

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

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

Senate Bill 796

(Senator Della)

Finance

Health and Government Operations

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**Office of the Treasurer - Community Services Trust Fund - Workgroup**

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This bill requires the Secretary of Health and Mental Hygiene, in collaboration with the Office of the Treasurer, to convene a workgroup to evaluate and make specific recommendations regarding the Community Services Trust Fund. By December 1, 2009, the Department of Health and Mental Hygiene (DHMH) must report its findings and recommendations to the Governor and General Assembly. The bill requires funds to remain in the Community Services Trust Fund until the workgroup has submitted its report.

The bill takes effect June 1, 2009.

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**Fiscal Summary**

**State Effect:** DHMH and the Office of the Treasurer advise that the workgroup and reporting requirements can be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Proceeds from the sale or long-term lease of property and equipment of a Developmental Disabilities Administration (DDA) facility or a Mental Hygiene Administration (MHA) facility are deposited into the Community Services Trust Fund. There are two accounts in the trust fund, one pertaining to proceeds from DDA facilities, and the other pertaining to proceeds from MHA facilities. Investment earnings from the

DDA account are transferred into the Waiting List Equity Fund within DHMH and are generally used to provide community-based services to individuals eligible for but not receiving DDA services. Investment earnings from the MHA account are transferred into the Mental Hygiene Community-based Services Fund and are used to meet the needs of individuals leaving facilities to enter community-based services.

**Background:** Chapter 303 of 2004 required that any funds from the sale or lease of an MHA facility resulting from consolidation or closure bypass the Community Services Trust Fund and be deposited directly into the Mental Hygiene Community-based Services Fund. However, the statutory provisions governing the Community Services Trust Fund were never amended to reflect the change, and DHMH advises that all proceeds from the sale or lease of any MHA facility are still deposited into the Community Services Trust Fund.

Currently, the account balance of the Community Services Trust Fund is \$17,688,850. The majority of account holdings is for DDA (\$14,897,967), while the remainder of holdings (\$2,790,883) is for MHA.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 957 (Delegate Hubbard) - Health and Government Operations.

**Information Source(s):** Department of General Services, Department of Health and Mental Hygiene, Maryland State Treasurer's Office, Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2009  
mlm/mwc Revised - Senate Third Reader - April 7, 2009

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Analysis by: Sarah K. Volker

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