

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 983

(Delegate Zirkin, *et al.*)

Judiciary

Juvenile Services - Residential Programs - Use of Departmental Facilities

This bill requires the Department of Juvenile Services (DJS) to ensure by January 1, 2010 that each child in the custody or under the guardianship of the department who is in a residential program is in a State-funded, regional facility owned by DJS. DJS may use private providers of residential programs that conform to the DJS regional plan and have been evaluated as performing satisfactorily under a system of outcomes evaluation developed by the Office for Children, Youth, and Families (OCYF).

It is the intent of the General Assembly that, commencing in fiscal 2006, the Governor include sufficient funds in the State budget to fully implement this bill by January 1, 2010.

Fiscal Summary

State Effect: Potential significant increase in DJS general fund expenditures and capital expenditures. The actual effect depends on the methods utilized to implement the bill's requirements, based on the recommendations in the Phase Two of the Facilities Master Plan.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: DJS may establish and operate facilities necessary to diagnose, care for, train, educate, and properly rehabilitate children who need these services. DJS may also

place children in group homes and institutions that are operated by private providers and reimburse the providers for the services. DJS may not, however, place a child in a facility that is not operating in compliance with State licensing laws.

“System for outcomes evaluation” means an objective and standardized method of measuring the effectiveness of programs serving the needs of children in out-of-home placement. OCYF is responsible for coordinating the planning and determining the cost of testing and implementing the system for outcomes evaluation.

The system for outcomes evaluation must be planned to allow the State to:

- monitor the care, supervision, education, and treatment in State-operated and State-supported programs so that successful services to children in out-of-home placement can be expanded and services that do not produce positive results can be identified;
- assess the capacity of residential child care programs to meet the needs of a child requiring out-of-home placement in the child’s community;
- effectively allocate its resources, based on demonstrated outcomes;
- establish an evaluation system for program performance, including measures of safety, quality, and effectiveness; and
- complete a statewide assessment of the State’s residential child care program capacity that identifies programs in each community to serve the needs of a family that resides in that community.

The system of outcomes evaluation must use standardized measures of function to evaluate the child’s:

- protection from harm while in out-of-home placement;
- stability of living environment;
- family situation and efforts to treat and counsel the family unit;
- educational or vocational development;
- job skills and employment readiness;
- cessation of drug and alcohol abuse;
- learning to not be aggressive; and
- delinquency status.

Background: Pursuant to Chapter 431 of 2004, DJS has contracted with Development Services Group (DSG) to complete a Facilities Master Plan. Phase Two of the study is scheduled to be completed by the December 2005. The first phase of the study includes

estimates of the State's need for bed space in each region ("Gap Analysis"). **Exhibit 1** lists the bed space deficits by area. The deficits total 451, which is over 25% of the total capacity of all State-owned facilities.

DJS advises that these gaps may be filled by a number of strategies, including: construction or acquisition of new facilities; conversion of facilities in areas of surplus capacity; or development of private capacity to serve DJS youth.

State Expenditures: Operating and capital costs of implementing the bill could be substantial. The costs cannot be realistically estimated until the final phase of the Facilities Master Plan is completed and specific recommendations are provided.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Services, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2005
mp/jr

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Exhibit 1
DJS Bed Space Deficits by Service Area

<i>Area</i>	<i>Secure Detention</i>	<i>Youth Centers</i>	<i>Nonsecure Committed</i>	<i>Secure Committed</i>	<i>Substance Abuse</i>	<i>Shelter Care</i>	<i>Community Detention</i>	<i>Group Home</i>	<i>Foster Care</i>	<i>Therapeutic Treatment</i>
I	44	45	20	45	0	0	0	0	0	0
II	0	39	0	0	42	0	0	0	0	0
III	0	0	0	16	0	3	0	0	0	0
IV	0	20	18	0	0	1	2	4	0	0
V	0	35	40	15	26	0	16	0	2	18
Total Deficiency	44	139	78	76	68	4	18	4	2	18

Source: Department of Juvenile Services, *Gap Report*, December 2004.
