUGH 5-1305 OF THIS SUBTITLE AND THE FOLLOWING OUTCOME MEASURES
11 SHALL BE USED BY LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE SOCIAL
12 SERVICES ADMINISTRATION AND MAY BE USED BY THE TEAM ESTABLISHED IN §
13 5-1309 OF THIS SUBTITLE:

14 (1) THE PERCENTAGE OF ELIGIBLE CHILDREN ENTERING FOSTER CARE
15 OR KINSHIP CARE IN THE REPORT YEAR WHO ARE ENROLLED IN MEDICAID AND
16 HAVE A DESIGNATED HEALTH CARE PROVIDER WITHIN 10 DAYS OF ENTRY INTO
17 OUT-OF-HOME CARE;

18 (2) THE PERCENTAGE OF CHILDREN IN FOSTER CARE OR KINSHIP CARE
19 THAT RECEIVE AGE APPROPRIATE EARLY PERIODIC SCREENING DIAGNOSIS AND
20 TREATMENT SERVICES IN THE REPORT YEAR;

21 (3) THE PERCENTAGE OF CHILDREN IN OUT-OF-HOME CARE
22 PERFORMING AT PROFICIENT OR ADVANCED LEVELS ON STANDARDIZED STATE
23 EDUCATIONAL TESTS;

24 (4) (I) THE PERCENTAGE OF CHILDREN WHO HAVE ACTIVE MEDICAL
25 ASSISTANCE CARDS AND NUMBERS; AND

26 (II) IF ANY DELAYS OF MORE THAN 48 HOURS OCCURRED IN THE
27 PROVISION OF CARDS AND NUMBERS, THE STATISTICAL BREAKDOWN OF THE
28 LENGTH OF TIME FOR THE DELAYS; AND

29 (5) ALL OTHER INFORMATION COLLECTED BY THE STATE OR FEDERAL
30 GOVERNMENT REGARDING THE MARYLAND CHILD WELFARE SYSTEM, INCLUDING:

31 (I) CHILD WELFARE AND ADULT SERVICE PERFORMANCE SYSTEM
32 CRITERIA, ALSO KNOWN AS CAPS;

33 (II) ADOPTION AND FOSTER CARE ANALYSIS AND REPORTING
34 SYSTEM CRITERIA, ALSO KNOWN AS AFCARS; AND

35 (III) L.J. V. MASSINGA CONSENT DECREE CRITERIA, ALSO KNOWN AS
36 L.J.

1 5-1307.

2 (A) THE SECRETARY OF HUMAN RESOURCES, IN COLLABORATION WITH THE
3 CITIZENS' REVIEW BOARD FOR CHILDREN AND REPRESENTATIVES OF LAWYERS FOR
4 CHILDREN AND FAMILIES OF CHILDREN IN THE CUSTODY OF A LOCAL DEPARTMENT
5 OF SOCIAL SERVICES OR A PLACEMENT AGENCY SHALL DEVELOP A PROTOCOL FOR
6 THE ASSESSMENT OF THE QUALITY OF CASEWORK SERVICES THROUGH IN-DEPTH
7 CASE REVIEWS THAT INVOLVE DIRECT INTERVIEWS BY QUALIFIED AND TRAINED
8 REVIEWERS WITH:

9 (1) CHILDREN;

10 (2) FAMILY MEMBERS;

11 (3) CASEWORKERS;

12 (4) OTHERS IN THE COMMUNITY SUCH AS:

13 (I) JUDGES;

14 (II) COURT APPOINTED SPECIAL ADVOCATES;

15 (III) FOSTER PARENTS;

16 (IV) TEACHERS; AND

17 (V) MEDICAL PERSONNEL; AND

18 (5) OTHERS INVOLVED IN PROVIDING SUPPORT TO THE FAMILY.

19 (B) THE QUALITY ASSESSMENT SHALL ASSESS BOTH THE FUNCTIONING OF
20 THE FAMILY AND THE PERFORMANCE OF THE CHILD WELFARE SYSTEM.

21 (C) THE QUALITY ASSESSMENT SHALL EXAMINE WHETHER THE OUTCOME
22 INDICATORS ESTABLISHED IN §§ 5-1302 THROUGH 5-1305 OF THIS SUBTITLE HAVE
23 BEEN SUBSTANTIALLY ACHIEVED.

24 (D) IN ADDITION, THE CHILD AND FAMILY CASE REVIEW SHALL DETERMINE
25 WHETHER:

26 (1) CHILDREN ARE SAFE;

27 (2) THE NEEDS OF CHILDREN ARE MET;

28 (3) THE FAMILY HAS STABILITY;

29 (4) THE PARENTS ARE FULFILLING THEIR PARENTING
30 RESPONSIBILITIES; AND

31 (5) THE VISITATION BETWEEN SEPARATED FAMILY MEMBERS IS
32 OCCURRING FREQUENTLY AND REGULARLY.

1 (E) THE SYSTEM PERFORMANCE REVIEW SHALL DETERMINE WHETHER:

2 (1) (I) THE FAMILY PARTICIPATED IN THE DEVELOPMENT OF THE
3 SERVICE AGREEMENT AND THE CASE PLAN;

4 (II) THE SERVICE AGREEMENT ADDRESSED THE BEHAVIORS AND
5 CIRCUMSTANCES THAT LED TO CHILD MALTREATMENT; AND

6 (III) THE CASE PLAN AND SERVICE AGREEMENT WERE TIMELY
7 INITIATED;

8 (2) (I) THE CASE PLAN WAS IMPLEMENTED AND PROGRESS WAS
9 MADE; AND

10 (II) THE CASE PLAN AND SERVICE AGREEMENT WERE TIMELY
11 CHANGED WHEN APPROPRIATE UNDER AGENCY GUIDELINES WHEN THE PLAN WAS
12 NOT IMPLEMENTED AND PROGRESS WAS NOT MADE;

13 (3) ALL MEMBERS OF THE TEAM OF PROFESSIONALS WORKING WITH
14 THE FAMILY MET AT REGULAR INTERVALS TO MAKE CHANGES TO SERVICES AND
15 SUPPORTS AS NECESSARY;

16 (4) THE COURT AND THE CITIZENS' REVIEW BOARD FOR CHILDREN
17 PANEL HEARING THE CASE HAVE ADDRESSED THE NEEDS OF THE CHILD AND THE
18 FAMILY PROMPTLY AND THOROUGHLY;

19 (5) (I) A CASEWORKER WAS REGULARLY ASSIGNED AND ACCESSIBLE
20 TO THE CASE;

21 (II) THE ASSIGNED CASEWORKER VISITED THE CHILD AT THE
22 RESIDENCE OF THE CHILD AT LEAST ONCE PER MONTH; AND

23 (III) A SUPERVISOR HAS BEEN REGULARLY ASSIGNED AND
24 ACCESSIBLE TO THE CASE; AND

25 (6) MEDICAL, EDUCATIONAL, DENTAL, AND OTHER SERVICE
26 APPOINTMENTS FOR THE CHILD WERE MADE WHEN NECESSARY AND EACH
27 APPOINTMENT WAS KEPT.

28 5-1308.

29 (A) THE SECRETARY OF HUMAN RESOURCES SHALL IMPLEMENT A COUNTY
30 SELF-ASSESSMENT PROCESS AS A MEANS OF MONITORING THE QUALITY OF CHILD
31 WELFARE SERVICES PROVIDED BY THE LOCAL DEPARTMENTS OF SOCIAL SERVICES
32 AND THE QUALITY OF THE MANAGEMENT OF THE SYSTEM BY THE SOCIAL SERVICES
33 ADMINISTRATION.

34 (B) A LOCAL ASSESSMENT OF A COUNTY SHALL BE CONDUCTED EVERY 2
35 YEARS.

1 (C) IN CONDUCTING THE ASSESSMENT, A COUNTY SHALL BE REQUIRED TO
2 INCORPORATE THE RESULTS FROM THE OUTCOME MEASURES IN §§ 5-1302 THROUGH
3 5-1305 OF THIS SUBTITLE AND THE RESULTS OF THE IN-DEPTH CASE REVIEWS IN §
4 5-1307 OF THIS SUBTITLE.

5 (D) AFTER A COUNTY SELF-ASSESSMENT IS ACCEPTED BY THE SOCIAL
6 SERVICES ADMINISTRATION, THE COUNTY SHALL DEVELOP A CHILD WELFARE PLAN
7 TO:

8 (1) MAINTAIN PERFORMANCE THAT MEETS STANDARDS;

9 (2) STRENGTHEN AREAS NEEDING IMPROVEMENT; AND

10 (3) DESCRIBE HOW RESOURCES WILL BE SHIFTED OR NEW RESOURCES
11 OBTAINED TO ADDRESS IDENTIFIED WEAKNESSES.

12 (E) THE SECRETARY OF HUMAN RESOURCES SHALL ADOPT REGULATIONS
13 GOVERNING THE SELF-ASSESSMENT PROCESS, INCLUDING:

14 (1) THE COMPOSITION OF THE COMMITTEE TO CONDUCT THE
15 ASSESSMENT;

16 (2) PERFORMANCE STANDARDS;

17 (3) THE TIMING OF THE ASSESSMENT;

18 (4) THE SCOPE OF THE ASSESSMENT;

19 (5) THE PROCESS BY WHICH THE SOCIAL SERVICES ADMINISTRATION
20 MAY ACCEPT OR REJECT THE LOCAL ASSESSMENT AND THE LOCAL CHILD WELFARE
21 PLAN; AND

22 (6) THE PROCESS BY WHICH THE SOCIAL SERVICES ADMINISTRATION
23 SHALL USE THE ASSESSMENTS OF THE LOCAL DEPARTMENTS OF SOCIAL SERVICES
24 TO DEVELOP THE STATEWIDE ASSESSMENT UNDER TITLE 45 § 1355.33(B) OF THE
25 CODE OF FEDERAL REGULATIONS.

26 5-1309.

27 (A) THERE IS A TEAM TO PLAN AND OVERSEE THE IMPLEMENTATION OF THE
28 OUTCOME AND PERFORMANCE MEASURES IN §§ 5-1302 THROUGH 5-1305 OF THIS
29 SUBTITLE AND THE SELF-ASSESSMENT PROCESS IN § 5-1308 OF THIS SUBTITLE.

30 (B) MEMBERS OF THE TEAM SHALL HAVE THE RIGHT TO ACCESS THE
31 CHILDREN'S ELECTRONIC SOCIAL SERVICES INFORMATION EXCHANGE, KNOWN AS
32 CHESSIE, AND OTHER SOURCES OF INFORMATION REVIEWED BY THE TEAM.

33 (C) THE TEAM SHALL CONSIST OF:

34 (1) MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE
35 PRESIDENT OF THE SENATE;

1 (2) MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE
2 SPEAKER OF THE HOUSE;

3 (3) MEMBERS OF THE JUDICIARY, APPOINTED BY THE CHIEF JUDGE OF
4 THE COURT OF APPEALS; AND

5 (4) REPRESENTATIVES FROM THE FOLLOWING AGENCIES AND
6 COMMUNITIES, APPOINTED BY THE GOVERNOR:

7 (I) THE CITIZENS' REVIEW BOARD FOR CHILDREN;

8 (II) THE CHILD ADVOCACY COMMUNITY, INCLUDING
9 REPRESENTATIVES OF ANY COURT-CERTIFIED CLASS OF CHILDREN RECEIVING
10 CHILD WELFARE SERVICES;

11 (III) THE CHILD WELFARE PROVIDER COMMUNITY, INCLUDING
12 FOSTER PARENTS AND KINSHIP CAREGIVERS;

13 (IV) THE LEGAL AID BUREAU;

14 (V) THE AMERICAN ACADEMY OF PEDIATRICS;

15 (VI) THE OFFICE OF THE PUBLIC DEFENDER;

16 (VII) THE OFFICE FOR CHILDREN, YOUTH, AND FAMILIES;

17 (VIII) THE DEPARTMENT OF HUMAN RESOURCES;

18 (IX) EACH LOCAL DEPARTMENT OF SOCIAL SERVICES;

19 (X) THE DEPARTMENT OF JUVENILE SERVICES;

20 (XI) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

21 (XII) THE DEPARTMENT OF EDUCATION;

22 (XIII) THE STATE COUNCIL ON CHILD ABUSE AND NEGLECT; AND

23 (XIV) THE STATE CHILD FATALITY REVIEW TEAM.

24 (D) THE MEMBERS LISTED IN SUBSECTION (C)(3) OF THIS SECTION AND THE
25 AGENCIES LISTED IN SUBSECTION (C)(4)(VII) THROUGH (XII) OF THIS SECTION SHALL
26 CLARIFY THEIR RESPECTIVE ROLES IN THE CHILD WELFARE SYSTEM AND SHALL
27 IMPROVE COORDINATION BETWEEN THE AGENCIES.

28 (E) (1) ON OR BEFORE DECEMBER 1, 2005, THE SECRETARY OF HUMAN
29 RESOURCES SHALL SUBMIT A DETAILED IMPLEMENTATION PLAN TO THE GOVERNOR
30 AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL
31 ASSEMBLY.

1 (2) (I) ON OR BEFORE DECEMBER 1, 2006, AND EACH YEAR
2 THEREAFTER, THE SECRETARY OF HUMAN RESOURCES SHALL SUBMIT TO THE
3 GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE
4 GENERAL ASSEMBLY, A DETAILED REPORT BY JURISDICTION OF THE OUTCOME AND
5 PERFORMANCE MEASURES IN §§ 5-1302 THROUGH 5-1305 OF THIS SUBTITLE.

6 (II) IF THE NATIONAL CHILD MALTREATMENT INCIDENCE STUDY
7 IS REPLICATED IN THE STATE DURING THE REPORT YEAR, THE REPORT SHALL
8 INCLUDE THE INCIDENCE OF CHILD ABUSE OR NEGLECT IN THE COMMUNITY AS
9 PROVIDED THROUGH THE STUDY.

10 5-1310.

11 THE SECRETARY OF HUMAN RESOURCES AND THE SECRETARY OF BUDGET AND
12 MANAGEMENT SHALL ENSURE THAT SUFFICIENT NUMBERS OF QUALIFIED CHILD
13 WELFARE STAFF, AS SPECIFIED IN ARTICLE 88A, § 3A OF THE CODE, ARE HIRED AND
14 RETAINED IN ORDER TO ACHIEVE APPROPRIATE CASELOAD RATIOS IN ALL CHILD
15 WELFARE SERVICES AS RECOMMENDED BY THE CHILD WELFARE LEAGUE OF
16 AMERICA.

17 5-1311.

18 (A) THE DEPARTMENT OF HUMAN RESOURCES, IN COLLABORATION WITH
19 MARYLAND INSTITUTIONS OF HIGHER LEARNING, SHALL ESTABLISH A
20 COMPREHENSIVE CHILD WELFARE TRAINING ACADEMY TO ENSURE THAT THE
21 FOLLOWING INDIVIDUALS ARE TRAINED TOGETHER ON CHILD WELFARE BEST
22 PRACTICES AND THE PROVISION OF HIGH QUALITY SERVICES TO CHILDREN AND
23 FAMILIES:

24 (1) CHILD WELFARE STAFF;

25 (2) CHILD WELFARE ADMINISTRATORS;

26 (3) FOSTER PARENTS;

27 (4) KINSHIP CAREGIVERS; AND

28 (5) CITIZENS' REVIEW BOARD FOR CHILDREN STAFF AND VOLUNTEERS.

29 (B) THE DEPARTMENT OF HUMAN RESOURCES, IN COLLABORATION WITH
30 MARYLAND INSTITUTIONS OF HIGHER LEARNING, SHALL ESTABLISH A
31 UNIVERSITY-BASED INFORMATION REPOSITORY FOR RESEARCH PURPOSES AND TO
32 WHICH ALL STATE AGENCIES SUBSTANTIVELY INVOLVED WITH ABUSED OR
33 NEGLECTED CHILDREN SHALL CONTRIBUTE APPROPRIATE INFORMATION.

34 (C) IN 2006, AND EVERY 6 YEARS THEREAFTER, THE DEPARTMENT OF HUMAN
35 RESOURCES SHALL REQUEST THAT THE UNIVERSITY THAT HOUSES THE CHILD
36 WELFARE INFORMATION REPOSITORY REPLICATE THE NATIONAL CHILD
37 MALTREATMENT INCIDENCE STUDY IN THE STATE.

1 5-1312.

2 (A) THE DEPARTMENT OF HUMAN RESOURCES SHALL PURSUE
3 AGGRESSIVELY NATIONAL ACCREDITATION FOR EACH LOCAL DEPARTMENT OF
4 SOCIAL SERVICES AND THE SOCIAL SERVICES ADMINISTRATION.

5 (B) THE STATE SHALL NEGOTIATE THE COST OF ACCREDITATION WITH THE
6 COUNCIL ON ACCREDITATION IN AN EFFORT TO MAKE THE PROCESS OF
7 ACCREDITATION MORE AFFORDABLE.

8 5-1313.

9 ON OR BEFORE SEPTEMBER 1, 2006, THE SECRETARY OF BUDGET AND
10 MANAGEMENT SHALL ASSURE THE IMPLEMENTATION OF A FULLY OPERATIONAL
11 STATEWIDE CHILD WELFARE INFORMATION SYSTEM, THE CHILDREN'S ELECTRONIC
12 SOCIAL SERVICES INFORMATION EXCHANGE, ALSO KNOWN AS CHESSIE, IN ALL
13 JURISDICTIONS.

14 5-1314.

15 (A) ON OR BEFORE DECEMBER 1, 2005, THE SECRETARY OF HUMAN
16 RESOURCES AND THE SECRETARY OF BUDGET AND MANAGEMENT SHALL REVISE
17 THE ACCOUNTING STRUCTURE AND WORKLOAD MEASURES USED BY THE SOCIAL
18 SERVICES ADMINISTRATION AND THE LOCAL DEPARTMENTS OF SOCIAL SERVICES
19 TO:

20 (1) SEPARATE AND TRACK EXPENDITURES BY CHILD, FAMILY,
21 PLACEMENT TYPE, PROVIDER, AND JURISDICTIONS;

22 (2) ENABLE FLEXIBLE SPENDING AT THE LOCAL LEVEL TO MEET THE
23 NEEDS OF THE FAMILIES AND TO PROMOTE FISCAL RESPONSIBILITY; AND

24 (3) GAIN UNDERSTANDING OF HOW FUNDS ARE SPENT IN ORDER TO
25 PERMIT MORE FLEXIBILITY IN SPENDING TO MEET THE NEEDS OF THE FAMILIES
26 WHILE REDUCING RELIANCE ON HIGH-COST PLACEMENTS.

27 (B) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL:

28 (1) COMPARE MARYLAND EXPENDITURES ON CHILD WELFARE TO THAT
29 OF COMPARABLE STATES;

30 (2) DEVELOP A TREND ANALYSIS THAT EXAMINES CHILD WELFARE
31 POPULATION DYNAMICS IN THE STATE AND IN BALTIMORE CITY OVER THE PAST 3
32 YEARS AND PROJECTIONS FOR THE NEXT 3 YEARS;

33 (3) USE THE TREND ANALYSIS TO COMPARE PAST AND PROJECTED
34 SPENDING BY CATEGORY;

1 (4) CALCULATE THE INVESTMENTS IN WORKFORCE, FOSTER HOMES,
2 KINSHIP CARE HOMES, AND OTHER SERVICES NEEDED TO REDUCE RELIANCE ON
3 COSTLY GROUP HOME AND INSTITUTIONAL FORMS OF CARE;

4 (5) ANALYZE, SEPARATELY FOR BALTIMORE CITY AND THE STATE, HOW
5 POTENTIAL SAVINGS FROM A REDUCTION OF COSTLY FORMS OF CARE MAY BE A
6 FUNDING SOURCE FOR ADDITIONAL PREVENTION AND EARLY INTERVENTION
7 SERVICES; AND

8 (6) USE GEOCODING TECHNOLOGY TO MAP THE CHILD WELFARE
9 POPULATION TO DETERMINE THE AREAS OF THE STATE THAT SHALL BE GIVEN
10 FIRST PRIORITY IN THE DISTRIBUTION OF RESOURCES AND IN IMPLEMENTATION
11 EFFORTS.

12 (C) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE
13 DEPARTMENT OF HUMAN RESOURCES SHALL PROVIDE TO THE GOVERNOR AND,
14 SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE PRESIDENT OF THE
15 SENATE, THE SPEAKER OF THE HOUSE OF DELEGATES, THE SENATE BUDGET AND
16 TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE SENATE
17 JUDICIAL PROCEEDINGS COMMITTEE, AND THE HOUSE JUDICIARY COMMITTEE:

18 (1) ON OR BEFORE JANUARY 15, 2006, A FISCAL NEED AND FUNDING GAP
19 ANALYSIS REPORT THAT IS CONSISTENT WITH THE PRINCIPLES DESCRIBED IN THIS
20 SUBTITLE; AND

21 (2) ON OR BEFORE DECEMBER 31, 2005, AS PART OF THE DEVELOPMENT
22 OF A FISCAL NEED AND FUNDING GAP ANALYSIS REPORT, A REPORT ON:

23 (I) THE TOTAL NUMBER OF FAMILIES THE DEPARTMENT OF
24 HUMAN RESOURCES ANTICIPATES SERVING THROUGH THE CHILD WELFARE SYSTEM
25 IN LOCAL DEPARTMENTS OF SOCIAL SERVICES;

26 (II) THE MANNER IN WHICH THE DEPARTMENT OF HUMAN
27 RESOURCES INTENDS TO SERVE THAT POPULATION CONSISTENT WITH THE
28 OUTCOMES OUTLINED IN THIS SUBTITLE, INCLUDING PLANNED STAFFING LEVELS;

29 (III) THE IDEAL SERVICE DELIVERY SYSTEM REQUIRED TO SERVE
30 THAT POPULATION BASED ON NATIONAL CHILD WELFARE BEST PRACTICES AND THE
31 PRINCIPLES OUTLINED IN THIS SUBTITLE;

32 (IV) A GAP ANALYSIS OF CURRENTLY AVAILABLE STATE CAPACITY
33 COMPARED TO THE IDEAL SERVICE DELIVERY SYSTEM;

34 (V) A CALCULATION OF THE COST TO IMPLEMENT THE IDEAL
35 SERVICE DELIVERY SYSTEM IDENTIFIED TO SERVE THE ANTICIPATED POPULATION;
36 AND

37 (VI) A DETERMINATION OF THE CURRENT FUNDING GAP BETWEEN
38 THE FISCAL NEED FOR THE IDEAL SYSTEM AND CURRENT FUNDING FOR THE CHILD
39 WELFARE SYSTEM.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Human
2 Resources and the Secretary of Budget and Management shall provide to the
3 Governor and, in accordance with § 2-1246 of the State Government Article, to the
4 General Assembly, on or before December 1, 2005, a plan for implementation of
5 reduced caseload ratios using the ratios recommended by the Child Welfare League of
6 America.

7 SECTION 3. AND BE IT FURTHER ENACTED, That the Department of
8 Human Resources shall develop a new vision and a set of principles for the child
9 welfare system through which workers, supervisors, and administrators will operate
10 and on which the system will be judged. To develop a new vision and a set of
11 principles, the Department shall convene a group comprised of department
12 administrators, legislators, court representatives, children's attorneys, parents'
13 attorneys, attorneys for any certified class of children or parents, Court Appointed
14 Special Advocates, local department administrators, line staff, and supervisors,
15 advocates, providers, foster parents, foster children, and families involved in the child
16 welfare system.

17 SECTION 4. AND BE IT FURTHER ENACTED, That the Department of
18 Human Resources shall reexamine and clarify key office roles and the relationship of
19 the central office to the county offices regarding issues such as the organizational
20 structure of the Department, contracting for services, and the allocation of staff.

21 SECTION 5. AND BE IT FURTHER ENACTED, That the Citizens' Review
22 Board for Children shall provide, in accordance with § 2-1246 of the State
23 Government Article, to the General Assembly, on or before December 1, 2005, a report
24 on proposed changes to its operations, recommended changes in its enabling
25 legislation, and an analysis showing how current staff resources will be shifted to
26 implement the goals of this Act.

27 SECTION 6. AND BE IT FURTHER ENACTED, That the State shall contract
28 for a review of Title IV-E federal funding maximization issues. The Department of
29 Budget and Management shall ensure that any new revenues obtained in the review
30 remain within the appropriate agency in order to improve services to children and
31 families.

32 SECTION 7. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect June 1, 2005.