

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

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

Senate Bill 742

(Senator Zirkin)

Education, Health, and Environmental Affairs

Health and Government Operations

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**Human Services - Residential Child Care Program - Bill of Rights**

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This bill requires a residential child care provider, including those licensed by the Developmental Disabilities Administration, to conspicuously post a Residents' Bill of Rights in the facility. The bill of rights establishes a resident's right to be treated fairly and receive appropriate educational and guidance services in an environment that is free of discrimination or abuse. The resident and his or her family have a right to communicate with each other, as appropriate, and express their opinions about services provided.

Residential child care providers are also required to develop and distribute a handbook that includes specified information about the provider's policies and procedures. The provider must document receipt of the handbook by each child receiving care and his or her parents or guardians.

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**Fiscal Summary**

**State Effect:** The bill would not materially affect State finances or operations.

**Local Effect:** None.

**Small Business Effect:** Potential minimal for residential child care providers.

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**Analysis**

**Current Law:** Regulations establish that a licensed residential child care provider is required to provide services designed to meet a child's needs for guidance, learning, and personal development. Each child must be treated with courtesy, respect, warmth, and caring. The child must receive positive recognition, be spoken to and treated in an age-appropriate manner, and be protected from mental and physical abuse. Regulations

also enumerate the responsibilities of providers in developing appropriate programs and services for youth in their care.

**Background:** Residential child care programs, also referred to as group homes, represent one form of out-of-home placements. Group homes offer homelike settings that provide structure and 24-hour supervision, basic care, social work, and health care services. Many group homes utilize community-based ancillary services and enroll children in the local school system. Each child placed in a group home is also assigned a caseworker from the referring agency responsible for monitoring the child's progress and the appropriateness of the placement.

The departments of Juvenile Services, Human Resources, and Health and Mental Hygiene license, monitor, and place children in group homes according to individual agency standards. The Governor's Office for Children provides assistance in referring applicants to the appropriate State agency. Licenses are issued for a period of two years and must be obtained for each regulated facility. The licensing agencies monitor group homes through review of records, inspection of facilities, and staff and resident interviews.

**Small Business Effect:** The bill of rights established by this legislation redirects focus from the responsibilities of residential child care program providers to the rights of the children served in these facilities. In this sense, providers' operations would not be materially affected by the new requirements. Providers could incur additional expenses in printing and distributing materials, but it is expected that providers could fulfill these responsibilities with minimal additional resources.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 11, 2008  
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