
By: **Delegate Zirkin**

Introduced and read first time: February 8, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Residential Child Care Programs - Standards for Staff - Reporting on**
3 **Outcomes Evaluations and Recidivism Rates**

4 FOR the purpose of requiring the Department of Juvenile Services, the Department of
5 Human Resources, the Department of Health and Mental Hygiene, and the
6 Office of Group Home Licensing and Monitoring to adopt certain regulations to
7 require certain staff members of certain residential child care programs to meet
8 certain qualifications; requiring the Department of Juvenile Services, the
9 Department of Human Resources, the Department of Health and Mental
10 Hygiene, and the Office of Group Home Licensing and Monitoring to develop,
11 coordinate, and implement a certain system of outcomes evaluation; requiring
12 the Department of Juvenile Services, the Department of Human Resources, the
13 Department of Health and Mental Hygiene, and the Office of Group Home
14 Licensing and Monitoring to require, in certain contracts with a private provider
15 of a certain program, that the provider collect certain information; requiring the
16 Department of Juvenile Services, the Department of Human Resources, the
17 Department of Health and Mental Hygiene, and the Office of Group Home
18 Licensing and Monitoring to make certain progress reports to the General
19 Assembly at certain intervals; requiring the Department of Juvenile Services to
20 keep recidivism records on certain children; requiring the Department of
21 Juvenile Services to make certain reports to the General Assembly at certain
22 intervals; defining certain terms; and generally relating to residential child care
23 programs.

24 BY adding to

25 Article - Health Occupations
26 Section 21-101 through 21-105, inclusive, to be under the new title "Title 21.
27 Residential Child Care Program Staff and Reporting Requirements"
28 Annotated Code of Maryland
29 (2005 Replacement Volume)

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

1

Article - Health Occupations

2

TITLE 21. RESIDENTIAL CHILD CARE PROGRAM STAFF AND REPORTING REQUIREMENTS.

3

4 21-101.

5 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

6 (B) "COOPERATING DEPARTMENT" MEANS A UNIT OF THE STATE
7 GOVERNMENT RESPONSIBLE FOR THE PLACEMENT OF CHILDREN IN A RESIDENTIAL
8 CHILD CARE PROGRAM, INCLUDING THE DEPARTMENT, AND THE DEPARTMENTS OF
9 JUVENILE SERVICES AND HUMAN RESOURCES.

10 (C) "DIRECT CARE STAFF" MEANS STAFF ASSIGNED TO PERFORM DIRECT
11 RESPONSIBILITIES RELATED TO ACTIVITIES OF DAILY LIVING, SELF-HELP, AND
12 SOCIALIZATION SKILLS OF CHILDREN IN A RESIDENTIAL CHILD CARE PROGRAM.

13 (D) "OFFICE" MEANS THE OFFICE OF GROUP HOME LICENSING AND
14 MONITORING OR A SUCCESSOR AGENCY.

15 (E) (1) "RESIDENTIAL CHILD CARE PROGRAM" MEANS AN ENTITY THAT
16 PROVIDES CARE FOR CHILDREN 24 HOURS PER DAY WITHIN A STRUCTURED SET OF
17 SERVICES AND ACTIVITIES DESIGNED TO ACHIEVE SPECIFIC OBJECTIVES RELATING
18 TO THE NEEDS OF THE CHILDREN SERVED, INCLUDING THE PROVISION OF FOOD,
19 CLOTHING, SHELTER, EDUCATION, SOCIAL SERVICES, HEALTH CARE, MENTAL
20 HEALTH SERVICES, RECREATION, OR ANY COMBINATION OF THESE SERVICES AND
21 ACTIVITIES.

22 (2) "RESIDENTIAL CHILD CARE PROGRAM" INCLUDES A PROGRAM THAT:

23 (I) IS LICENSED BY:

- 24 1. THE DEPARTMENT;
- 25 2. THE DEPARTMENT OF HUMAN RESOURCES; OR
- 26 3. THE DEPARTMENT OF JUVENILE SERVICES; AND

27 (II) IS SUBJECT TO THE REGULATIONS OF THE OFFICE.

28 (F) "SYSTEM FOR OUTCOMES EVALUATION" MEANS AN OBJECTIVE,
29 STANDARDIZED, AND UNIFORM METHOD USED BY THE OFFICE TO MEASURE THE
30 EFFECTIVENESS OF RESIDENTIAL CHILD CARE PROGRAMS.

31 21-102.

32 A COOPERATING DEPARTMENT AND THE OFFICE JOINTLY SHALL ADOPT
33 REGULATIONS REQUIRING EACH MEMBER OF A DIRECT CARE STAFF OF A

1 RESIDENTIAL CHILD CARE PROGRAM TO MEET THE FOLLOWING MINIMUM
2 QUALIFICATIONS:

3 (1) BE AT LEAST 21 YEARS OLD; AND

4 (2) (I) 1. HAVE AN ASSOCIATE OF ARTS DEGREE FROM AN
5 ACCREDITED COLLEGE OR UNIVERSITY BASED ON A CURRICULUM APPROVED BY
6 THE MARYLAND HIGHER EDUCATION COMMISSION; OR

7 2. HAVE A BACHELOR'S DEGREE FROM AN ACCREDITED
8 COLLEGE OR UNIVERSITY; AND

9 (II) HAVE COMPLETED A TRAINING PROGRAM APPROVED BY THE
10 AGENCY THAT LICENSED THE RESIDENTIAL CHILD CARE PROGRAM.

11 21-103.

12 (A) A COOPERATING DEPARTMENT AND THE OFFICE SHALL DEVELOP,
13 COORDINATE, AND IMPLEMENT A SYSTEM FOR OUTCOMES EVALUATION.

14 (B) THE SYSTEM FOR OUTCOMES EVALUATION SHALL BE USED TO:

15 (1) MONITOR THE CARE, SUPERVISION, EDUCATION, AND TREATMENT
16 PROVIDED BY STATE-OPERATED AND STATE-SUPPORTED RESIDENTIAL CHILD CARE
17 PROGRAMS TO EXPAND SUCCESSFUL SERVICES TO CHILDREN AND ADJUST OR
18 ELIMINATE UNSUCCESSFUL AND INEFFECTIVE SERVICES TO CHILDREN;

19 (2) EVALUATE EACH CHILD AT 6-MONTH INTERVALS FOLLOWING THE
20 CHILD'S DISCHARGE FROM A RESIDENTIAL CHILD CARE PROGRAM TO DETERMINE
21 WHICH SERVICES BEST ENABLED THE CHILD TO MAINTAIN HEALTHY FUNCTIONING
22 IN THE COMMUNITY AND REMAIN OUTSIDE THE JUVENILE SERVICES SYSTEM; AND

23 (3) EFFECTIVELY ALLOCATE RESOURCES BASED ON DEMONSTRATED
24 OUTCOMES.

25 21-104.

26 (A) A COOPERATING DEPARTMENT AND THE OFFICE SHALL REQUIRE, IN
27 CONTRACTS WITH PRIVATE PROVIDERS OF RESIDENTIAL CHILD CARE PROGRAMS,
28 THAT THE PROVIDER COLLECT INFORMATION NECESSARY FOR THE SYSTEM FOR
29 OUTCOMES EVALUATION UNDER THIS TITLE.

30 (B) (1) SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, BY
31 SEPTEMBER 1, 2008, THE COOPERATING DEPARTMENTS AND THE OFFICE SHALL
32 SUBMIT A REPORT TO THE GENERAL ASSEMBLY ON THE PROGRESS OF DEVELOPING,
33 TESTING, AND IMPLEMENTING THE SYSTEM FOR OUTCOMES EVALUATION.

34 (2) SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, BY
35 SEPTEMBER 1, 2009, AND ON OR BEFORE SEPTEMBER 1 OF EACH YEAR THEREAFTER,
36 THE COOPERATING DEPARTMENTS AND THE OFFICE SHALL SUBMIT A REPORT TO

1 THE GENERAL ASSEMBLY ON THE EFFECTIVENESS OF RESIDENTIAL CHILD CARE
2 PROGRAMS AS MEASURED BY THE SYSTEM FOR OUTCOMES EVALUATION.

3 21-105.

4 (A) THE DEPARTMENT OF JUVENILE SERVICES SHALL KEEP RECORDS OF
5 RECIDIVISM RATES ON ALL CHILDREN SERVED BY THE DEPARTMENT OF JUVENILE
6 SERVICES IN A RESIDENTIAL CHILD CARE PROGRAM, INCLUDING THOSE PLACED
7 WITH PUBLIC AND PRIVATE PROVIDERS.

8 (B) SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, BY
9 SEPTEMBER 1, 2008, AND ON OR BEFORE SEPTEMBER 1 OF EACH YEAR THEREAFTER,
10 THE DEPARTMENT OF JUVENILE SERVICES SHALL SUBMIT A REPORT TO THE
11 GENERAL ASSEMBLY ON THE RECIDIVISM RATE INFORMATION COLLECTED UNDER
12 THIS TITLE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect October 1, 2006.