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

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Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **~~State Government – Executive Department – Children, Youth, and Family~~**  
3 **~~Services~~**  
4 **Office for Children, Youth, and Families - Sunset Extension and Task Force**

5 FOR the purpose of ~~establishing a coordinated interagency and intergovernmental~~  
6 ~~office for children, youth, and family services; creating a Children's Cabinet~~  
7 ~~within the Governor's Executive Council; providing for an Advisory Council on~~  
8 ~~Children, Youth, and Families; establishing an interagency fund within the~~  
9 ~~Children's Cabinet and providing for allocations from that fund; providing for~~  
10 ~~the duties and responsibilities of the Special Secretary for Children, Youth, and~~  
11 ~~Families; providing for the duties and responsibilities of the Office for Children,~~  
12 ~~Youth, and Families; establishing a Children's Trust Fund and providing for~~  
13 ~~allocations from that Fund; providing for the duties and responsibilities of the~~  
14 ~~Office of the Independent Juvenile Justice Monitor; requiring the Children's~~  
15 ~~Cabinet to report to the Governor on or before a certain date; extending the~~  
16 ~~termination date for the Office for Children, Youth, and Families; establishing a~~  
17 ~~certain task force to study programs established under certain provisions of law~~  
18 ~~concerning children, youth, and family services; providing for the membership of~~  
19 ~~the task force; providing for the duties of the task force; providing for the~~  
20 ~~staffing of the task force; requiring the task force to provide a certain report by~~  
21 ~~a certain date; extending a certain reporting date; repealing a certain~~  
22 ~~termination date; and generally relating to children, youth, and family services.~~

23 BY repealing and reenacting, with amendments,  
24 Article 49D - Office for Children, Youth, and Families  
25 ~~In its entirety~~ Section 29  
26 Annotated Code of Maryland

1 (2003 Replacement Volume and 2004 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - State Government

4 Section ~~8-103~~ 8-403(b)(12)

5 Annotated Code of Maryland

6 (2004 Replacement Volume)

7 ~~BY adding to~~

8 ~~Article - State Government~~

9 ~~Section 8-1A-01 through 8-1A-07, inclusive, to be under the new subtitle~~

10 ~~"Subtitle 1A. Children's Cabinet"; 8-2A-01 through 8-2A-08, inclusive, to~~

11 ~~be under the new subtitle "Subtitle 2A. Children, Youth, and Family~~

12 ~~Services"; and 8-3A-01 through 8-3A-07, inclusive, to be under the new~~

13 ~~subtitle "Subtitle 3A. Office of the Independent Juvenile Justice Monitor"~~

14 ~~Annotated Code of Maryland~~

15 ~~(2004 Replacement Volume)~~

16 BY repealing and reenacting, with amendments,

17 Chapter 282 of the Acts of the General Assembly of 2002

18 Section 5

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, ~~That Article 49D—Office for Children, Youth, and Families of the~~

21 ~~Annotated Code of Maryland be repealed in its entirety.~~

22 ~~SECTION 2. AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland

23 read as follows:

24 ~~Article - State Government~~

25 ~~8-103.~~

26 ~~The Council includes:~~

27 (1) ~~the Governor;~~

28 (2) ~~the Lieutenant Governor;~~

29 (3) ~~the Secretary of State;~~

30 (4) ~~the secretary of each principal department of the Executive Branch of~~

31 ~~the State government;~~

32 (5) ~~the State Superintendent of Schools; [and]~~

33 (6) ~~the Secretary of Higher Education; AND~~



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

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

5 ~~8-1A-04.~~

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

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

9                   (I)     ~~THE INTEGRATED AND COLLABORATIVE POLICIES OF STATE~~  
10 ~~AGENCIES; AND~~

11                   (II)    ~~COOPERATION WITH LOCAL AGENCIES AND PRIVATE~~  
12 ~~ORGANIZATIONS;~~

13           (2)     ~~PROVIDING A REGULAR FORUM FOR STATE AGENCIES RESPONSIBLE~~  
14 ~~FOR IMPLEMENTING THE STATE'S VISION TO MEET AND DEVELOP COORDINATED~~  
15 ~~POLICY RECOMMENDATIONS FOR THE GOVERNOR; AND~~

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

19           (B)     ~~THE CHILDREN'S CABINET SHALL:~~

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

22                   (I)     ~~IDENTIFIES AND RECOMMENDS POLICIES AND PROGRAMS~~  
23 ~~THAT RESULT IN THE COMPREHENSIVE DELIVERY OF EFFECTIVE, EFFICIENT, AND~~  
24 ~~INTEGRATED SERVICES TO CHILDREN AND FAMILIES, INCLUDING INDIVIDUALIZED~~  
25 ~~SERVICES FOR CHILDREN AT RISK OF RESIDENTIAL PLACEMENT AND FAMILIES~~  
26 ~~CARING FOR CHILDREN WITH INTENSIVE NEEDS, AS DEFINED IN § 8-2A-01(D) OF~~  
27 ~~THIS TITLE;~~

28                   (II)    ~~IDENTIFIES AND RECOMMENDS IMPLEMENTATION OF~~  
29 ~~COMPREHENSIVE SYSTEMATIC IMPROVEMENTS IN STATE PROGRAMS THAT PROVIDE~~  
30 ~~CHILDREN AND FAMILY SERVICES;~~

31                   (III)    ~~IDENTIFIES AND RECOMMENDS POLICIES THAT IMPLEMENT~~  
32 ~~INTERAGENCY STRATEGIC BUDGETING AND FACILITATE ORGANIZATIONAL~~  
33 ~~DEVELOPMENT, PERFORMANCE MEASURES, AND COORDINATION IN CHILDREN AND~~  
34 ~~FAMILY SERVICES;~~

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

4                   (V)    RECOMMENDS INTERAGENCY FUNDING SYSTEMS THAT WILL  
5 PROMOTE THE EFFICIENT AND COMPREHENSIVE DELIVERY OF INTEGRATED  
6 SERVICES FOR THE AFFECTED CHILDREN AND FAMILIES;

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

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

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

14                   (II)   MAKING A RECOMMENDATION TO THE GOVERNOR REGARDING  
15 THE PROPOSAL;

16                   (4)    IMPLEMENT THE:

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

19                   (II)   POLICIES AND PROGRAMS DEVELOPED FOR COMPREHENSIVE  
20 CHILDREN AND FAMILY SERVICES, STRATEGIC BUDGETING, AND INTEGRATED  
21 SYSTEMS OF CARE AS THE GOVERNOR DIRECTS, AND AS MAY BE ENACTED BY THE  
22 GENERAL ASSEMBLY;

23                   (5)    DEVELOP AND MAINTAIN A SYSTEM OF STATE INTERAGENCY  
24 BUDGETING, FUNDING, AND ACCOUNTABILITY FOR CHILDREN AND FAMILY  
25 SERVICES, INCLUDING INTEGRATED SYSTEMS OF CARE, AND ADOPT POLICIES AND  
26 PROCEDURES FOR EXPENDITURE OF THOSE FUNDS CONSISTENT WITH THE STATE  
27 BUDGET AND STATE LAW;

28                   (6)    DEVELOP AND IMPLEMENT A COMPREHENSIVE PLAN FOR THE  
29 RESIDENTIAL PLACEMENT OF CHILDREN WITH INTENSIVE NEEDS, AS DEFINED IN §  
30 8-2A-01(D) OF THIS TITLE;

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

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

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

~~1 (10) REVIEW THE REPORTS SUBMITTED BY THE ADVISORY COUNCIL ON  
2 CHILDREN, YOUTH, AND FAMILIES AND THE SPECIAL SECRETARY FOR CHILDREN,  
3 YOUTH, AND FAMILIES AND ADOPT THE RECOMMENDATIONS THE CHILDREN'S  
4 CABINET DETERMINES TO BE NECESSARY AND APPROPRIATE.~~

~~5 8-1A-05.~~

~~6 THE CHILDREN'S CABINET SHALL SUBMIT THE STATE 3-YEAR PLAN FOR  
7 CHILDREN, YOUTH, AND FAMILIES TO THE GOVERNOR ON OR BEFORE OCTOBER 1,  
8 2006.~~

~~9 8-1A-06.~~

~~10 (A) IN ACCORDANCE WITH § 8-1A-04(B)(5) OF THIS SUBTITLE, THE CHILDREN'S  
11 CABINET SHALL MAINTAIN A CHILDREN, YOUTH, AND FAMILIES INTERAGENCY  
12 FUND.~~

~~13 (B) THE FUND CONSISTS OF:~~

~~14 (1) MONEYS APPROPRIATED, TRANSFERRED, CREDITED, OR PAID INTO  
15 THE FUND FROM ANY SOURCE; AND~~

~~16 (2) FEDERAL GRANTS OR ALLOCATIONS ACCEPTED FOR THE BENEFIT  
17 OF THE FUND.~~

~~18 (C) FUNDS NOT APPROPRIATED AT THE END OF EACH FISCAL YEAR SHALL  
19 REVERT TO THE GENERAL FUND OF THE STATE, AS PROVIDED IN § 7-302 OF THE  
20 STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~21 (D) THE DEPARTMENT OF EDUCATION SHALL BE THE FISCAL AGENT FOR THE  
22 FUND.~~

~~23 (E) EXPENDITURES FROM THE FUND SHALL:~~

~~24 (1) REFLECT THE PRIORITIES SET FORTH IN THE STATE 3-YEAR PLAN;  
25 AND~~

~~26 (2) BE MADE BY THE CHILDREN'S CABINET IN ACCORDANCE WITH  
27 THOSE PRIORITIES.~~

~~28 (F) THE CHILDREN'S CABINET SHALL REVIEW AND APPROVE APPLICATIONS  
29 FOR GRANTS FROM THE INTERAGENCY FUND AND ENSURE THAT ALL PROGRAMS  
30 FUNDED BY THE INTERAGENCY FUND ARE IMPLEMENTED IN ACCORDANCE WITH  
31 THE POLICIES AND PROCEDURES ADOPTED IN ACCORDANCE WITH THIS SUBTITLE.~~

~~32 8-1A-07.~~

~~33 (A) IN THIS SECTION, "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL  
34 ON CHILDREN, YOUTH, AND FAMILIES.~~

1 ~~(B) THERE IS AN ADVISORY COUNCIL ON CHILDREN, YOUTH, AND FAMILIES~~  
2 ~~CONSISTING OF NOT MORE THAN 21 VOTING MEMBERS APPOINTED BY THE~~  
3 ~~GOVERNOR.~~

4 ~~(C) (1) THE VOTING MEMBERS OF THE ADVISORY COUNCIL SHALL BE~~  
5 ~~REPRESENTATIVE OF INDIVIDUALS WHO HAVE INTEREST OR EXPERTISE IN THE~~  
6 ~~FOLLOWING AREAS:~~

7 ~~(I) PREVENTION OF ADOLESCENT PREGNANCY AND INFANT~~  
8 ~~MORTALITY;~~

9 ~~(II) EARLY CHILDHOOD INTERVENTIONS;~~

10 ~~(III) INTEGRATED SYSTEMS OF CARE;~~

11 ~~(IV) SCHOOL BASED HEALTH POLICIES; AND~~

12 ~~(V) COMMUNITY BASED SERVICES FOR CHILDREN AND FAMILIES.~~

13 ~~(2) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE ADVISORY~~  
14 ~~COUNCIL.~~

15 ~~(3) WITH THE CONSENT OF THE ADVISORY COUNCIL, THE CHAIR MAY~~  
16 ~~DESIGNATE ADDITIONAL INDIVIDUALS, INCLUDING INTERESTED CITIZENS,~~  
17 ~~ELECTED OFFICIALS, EDUCATORS, OR SPECIALISTS WITH RELEVANT EXPERIENCE~~  
18 ~~TO SERVE AS NONVOTING MEMBERS OF ANY SUBCOMMITTEE OR WORK GROUP OF~~  
19 ~~THE ADVISORY COUNCIL.~~

20 ~~(D) (1) THE MEMBERS OF THE ADVISORY COUNCIL SHALL SERVE AT THE~~  
21 ~~PLEASURE OF THE GOVERNOR.~~

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

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

26 ~~(E) A MEMBER OF THE ADVISORY COUNCIL:~~

27 ~~(1) MAY NOT RECEIVE COMPENSATION; BUT~~

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

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

32 ~~(1) PREVENTION, EARLY INTERVENTION, AND COMMUNITY BASED~~  
33 ~~SERVICES FOR CHILDREN, YOUTH, AND FAMILIES;~~

1           (2)     ~~PREPARATION OF THE STATE 3 YEAR PLAN FOR CHILDREN AND~~  
2 ~~FAMILY SERVICES; AND~~

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

6           (G)     ~~A MAJORITY OF THE MEMBERS OF THE ADVISORY COUNCIL SHALL~~  
7 ~~CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS AND THE~~  
8 ~~ADVISORY COUNCIL MAY ADOPT SUCH OTHER PROCEDURES, INCLUDING THE~~  
9 ~~CREATION OF SUBCOMMITTEES OR WORK GROUPS, AS MAY BE NECESSARY TO~~  
10 ~~ENSURE THE ORDERLY TRANSACTION OF BUSINESS.~~

11          (H)     ~~THE ADVISORY COUNCIL SHALL REVIEW GRANT APPLICATIONS FROM THE~~  
12 ~~CHILDREN'S TRUST FUND AND PROVIDE RECOMMENDATIONS TO THE CHILDREN'S~~  
13 ~~CABINET, AS APPROPRIATE.~~

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

17                 (2)    ~~THE REPORT SHALL INCLUDE RECOMMENDATIONS ON:~~

18                         (I)    ~~THE STATUS OF EFFORTS TO REDUCE ADOLESCENT~~  
19 ~~PREGNANCY AND INFANT MORTALITY IN THE STATE;~~

20                         (II)   ~~THE COSTS AND OUTCOMES OF STATE FUNDED FAMILY~~  
21 ~~PRESERVATION SERVICES; AND~~

22                         (III)   ~~SCHOOL BASED HEALTH PROGRAMS AND ACTIVITIES.~~

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

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

27 ~~8-2A-01.~~

28          (A)     ~~IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS~~  
29 ~~INDICATED.~~

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

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



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

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

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

8     ~~(G) "SPECIAL SECRETARY" MEANS THE SPECIAL SECRETARY FOR CHILDREN,~~  
9 ~~YOUTH, AND FAMILIES.~~

10 ~~8-2A-02.~~

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

17 ~~8-2A-03.~~

18     ~~THERE IS A NEED FOR AN OFFICE WITHIN THE EXECUTIVE DEPARTMENT THAT~~  
19 ~~IS RESPONSIBLE FOR THE COMPREHENSIVE IMPLEMENTATION OF THE STATE~~  
20 ~~3-YEAR PLAN, INTERAGENCY POLICIES FOR CHILDREN AND FAMILY SERVICES, AND~~  
21 ~~EFFICIENT INTERAGENCY USE OF FEDERAL AND STATE FUNDS.~~

22 ~~8-2A-04.~~

23     ~~THERE IS AN OFFICE FOR CHILDREN, YOUTH, AND FAMILIES ESTABLISHED AS~~  
24 ~~PART OF THE EXECUTIVE DEPARTMENT.~~

25 ~~8-2A-05.~~

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

28     ~~(B) THE SPECIAL SECRETARY IS RESPONSIBLE FOR THE OPERATION AND~~  
29 ~~ADMINISTRATION OF THE OFFICE AND ITS RELATIONSHIP WITH OTHER STATE~~  
30 ~~AGENCIES, LOCAL GOVERNMENTAL AGENCIES, PRIVATE ORGANIZATIONS, AND THE~~  
31 ~~GENERAL PUBLIC.~~

32     ~~(C) THE SPECIAL SECRETARY SHALL IS ENTITLED TO THE SALARY PROVIDED~~  
33 ~~IN THE STATE BUDGET.~~

34     ~~(D) THE OFFICE SHALL HAVE SUCH STAFF AS SHALL BE PROVIDED FOR IN~~  
35 ~~THE STATE BUDGET.~~

36     ~~(E) THE OFFICE SHALL:~~

1           (1)     ~~ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT AND~~  
2 ~~IMPLEMENTATION OF:~~

3                   (I)     ~~THE STATE 3-YEAR PLAN;~~

4                   (II)    ~~THE INTERAGENCY POLICIES AND PROGRAMS; AND~~

5                   (III)   ~~THE COORDINATION OF THE POLICIES AND PROGRAMS WITH~~  
6 ~~SIMILAR PROGRAMS IN LOCAL JURISDICTIONS TO PROVIDE A COMPREHENSIVE~~  
7 ~~INTEGRATED SERVICES DELIVERY SYSTEM FOR CHILDREN AND FAMILIES;~~

8           (2)     ~~ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT AND~~  
9 ~~IMPLEMENTATION OF INTERAGENCY REGULATIONS, POLICIES, AND PROGRAMS,~~  
10 ~~INCLUDING POLICIES FOR THE APPLICATION, REVIEW, EVALUATION, AND AWARD OF~~  
11 ~~GRANTS, THAT WILL PROMOTE AN EFFECTIVE AND EFFICIENT APPROACH TO~~  
12 ~~ADDRESSING THE NEEDS OF CHILDREN AND FAMILIES;~~

13           (3)     ~~ASSIST THE CHILDREN'S CABINET IN THE DEVELOPMENT OF THE~~  
14 ~~LOCAL MANAGEMENT BOARDS;~~

15           (4)     ~~DEVELOP NOTICES OF FUNDING AVAILABILITY, REQUESTS FOR~~  
16 ~~PROPOSALS, AND GRANT APPLICATION FORMS FOR THE AWARD OF FUNDS FROM THE~~  
17 ~~INTERAGENCY FUND OR OTHER STATE OR FEDERAL FUNDS AS DIRECTED BY THE~~  
18 ~~CHILDREN'S CABINET;~~

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

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

22                   (I)     ~~INCORPORATE PERFORMANCE MEASURES AND APPROPRIATE~~  
23 ~~METHODS OF MEASURING THE EFFECTIVENESS OF PROGRAMS THAT RECEIVE~~  
24 ~~GRANT FUNDS;~~

25                   (II)    ~~PROVIDE FOR TECHNICAL ASSISTANCE FOR THE GRANTEEES;~~  
26 ~~AND~~

27                   (III)   ~~PROVIDE CONSEQUENCES FOR FAILURE TO REACH~~  
28 ~~PERFORMANCE MEASURES OR TO MEASURE THE EFFECTIVENESS OF PROGRAMS~~  
29 ~~THAT RECEIVE GRANT FUNDS FOLLOWING RECEIPT OF TECHNICAL ASSISTANCE;~~

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

33           (8)     ~~MONITOR AND REPORT AT EACH MEETING OF THE CHILDREN'S~~  
34 ~~CABINET ON:~~

35                   (I)     ~~THE PERFORMANCE AND EFFECTIVENESS OF ANY GRANTEE OF~~  
36 ~~INTERAGENCY FUNDS;~~

1 ~~(H) ANY TECHNICAL ASSISTANCE PROVIDED TO A GRANTEE; AND~~

2 ~~(III) ANY RECOMMENDATIONS THE SPECIAL SECRETARY DEEMS~~  
3 ~~NECESSARY WITH RESPECT TO SUCH GRANTEE; AND~~

4 ~~(9) PROVIDE SUCH STAFF ASSISTANCE TO THE CHILDREN'S CABINET~~  
5 ~~AND THE ADVISORY COUNCIL AS MAY BE REQUIRED AND PROVIDED FOR IN THE~~  
6 ~~STATE BUDGET.~~

7 8-2A-06.

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

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

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

16 (D) A LOCAL MANAGEMENT BOARD SHALL:

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

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

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

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

29 (H) ADDRESSES THE PRIORITIES AND STRATEGIES OF THE COUNTY  
30 FOR MEETING THE IDENTIFIED NEEDS OF CHILDREN AND FAMILIES FOR:

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

32 2. CRISIS INTERVENTION;

33 3. SERVICES FOR CHILDREN AT RISK OF OUT-OF-HOME  
34 PLACEMENT;



1 RESPONDED IN A TIMELY MANNER, TAKING INTO ACCOUNT THE NEEDS OF THE  
2 CHILD FOR WHOM SERVICES ARE TO BE PROVIDED.

3 (5) "PERSON IN INTEREST" MEANS:

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

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

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

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

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

18 (B) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW AND WHERE  
19 NOT PROHIBITED BY FEDERAL LAW, ON THE WRITTEN REQUEST OF A REQUESTING  
20 PUBLIC AGENCY, A PUBLIC AGENCY SHALL DISCLOSE INFORMATION AND  
21 APPROPRIATE PORTIONS OF RECORDS ON THE CHILDREN, YOUTH, AND FAMILIES  
22 SERVED BY THAT AGENCY TO:

23 (1) ANOTHER PUBLIC AGENCY SERVING THE SAME CHILDREN, YOUTH,  
24 AND FAMILIES;

25 (2) ANOTHER PUBLIC AGENCY HAVING CHILDREN OR YOUTH IN A  
26 PROGRAM, HOME, OR RESIDENTIAL FACILITY FUNDED OR LICENSED BY THAT  
27 AGENCY; OR

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

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

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

1 ~~(E) IF THE PERSON IN INTEREST IS NOT REASONABLY AVAILABLE TO GIVE~~  
2 ~~WRITTEN CONSENT, THE FOLLOWING INDIVIDUALS, NOT LISTED IN ORDER OF~~  
3 ~~PRIORITY, MAY CONSENT IN WRITING TO THE RELEASE OF INFORMATION~~  
4 ~~REGARDING A MINOR:~~

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

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

8 ~~(3) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE~~  
9 ~~DEPARTMENT OF JUVENILE SERVICES, OR A LOCAL DEPARTMENT OF SOCIAL~~  
10 ~~SERVICES, FOR MINORS IN THE AGENCY'S CARE AND CUSTODY.~~

11 ~~(F) A PERSON AUTHORIZED TO CONSENT TO THE RELEASE OF INFORMATION~~  
12 ~~UNDER SUBSECTION (E) OF THIS SECTION SHALL:~~

13 ~~(1) CONFIRM IN WRITING THAT THE PERSON IN INTEREST IS NOT~~  
14 ~~REASONABLY AVAILABLE; AND~~

15 ~~(2) INCLUDE THE WRITTEN CONFIRMATION IN THE RECORD FROM~~  
16 ~~WHICH THE INFORMATION IS RELEASED.~~

17 ~~(G) (1) CHILD PROTECTIVE SERVICES RECORDS COLLECTED BEFORE~~  
18 ~~OCTOBER 1, 1993, ARE EXCLUDED FROM THE INFORMATION AND RECORDS THAT MAY~~  
19 ~~BE EXCHANGED IN ACCORDANCE WITH THIS SECTION UNLESS THE PERSON IN~~  
20 ~~INTEREST:~~

21 ~~(I) IS GIVEN THE OPPORTUNITY TO REVIEW THE RECORDS AND~~  
22 ~~THE INFORMATION TO BE EXCHANGED; AND~~

23 ~~(II) GIVES CONSENT.~~

24 ~~(2) ON REQUEST, THE PERSON IN INTEREST MAY REVIEW THE ENTIRE~~  
25 ~~CHILD PROTECTIVE SERVICES RECORD ON THE MINOR.~~

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

29 ~~(I) DISCLOSED TO THE PERSON IN INTEREST; OR~~

30 ~~(II) EXCHANGED WITH THE REQUESTING AGENCY.~~

31 ~~(H) INFORMATION AND RECORDS PROVIDED TO ANOTHER AGENCY UNDER~~  
32 ~~THIS SECTION SHALL REMAIN CONFIDENTIAL AND, EXCEPT AS OTHERWISE~~  
33 ~~PROVIDED FOR IN THIS SECTION, MAY NOT BE DISCLOSED TO ANY PERSON OR~~  
34 ~~ENTITY.~~

1 ~~8-2A-08.~~

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

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

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

5 (I) ~~PROVIDE GRANTS TO PUBLIC AND PRIVATE COMMUNITY BASED~~  
6 ~~ORGANIZATIONS AND AGENCIES IN A COUNTY FOR:~~

7 (I) ~~DEVELOPMENT, IMPLEMENTATION, OR EVALUATION OF~~  
8 ~~INNOVATIVE CHILD ABUSE AND NEGLECT PREVENTION, TREATMENT, OR~~  
9 ~~EDUCATION PROGRAMS; OR~~

10 (II) ~~OPERATION OF INNOVATIVE SUPPORT PROGRAMS FOR~~  
11 ~~PARENTS, FAMILIES, AND ABUSED OR NEGLECTED CHILDREN; AND~~

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

15 (D) ~~THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO §~~  
16 ~~7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

17 (E) ~~THE FUND CONSISTS OF:~~

18 (1) ~~FUNDS FROM GRANTS OR ALLOCATIONS FROM THE UNITED STATES~~  
19 ~~GOVERNMENT THAT SHALL BE MAINTAINED AND ACCOUNTED FOR IN ACCORDANCE~~  
20 ~~WITH FEDERAL LAW AND REGULATIONS;~~

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

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

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

26 (F) ~~THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE~~  
27 ~~COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

28 (G) ~~THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER~~  
29 ~~AS OTHER STATE FUNDS.~~

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

32 (I) ~~THE FUND SHALL BE MAINTAINED AND ACCOUNTED FOR IN ACCORDANCE~~  
33 ~~WITH FEDERAL LAW AND REGULATIONS.~~

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

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

4             (1)     ~~THE GENERAL FUND OF THE STATE; OR~~

5             (2)     ~~ANY OTHER SPECIAL FUND OF THE STATE.~~

6       (L)     ~~APPLICATIONS FOR GRANTS FROM THE FUND SHALL:~~

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

10            (2)     ~~BE REVIEWED BY THE ADVISORY COUNCIL.~~

11       (M)     ~~ADMINISTRATIVE EXPENDITURES FROM THE FUND MAY BE MADE ONLY~~  
12 ~~IN ACCORDANCE WITH THE STATE BUDGET.~~

13       (N)     ~~THE SPECIAL SECRETARY SHALL ADMINISTER THE FUND IN ACCORDANCE~~  
14 ~~WITH THIS SECTION AND OTHER APPLICABLE LAWS.~~

15       (O)     ~~DISBURSEMENTS FROM THE FUND SHALL SUPPLEMENT, AND MAY NOT~~  
16 ~~SUBSTITUTE FOR, ANY FUNDS IN THE STATE BUDGET FOR ENFORCEMENT OF THE~~  
17 ~~CHILD ABUSE AND NEGLECT LAWS, SERVICES FOR CHILD PROTECTIVE SERVICES, OR~~  
18 ~~CHILD ABUSE AND NEGLECT PREVENTION, TREATMENT, OR EDUCATION PROGRAMS.~~

19                    ~~SUBTITLE 3A. OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR.~~

20 ~~8-3A-01.~~

21       (A)     ~~IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS~~  
22 ~~INDICATED.~~

23       (B)     ~~"DEPARTMENT" MEANS THE DEPARTMENT OF JUVENILE SERVICES.~~

24       (C)     ~~"OFFICE" MEANS THE OFFICE OF THE INDEPENDENT JUVENILE JUSTICE~~  
25 ~~MONITOR.~~

26       (D)     ~~"SECRETARY" MEANS THE SECRETARY OF JUVENILE SERVICES.~~

27 ~~8-3A-02.~~

28       ~~THERE IS AN OFFICE OF THE INDEPENDENT JUVENILE JUSTICE MONITOR.~~

29 ~~8-3A-03.~~

30       (A)     ~~THE OFFICE IS INDEPENDENT OF ANY AGENCY OF THE EXECUTIVE~~  
31 ~~DEPARTMENT IN ITS DECISIONS AND RECOMMENDATIONS MADE IN ACCORDANCE~~  
32 ~~WITH THIS SUBTITLE.~~



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

3 ~~8-3A-04.~~

4       (A)     ~~THE OFFICE SHALL INCLUDE:~~

5             (1)     ~~A FULL-TIME EXECUTIVE DIRECTOR; AND~~

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

7       (B)     ~~ALL SALARIES FOR THE EXECUTIVE DIRECTOR AND INDEPENDENT~~  
8 ~~JUVENILE JUSTICE MONITORS AND EXPENSES FOR RENT, EQUIPMENT, SUPPLIES,~~  
9 ~~AND GENERAL OPERATING EXPENSES NECESSARY FOR THE WORK OF THE OFFICE~~  
10 ~~SHALL BE AS PROVIDED FOR IN THE STATE BUDGET.~~

11       (C)     ~~IN COOPERATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT,~~  
12 ~~THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND PREVENTION~~  
13 ~~SHALL SET MINIMUM SALARIES, QUALIFICATIONS, AND STANDARDS OF TRAINING~~  
14 ~~AND EXPERIENCE FOR POSITIONS WITH THE OFFICE.~~

15 ~~8-3A-05.~~

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

19             (1)     ~~EVALUATE:~~

20                     (1)     ~~THE DEPARTMENT'S PROCESS FOR RESPONDING TO~~  
21 ~~COMPLAINTS MADE BY A CHILD OR ON BEHALF OF A CHILD RELATING TO:~~

22                             1.     ~~TREATMENT OR SERVICES PROVIDED OR NOT PROVIDED~~  
23 ~~TO THE CHILD;~~

24                             2.     ~~THE CHILD'S PHYSICAL CONDITION; OR~~

25                             3.     ~~ACTIONS TAKEN WITH RESPECT TO THE CHILD BY~~  
26 ~~FACILITY STAFF;~~

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

28                             1.     ~~THE TREATMENT AND SERVICES PROVIDED TO YOUTH;~~

29                             2.     ~~THE PHYSICAL CONDITION OF THE FACILITY; AND~~

30                             3.     ~~THE ADEQUACY OF STAFFING.~~

31             (2)     ~~REVIEW ALL REPORTS OF DISCIPLINARY ACTIONS, GRIEVANCES,~~  
32 ~~AND GRIEVANCE DISPOSITIONS RELATING TO A CHILD IN A FACILITY THAT RESULT~~

1 ~~IN MORE SECURITY, ADDITIONAL OBLIGATIONS, LESS PERSONAL FREEDOM, OR~~  
2 ~~OTHER ALTERATIONS IN THE STATUS OR PLACEMENT OF A CHILD;~~

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

5                   (I)     ~~TREATMENT OR SERVICES PROVIDED OR NOT PROVIDED TO~~  
6 ~~THE CHILD;~~

7                   (II)    ~~THE CHILD'S PHYSICAL CONDITION; OR~~

8                   (III)   ~~ACTIONS TAKEN WITH RESPECT TO THE CHILD BY FACILITY~~  
9 ~~STAFF;~~

10               (4)     ~~PERFORM UNANNOUNCED SITE VISITS AND ON-SITE INSPECTIONS~~  
11 ~~OF THE FACILITY;~~

12               (5)     ~~RECEIVE AND REVIEW ALL INCIDENT REPORTS SUBMITTED TO THE~~  
13 ~~DEPARTMENT FROM THE FACILITY;~~

14               (6)     ~~RECEIVE REPORTS OF THE FINDING OF CHILD PROTECTIVE~~  
15 ~~SERVICES INVESTIGATIONS OF ALLEGATIONS OF ABUSE OR NEGLECT OF A CHILD IN~~  
16 ~~THE FACILITY; AND~~

17               (7)     ~~BE RESPONSIBLE FOR MONITORING STATE COMPLIANCE WITH THE~~  
18 ~~REQUIREMENTS OF FEDERAL LAW AND REGULATIONS FOR THE HOUSING,~~  
19 ~~DETENTION, AND TREATMENT OF JUVENILE OFFENDERS.~~

20     (B)     ~~NOTHING IN THIS SUBTITLE SHALL AUTHORIZE THE REVIEW BY THE~~  
21 ~~OFFICE OF ANY GRIEVANCE, DISCIPLINARY APPEAL, OR COMPLAINT FILED OR MADE~~  
22 ~~BY AN EMPLOYEE OF THE DEPARTMENT.~~

23 ~~8-3A-06.~~

24     (A)     ~~THE OFFICE MAY REVIEW RELEVANT LAWS, POLICIES, PROCEDURES, AND~~  
25 ~~JUVENILE JUSTICE RECORDS, INCLUDING RECORDS RELATING TO INDIVIDUAL~~  
26 ~~YOUTH.~~

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

28               (1)     ~~EMPLOYEES OF THE DEPARTMENT OR A FACILITY;~~

29               (2)     ~~A YOUTH HOUSED IN A FACILITY; AND~~

30               (3)     ~~ANOTHER PERSON WITH INFORMATION THAT WOULD ASSIST THE~~  
31 ~~OFFICE IN THE PERFORMANCE OF ITS DUTIES.~~

32     (C)     ~~THE OFFICE MAY REVIEW INVESTIGATIVE REPORTS PRODUCED BY THE~~  
33 ~~DEPARTMENT RELATING TO YOUTH IN RESIDENTIAL FACILITIES.~~

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

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

9 ~~8-3A-07.~~

10       ~~(A) THE OFFICE SHALL REPORT IN A TIMELY MANNER TO THE SECRETARY,~~  
11 ~~THE CHILDREN'S CABINET, THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND~~  
12 ~~FAMILIES, THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND~~  
13 ~~PREVENTION, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE SPEAKER~~  
14 ~~OF THE HOUSE OF DELEGATES AND THE PRESIDENT OF THE SENATE ON:~~

15               ~~(1) KNOWLEDGE OF ANY PROBLEM REGARDING THE CARE,~~  
16 ~~SUPERVISION, AND TREATMENT OF CHILDREN IN FACILITIES OWNED OR OPERATED~~  
17 ~~BY THE DEPARTMENT;~~

18               ~~(2) FINDINGS, ACTIONS, AND RECOMMENDATIONS RELATED TO THE~~  
19 ~~INVESTIGATIONS OF DISCIPLINARY ACTIONS, GRIEVANCES, INCIDENT REPORTS, AND~~  
20 ~~ALLEGED CASES OF CHILD ABUSE AND NEGLECT; AND~~

21               ~~(3) ALL OTHER FINDINGS AND ACTIONS RELATED TO THE~~  
22 ~~PERFORMANCE OF ITS DUTIES UNDER THIS SUBTITLE.~~

23       ~~(B) THE OFFICE SHALL REPORT QUARTERLY TO THE SECRETARY, THE~~  
24 ~~SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND FAMILIES, THE EXECUTIVE~~  
25 ~~DIRECTOR OF THE OFFICE OF CRIME CONTROL AND PREVENTION, AND EACH~~  
26 ~~MEMBER OF THE CHILDREN'S CABINET ON:~~

27               ~~(1) ALL ACTIVITIES OF THE OFFICE;~~

28               ~~(2) ACTIONS TAKEN OR RESPONSES BY THE DEPARTMENT TO FINDINGS~~  
29 ~~AND RECOMMENDATIONS MADE BY THE OFFICE; AND~~

30               ~~(3) ALL VIOLATIONS OF THE STANDARDS AND REGULATIONS OF THE~~  
31 ~~DEPARTMENT THAT REMAINED UNABATED FOR 30 DAYS OR MORE DURING THE~~  
32 ~~REPORTING PERIOD.~~

33       ~~(C) ON NOVEMBER 30 OF EACH YEAR, THE OFFICE SHALL REPORT TO THE~~  
34 ~~GOVERNOR, THE SECRETARY, THE SPECIAL SECRETARY FOR CHILDREN, YOUTH, AND~~  
35 ~~FAMILIES, EACH MEMBER OF THE CHILDREN'S CABINET AND THE ADVISORY BOARD~~  
36 ~~OF THE DEPARTMENT, AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE~~  
37 ~~GENERAL ASSEMBLY, ON ALL ACTIVITIES OF THE OFFICE AND THE ACTIONS TAKEN~~  
38 ~~BY THE DEPARTMENT IN RESPONSE TO FINDINGS AND RECOMMENDATIONS MADE~~  
39 ~~BY THE OFFICE.~~

1 ~~(D) ALL REPORTS SUBMITTED IN ACCORDANCE WITH THIS SECTION SHALL BE~~  
2 ~~CONSISTENT WITH ANY AGREEMENT OR MEMORANDUM OF UNDERSTANDING~~  
3 ~~ENTERED INTO BY THE OFFICE WITH ANY OTHER EXECUTIVE AGENCY OR~~  
4 ~~DEPARTMENT.~~

5 **Article 49D - Office for Children, Youth, and Families**

6 29.

7 Subject to the evaluation and reestablishment provisions of the Program  
8 Evaluation Act, this article and all rules and regulations adopted under this article  
9 shall terminate and be of no effect after [July 1, 2005] JULY 1, 2006.

10 **Article - State Government**

11 8-403.

12 (b) Except as otherwise provided in subsection (a) of this section, on or before  
13 the evaluation date for the following governmental activities or units, an evaluation  
14 shall be made of the following governmental activities or units and the statutes and  
15 regulations that relate to the governmental activities or units:

16 (12) Children, Youth, and Families, Office for (Article 49D, § 1 of the Code:  
17 [July 1, 2004] JULY 1, 2006);

18 **Chapter 282 of the Acts of 2002**

19 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 July 1, 2002. [It shall remain effective for a period of 3 years and, at the end of June  
21 30, 2005, with no further action required by the General Assembly, this Act shall be  
22 abrogated and of no further force and effect.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That:

24 (a) There is a Task Force to Study the Programs under Article 49D of the  
25 Code.

26 (b) The Task Force shall consist of the following 11 members:

27 (1) three members of the Senate of Maryland, appointed by the President  
28 of the Senate;

29 (2) three members of the House of Delegates, appointed by the Speaker  
30 of the House;

31 (3) a representative of the Administration, appointed by the Governor;

32 (4) a representative of the Advocates for Children and Youth;

33 (5) a representative of the Maryland Disability Law Center;

1           (6)     a representative of the Mental Health Association of Maryland; and

2           (7)     a representative of the Maryland Association of Resources for  
3 Families and Youth.

4       (c)     (1)     The Task Force shall determine, consistent with the budget actions  
5 taken by the General Assembly on the Office for Children, Youth, and Families, the  
6 appropriate structure and functions of the programs established under Article 49D of  
7 the Code.

8           (2)     During its study of the programs established under Article 49D of the  
9 Code, the Task Force shall consider:

10                   (i)     promotion of a stable, safe, and healthy environment for  
11 children and families;

12                   (ii)    integrated systems of care that are family-centered and  
13 child-focused, and emphasize prevention, early intervention, and community-based  
14 services;

15                   (iii)   reallocation of funds for programs that provide prevention and  
16 diversion services to youth as an alternative to incarceration;

17                   (iv)    services for children and families that should be provided in the  
18 least restrictive setting and most integrated environment;

19                   (v)     coordinating the policies and budgets of State agencies that  
20 serve children to ensure the effective, efficient, and comprehensive delivery of  
21 services; and

22                   (vi)    cost neutrality for any changes to Article 49D of the Code or  
23 changes affecting the delivery of services to children and families.

24       (d)     The Department of Legislative Services shall provide staffing for the Task  
25 Force.

26       (e)     A member of the Task Force may not receive compensation for serving on  
27 the Task Force but is entitled to reimbursement for expenses under the Standard  
28 State Travel Regulations, as provided in the State budget.

29       (f)     The Task Force shall report its recommendations on or before December 1,  
30 2005, to the Governor and, subject to § 2-1246 of the State Government Article, to the  
31 General Assembly.

32       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
33 effect ~~July~~ June 1, 2005.

