

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

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

House Bill 1648

(Delegate Branch, *et al.*)

Judiciary

Judicial Proceedings

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**Department of Human Resources - Child Abuse and Neglect - Differential  
Response System Study**

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This bill requires the Department of Human Resources (DHR) to conduct a Differential Response System Study on the implementation of a research-based differential response system for allegations of child abuse and neglect.

The bill takes effect June 1, 2006 and terminates May 31, 2007.

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**Fiscal Summary**

**State Effect:** None. It is anticipated that the bill's requirements could be met with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** This bill requires that the Differential Response System Study:

- define levels of safety concerns associated with allegations of child abuse and neglect;
- determine specific responses and time frames for initiating and completing responses for varying allegations of child abuse and neglect;

- develop a database of community resources and child welfare programs in local departments to assist DHR in responding to allegations of child abuse and neglect;
- determine existing capacity outside the child protective services system to meet the needs of lower risk families and identify services and funding to fill service gaps as part of an effective differential response system;
- develop a plan to implement and evaluate a differential response system addressing the issues specified in the bill; and
- recommend specific statutory changes necessary to implement a differential response system for allegations of child abuse and neglect.

By December 1, 2006, DHR is required to submit a report to the Governor, the Senate Finance Committee, the House Appropriations Committee, and the House Judiciary Committee on the findings and statutory recommendations of the Differential Response System Study.

**Current Law/Background:** Differential response refers to a system of differing responses to reports of child abuse and neglect based on an assessment of risk to the welfare of children who are the subjects of a risk assessment report. Lower-risk reports would be screened into an “assessment track” that would provide family support services intended to reduce the risk of future child maltreatment. The services and treatment provided to an “at risk” family would hopefully divert the family from entering the child welfare system in the future.

The General Assembly restricted \$1 million of DHR’s fiscal 2006 appropriation until DHR developed a plan to implement differential response on a pilot basis in one or more jurisdictions. DHR was instructed to work with the University of Maryland’s School of Social Work to:

- evaluate models implemented by other states;
- determine the additional resources needed to implement a pilot program;
- develop ways of coordinating State, local, and nonprofit resources;
- develop methods of tracking parents who have had children removed due to child maltreatment;
- create an evaluation model for measuring the pilot program’s effectiveness;
- determine the appropriate jurisdiction(s) in which to implement the pilot;
- identify funding sources for the pilot; and
- identify any needed statutory changes to implement the pilot.

DHR was required to submit the plan for the review and comment of budget committees by October 1, 2005.

DHR submitted its response to the budget committees, dated January 24, 2006, at the end of January. Among other things, DHR indicated that moving to a two-track response system would require amendments to § 5-701 of the Family Law Article and an additional 75 workers and 15 supervisors statewide. DHR concluded that the benefit of piloting a two-track model would be minimal since several states have documented the benefits of the approach and implementing a pilot could create an extremely uneven level of child protective services in the State.

The Department of Legislative Services (DLS) reviewed the DHR report and determined that it was nonresponsive. DLS advises that DHR dismissed the concept of a pilot differential response project, rather than develop a plan to implement a differential response pilot project, as directed by the budget committees. The DHR rationale was that, since the differential response system would create inequities (temporarily) between families involved in the project and the families in the rest of the State, a less ambitious two-track system that did not create such a wide disparity between participant families and all other families might be more appropriate. However, completion of a pilot study in one or more jurisdictions would, in fact, develop the data needed to determine if moving to a system geared more toward preventative services could reduce the incidence of child abuse and neglect in a cost-effective manner.

DLS advises that the DHR response did not provide the information requested in the fiscal 2006 budget bill, namely, the identification of a jurisdiction where the pilot could best be implemented, the additional resources that would be required, and the evaluation model that could be used to measure program effectiveness, among other information requested. In the fiscal 2007 budget analysis for Child Welfare, DLS has recommended that the restricted \$1 million fiscal 2006 appropriation not be released until DHR submits a report that complies with the budget bill language contained in the fiscal 2006 budget bill. The budget committees will determine whether to recommend release of the \$1 million appropriation after DHR requests that the appropriation be made available.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 20, 2006  
mll/ljm Revised - House Third Reader - April 3, 2006  
Revised - Enrolled Bill - April 24, 2006

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