

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 222

(The President) (By Request – Administration)

Finance

Ways and Means

---

**Office for Children, Youth, and Families - Sunset Extension and Task Force**

---

This Administration bill extends the termination date for the Office for Children, Youth, and Families (OCYF) from July 1, 2005 to July 1, 2006 and requires a sunset evaluation of OCYF by the Department of Legislative Services (DLS) by July 1, 2006. The bill also establishes a Task Force to Study the Programs Under Article 49D of the Code to determine, consistent with the General Assembly's budget actions, the appropriate structure and functions of the programs under Article 49D. DLS must provide staff for the task force. By December 1, 2005, the task force must report its recommendations to the Governor and the General Assembly.

The bill takes effect June 1, 2005.

---

**Fiscal Summary**

**State Effect:** Revenues and expenditures would be maintained for OCYF beyond FY 2005. The FY 2006 OCYF proposed budget is \$4,080,744. This bill would continue those expenditures through the end of FY 2006. DLS could conduct the sunset evaluation and provide staff for the task force within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** The Administration has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. The attached assessment does not reflect amendments to the bill.

---

## Analysis

### **Current Law:**

#### *Subcabinet for Children, Youth, and Families*

The Subcabinet for Children, Youth, and Families is chaired by the Special Secretary for Children, Youth, and Families and consists of the Secretaries of Health and Mental Hygiene, Human Resources, Juvenile Services, Budget and Management, Disabilities, and the State Superintendent of Schools. The subcabinet must: (1) provide ongoing examination of the structure and organization of Maryland's system of services to children, youth, and families; and (2) facilitate a comprehensive effective, efficient, and integrated service delivery system for services to children, youth, and families. The subcabinet must meet at least four times annually.

#### *Office for Children, Youth, and Families*

OCYF consists of the following units: (1) the Advisory Committee for Children, Youth, and Families; (2) children's councils; (3) the Governor's Council on Adolescent Pregnancy; (4) the State Coordinating Council for Residential Placement of Handicapped Children; (5) the Office of the Independent Juvenile Justice Monitor; (6) the Maryland School-Based Health Center Policy Advisory Council; and (7) other interagency initiatives for children, youth, and families that are not reserved by law to another agency.

#### *Local Management Boards*

Local Management Boards (LMBs) ensure implementation of a local interagency service delivery system for children, youth, and families. There are three types of LMBs allowed: (1) a quasi-public nonprofit corporation not considered an instrumentality of the local government; (2) a public agency considered an instrumentality of the local government; or (3) a regional nonprofit corporation or public agency to represent multiple jurisdictions.

#### *State Coordinating Council for Residential Placement of Handicapped Children*

The State Coordinating Council for Residential Placement of Handicapped Children must establish a local coordinating council in each county and Baltimore City and perform other functions, including: (1) develop procedures for local council operations; (2) periodically review the local councils' residential placement decision procedures; (3) plan and coordinate with the local councils concerning the adequate provision of services to

children with disabilities requiring residential placement; and (4) in cooperation with the local councils, monitor the services provided to children placed in residential programs.

#### *Subcabinet for Children, Youth, and Families Resource Fund*

The Subcabinet for Children, Youth, and Families Resource Fund is a continuing, nonlapsing special fund. Up to \$1 million not appropriated at the end of a fiscal year remains in the fund. Any amount more than \$1 million not appropriated at the end of a fiscal year reverts to the general fund.

#### *Children's Trust Fund*

The Children's Trust Fund provides grants to public and private community-based organizations and agencies in a county for: (1) development, assistance, implementation, or evaluation of innovative child abuse and neglect prevention, treatment, or education programs; and (2) the operation of innovative support programs for parents, families, and abused or neglected children. The fund is a special, nonlapsing fund of which no part may revert or be credited to the general fund or any other State special fund.

#### *Office of the Independent Juvenile Justice Monitor*

The Office of the Independent Juvenile Justice Monitor's duties include: (1) evaluating at each facility the child advocacy grievance process, the Department of Juvenile Services' (DJS) monitoring process, the treatment of and services to youth, the facility's physical conditions, and the adequacy of staffing; (2) reviewing all reports of disciplinary actions, grievances, and grievance dispositions received from each facility and alterations in the status or placement of a child that result in more security, additional obligations, or less personal freedom; (3) performing unannounced site visits and on-site inspections of facilities; and (4) receiving and reviewing all incident reports submitted to DJS from facilities.

#### *OCYF Councils and Commission*

The Governor's Council on Adolescent Pregnancy must conduct a thorough examination of the programs and laws relating to or governing services designed to prevent and address adolescent pregnancy. The council's purpose is to reduce unplanned adolescent pregnancies in Maryland.

The Maryland School-Based Health Policy Advisory Council is charged with coordinating the interagency effort to develop, sustain, and promote quality school-based health centers in Maryland.

The State Commission on Infant Mortality's purpose is to reduce infant mortality in Maryland by performing certain duties, including: (1) establishing a perinatal system for maternal and infant health care by region; (2) developing policies and strategies to increase the availability of skilled providers for needy Maryland citizens and recommend initiatives for expanding nurse midwifery and nurse practitioner programs, investigating the reasons physicians do not participate in Medicaid, and assuring access to quality physician and other health care practitioners for medical assistance to patients and patient populations in rural communities; and (3) making recommendations to establish and implement a perinatal surveillance and data collection system.

### *Disclosure of Information*

Statute restricts disclosure of information and portions of records on the children, youth, and families served by State agencies.

**Background:** OCYF began as the gubernatorial Maryland Commission for Children, Youth, and Families established in 1968. The commission was responsible for identifying issues affecting children and youth and focusing attention on new programs and/or approaches to address those issues. In 1978, the Office of Children and Youth was established to assist agencies, local governments, and other organizations to carry out their functions involving children and youth.

The office was subsequently reorganized and renamed as OCYF in 1990. The office is subject to the Maryland Program Evaluation Act, also known as the "sunset law," which provides a system of periodic legislative review of the regulatory, licensing, and other governmental activities of various units of State government. The preliminary sunset evaluation of OCYF performed by DLS recommended that the Legislative Policy Committee extend OCYF's termination date by five years to July 1, 2009, and waive the office from a full evaluation.

Chapter 282 of 2002 continued OCYF until June 30, 2005, when it is scheduled to terminate. SB 131 of 2002 and its cross file HB 151 of 2002 that would have continued OCYF until July 1, 2009 received unfavorable reports in the Senate Finance Committee and House Appropriations Committee, respectively.

---

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 293 (The Speaker) (By Request – Administration) – Ways and Means.

**Information Source(s):** Department of Juvenile Services, Montgomery County, Prince George's County, Department of Human Resources, Governor's Office (Children, Youth, and Families), Maryland State Department of Education, Department of Disabilities, Department of Health and Mental Hygiene, Department of Budget and Management, Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2005  
ncs/jr Revised - Senate Third Reader - April 6, 2005

---

Analysis by: Lisa A. Daigle

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510