

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 651 (Chair, Ways and Means Committee)
(By Request – Departmental – Juvenile Services)
Ways and Means Education, Health, and Environmental
Affairs

**Department of Juvenile Services Educational Programs - Private Residential
Rehabilitative Institutions - Repeal**

This departmental bill repeals the authorization for and operating requirements of a private residential rehabilitative institution.

Fiscal Summary

State Effect: None. There are no facilities currently operating in Maryland that meet the definition of a private residential rehabilitative institution.

Local Effect: None.

Small Business Effect: The Department of Juvenile Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Chapter 419 of 2005 defines a private residential rehabilitative institution as a private, nonprofit facility serving 150 or more youth that provides academic, athletic, and workforce development services to court-adjudicated children. To qualify as this type of institution, the program must have been approved to operate by October 1, 2005.

A private residential rehabilitative institution receives statewide referrals and serves as an option for the placement of children transferred to the juvenile court under a reverse

waiver. These institutions are required to implement an educational program approved by the Maryland State Department of Education.

Background: Only one program, Bowling Brook Preparatory School in Carroll County, met the State definition of a private residential rehabilitative institution. This type of institution was of limited ongoing utility given the department's plans to develop a system of smaller, regionalized programs and facilities.

Plans were made to close Bowling Brook following the death of Isaiah Simmons on January 23, 2007. Staff members were placed on administrative leave, monitors were assigned to the facility, and prohibitions on restraint were implemented. By March 2007, all youth in the facility had been relocated and the facility was closed.

In addition to concerns about residents' welfare, there were concerns that many youth were kept at the facility longer than required. In total, 80% of the youth at the school at the time of its closure were either released or placed in the community; the remaining 20% were referred to an alternative residential program or placed in secure detention pending placement.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Services, Department of Human Resources, Maryland State Department of Education, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2008
mll/hlb

Analysis by: Suzanne O. Potts

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