

SENATE BILL 880

E3

0lr2597

By: **Senators Forehand and Muse**

Introduced and read first time: February 15, 2010

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Services – Redirection Pilot Program and Plan**

3 FOR the purpose of establishing the Redirection Pilot Program in the Department of
4 Juvenile Services; providing for the purpose of the Pilot Program; requiring the
5 Department to use an appropriate assessment tool to determine eligibility for
6 certain services for certain children; requiring the Department to seek certain
7 approval from the juvenile court in certain circumstances; requiring the
8 Department to establish a certain advisory council; requiring the Department to
9 contract with an independent consultant to assist in the implementation of the
10 Pilot Program and to make a certain evaluation; requiring the Department to
11 provide the independent consultant with certain data; requiring the
12 Department to inform the Judiciary about the Pilot Program; requiring the
13 Department, in collaboration with the Children’s Cabinet, to develop a certain
14 plan; requiring the plan to address certain methods for the expansion of certain
15 services and certain goals; requiring the Children’s Cabinet to consider certain
16 funding sources in developing the plan; requiring the Department to invite
17 certain representatives to participate in the development of the plan; requiring
18 the Department to ensure that certain individuals have a certain opportunity;
19 requiring the Department to submit certain reports to the General Assembly on
20 or before certain dates; defining certain terms; providing for the termination of
21 this Act; and generally relating to the Redirection Pilot Program and plan in the
22 Department of Juvenile Services.

23 BY adding to

24 Article – Human Services

25 Section 9–247

26 Annotated Code of Maryland

27 (2007 Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Human Services

2 9–247.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
4 MEANINGS INDICATED.

5 (2) “PILOT PROGRAM” MEANS THE REDIRECTION PILOT
6 PROGRAM.

7 (3) “WRAPAROUND PROCESS” MEANS A PROCESS BY WHICH
8 SERVICES ARE:

9 (I) INDIVIDUALIZED TO THE UNIQUE NEEDS OF EACH
10 ELIGIBLE CHILD AND THE CHILD’S FAMILY, BASED ON THEIR STRENGTHS, TO
11 MEET THEIR PRIORITY NEEDS; AND

12 (II) PROVIDED BY INDIVIDUALS IN THE COMMUNITY WHO
13 ARE CULTURALLY COMPETENT AND WELL–TRAINED.

14 (B) THERE IS A REDIRECTION PILOT PROGRAM IN THE DEPARTMENT.

15 (C) THE PURPOSE OF THE PILOT PROGRAM IS TO REDUCE BY 50% THE
16 NUMBER OF CHILDREN PLACED BY THE DEPARTMENT EACH YEAR IN:

17 (1) PER DIEM RESIDENTIAL PLACEMENTS;

18 (2) STATE CORRECTIONAL FACILITIES; AND

19 (3) STATE DETENTION CENTERS.

20 (D) IN IMPLEMENTING THE PILOT PROGRAM, THE DEPARTMENT SHALL
21 USE AN APPROPRIATE ASSESSMENT TOOL TO DETERMINE ELIGIBILITY FOR
22 INDIVIDUALIZED SERVICES INSTEAD OF OUT–OF–HOME PLACEMENT FOR
23 CHILDREN WHO ARE:

24 (1) ADJUDICATED DELINQUENT AND LIKELY TO BE COMMITTED
25 TO THE CUSTODY OF THE DEPARTMENT; AND

26 (2) AT RISK OF PLACEMENT BY THE DEPARTMENT IN A PER DIEM
27 RESIDENTIAL PLACEMENT, INCLUDING A FOSTER HOME, GROUP HOME, DRUG
28 TREATMENT PROGRAM, OR OUT–OF–STATE PLACEMENT.

1 **(E) IF A CHILD IS DETERMINED ELIGIBLE FOR INDIVIDUALIZED**
2 **SERVICES DURING THE ASSESSMENT REQUIRED UNDER SUBSECTION (D) OF**
3 **THIS SECTION, THE DEPARTMENT SHALL SEEK APPROVAL FROM THE JUVENILE**
4 **COURT TO PROVIDE INDIVIDUALIZED SERVICES TO THE CHILD INSTEAD OF A**
5 **PER DIEM RESIDENTIAL PLACEMENT.**

6 **(F) THE DEPARTMENT SHALL ESTABLISH AN ADVISORY COUNCIL FOR**
7 **THE PILOT PROGRAM CONSISTING OF:**

8 **(1) A REPRESENTATIVE FROM:**

9 **(I) THE JUDICIARY;**

10 **(II) A STATE'S ATTORNEY'S OFFICE;**

11 **(III) THE OFFICE OF THE PUBLIC DEFENDER;**

12 **(IV) THE GENERAL ASSEMBLY; AND**

13 **(V) THE PROTECTION AND ADVOCACY SYSTEM;**

14 **(2) A FAMILY MEMBER OF A CHILD WHO HAS COMPLETED A**
15 **COMMUNITY-BASED PROGRAM;**

16 **(3) AN ADMINISTRATOR AT A CORE SERVICE AGENCY OF AN**
17 **INDIVIDUALIZED SERVICE PRACTICE PROGRAM; AND**

18 **(4) A PROVIDER OF INDIVIDUALIZED SERVICES.**

19 **(G) (1) THE DEPARTMENT SHALL CONTRACT WITH AN INDEPENDENT**
20 **CONSULTANT WITH EXPERTISE IN THE IMPLEMENTATION AND STUDY OF**
21 **WRAPAROUND PROCESSES FOR DELINQUENT YOUTH TO ASSIST IN THE**
22 **IMPLEMENTATION OF THE PILOT PROGRAM AND TO EVALUATE THE OUTCOMES**
23 **AND COST SAVINGS ACHIEVED BY THE PILOT PROGRAM.**

24 **(2) THE DEPARTMENT SHALL PROVIDE THE INDEPENDENT**
25 **CONTRACTOR WITH DATA RELATED TO THE OUTCOMES FOR THE CHILDREN IN**
26 **THE PILOT PROGRAM TO ASSIST THE INDEPENDENT CONTRACTOR IN**
27 **EVALUATING THE EFFECTIVENESS OF THE PILOT PROGRAM.**

28 **(H) THE DEPARTMENT SHALL INFORM THE JUDICIARY ABOUT THE**
29 **PILOT PROGRAM AS REQUIRED BY § 9-242 OF THIS SUBTITLE.**

1 **(I) (1) BY OCTOBER 1, 2011, THE DEPARTMENT, IN COLLABORATION**
2 **WITH THE AGENCIES IN THE CHILDREN’S CABINET, SHALL DEVELOP A 3–YEAR**
3 **PLAN TO EXPAND THE AVAILABILITY OF A WRAPAROUND PROCESS FOR**
4 **CHILDREN THROUGHOUT THE STATE.**

5 **(2) THE 3–YEAR PLAN SHALL ADDRESS METHODS TO EXPAND THE**
6 **AVAILABILITY OF INDIVIDUALIZED SERVICES TO:**

7 **(I) CHILDREN ENGAGING IN DELINQUENT BEHAVIOR,**
8 **COMMITTED TO A STATE OR LOCAL AGENCY, AND AT HIGH RISK OF**
9 **OUT–OF–HOME RESIDENTIAL PLACEMENT OR RETURNING TO THE COMMUNITY**
10 **FROM RESIDENTIAL PLACEMENT;**

11 **(II) CHILDREN WHO HAVE BEEN ARRESTED BUT WHOSE**
12 **CHARGES HAVE NOT BEEN PROCESSED OR WHOSE CHARGES HAVE BEEN**
13 **PROCESSED BUT HAVE NOT BEEN COMMITTED TO AN AGENCY;**

14 **(III) CHILDREN PLACED ON PROBATION, UNDER**
15 **SUPERVISION, IN COMMUNITY DETENTION, OR UNDER A STEP–DOWN**
16 **AFTERCARE PLAN; AND**

17 **(IV) CHILDREN WHO HAVE NOT BEEN ARRESTED BUT WHO**
18 **HAVE ENGAGED IN DELINQUENT OR PREDELINQUENT BEHAVIOR.**

19 **(3) THE 3–YEAR PLAN SHALL INCLUDE NUMERICAL GOALS WITH**
20 **A MINIMUM GOAL OF CREATING AT LEAST 1,000 NEW SLOTS FOR CHILDREN’S**
21 **INDIVIDUALIZED SERVICES BEYOND THE NUMBER OF SLOTS IN EXISTENCE AS**
22 **OF OCTOBER 1, 2011.**

23 **(4) IN DEVELOPING THE 3–YEAR PLAN, THE CHILDREN’S**
24 **CABINET SHALL CONSIDER THE FOLLOWING FUNDING SOURCES:**

25 **(I) FUNDING FROM EACH OF THE AGENCIES IN THE**
26 **CHILDREN’S CABINET, INCLUDING NEW BUDGETED FUNDING, EXISTING**
27 **BUDGETED FUNDS THAT MAY BE DIVERTED FROM RESIDENTIAL PLACEMENT**
28 **FUNDING OR OTHER PROGRAMS, AND SAVINGS DERIVED FROM EXISTING**
29 **PROGRAMS;**

30 **(II) COMPACTS WITH PRIVATE ORGANIZATIONS OR PRIVATE**
31 **FOUNDATION SUPPORT;**

32 **(III) FEDERAL FUNDING, INCLUDING FUNDING THROUGH**
33 **THE MEDICAL ASSISTANCE PROGRAM; AND**

1 (IV) ANY OTHER FUNDING SOURCE IDENTIFIED BY THE
2 CHILDREN'S CABINET.

3 (5) (I) THE DEPARTMENT, ON BEHALF OF THE CHILDREN'S
4 CABINET, SHALL INVITE THE FOLLOWING INDIVIDUALS TO PARTICIPATE IN THE
5 DEVELOPMENT OF THE PLAN:

6 1. AT LEAST ONE REPRESENTATIVE FROM THE
7 FOLLOWING ORGANIZATIONS OR SYSTEMS:

8 A. BALTIMORE'S SAFE AND SOUND CAMPAIGN;

9 B. THE INNOVATIONS INSTITUTE;

10 C. THE PROTECTION AND ADVOCACY SYSTEM; AND

11 D. THE CHOICE PROGRAM; AND

12 2. A. THE INDEPENDENT CONSULTANT SELECTED
13 FOR THE REDIRECTION PILOT PROGRAM; AND

14 B. AN ADMINISTRATOR OF AN INDIVIDUALIZED
15 SERVICE PRACTICE PROGRAM AT A CORE SERVICE AGENCY OR LOCAL
16 MANAGEMENT BOARD.

17 (II) THE DEPARTMENT SHALL ENSURE THAT INDIVIDUALS
18 INVITED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE AN
19 OPPORTUNITY FOR MEANINGFUL PARTICIPATION IN THE DEVELOPMENT OF
20 THE PLAN, INCLUDING ATTENDING MEETINGS AND REVIEWING ALL DRAFTS OF
21 THE PLAN BEFORE THE PLAN IS SUBMITTED TO THE GENERAL ASSEMBLY.

22 (J) (1) ON OR BEFORE OCTOBER 1, 2011, THE DEPARTMENT SHALL
23 REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE
24 STATE GOVERNMENT ARTICLE, ON THE 3-YEAR PLAN REQUIRED UNDER
25 SUBSECTION (I) OF THIS SECTION.

26 (2) ON OR BEFORE DECEMBER 31, 2011, THE DEPARTMENT
27 SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246
28 OF THE STATE GOVERNMENT ARTICLE, ON THE EVALUATION COMPLETED BY
29 THE INDEPENDENT CONSULTANT ON THE OUTCOMES, COST SAVINGS, AND
30 EFFECTIVENESS OF THE PILOT PROGRAM.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010. It shall remain effective for a period of 3 years and 3 months and, at
3 the end of December 31, 2013, with no further action required by the General
4 Assembly, this Act shall be abrogated and of no further force or effect.