

SENATE BILL 939

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3lr3165
CF HB 1307

By: **Senator Muse**

Introduced and read first time: February 13, 2013

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 21, 2013

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2013

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Services – Group Homes and Institutions – Notice Requirement**

3 FOR the purpose of requiring the Department of Juvenile Services to provide a certain
4 notice to a certain law enforcement agency before contracting ~~with~~ for, or
5 authorizing the creation of, a certain group home or institution ~~for the~~
6 ~~placement of certain children;~~ requiring that certain information be included in
7 a certain notice; and generally relating to group homes and institutions for
8 juveniles.

9 BY repealing and reenacting, with amendments,
10 Article – Human Services
11 Section 9–231
12 Annotated Code of Maryland
13 (2007 Volume and 2012 Supplement)

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

16 **Article – Human Services**

17 9–231.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Department may place children in group homes and institutions
2 operated by nonprofit or for-profit entities to provide for their care, diagnosis,
3 training, education, and rehabilitation.

4 (b) (1) The Department shall reimburse the entities described in
5 subsection (a) of this section for the cost of the services at appropriate monthly rates
6 that the Department determines, as provided in the State budget.

7 (2) The Department may establish different reimbursement rates for
8 homes and institutions that provide intermediate services and homes and institutions
9 that provide full services.

10 (c) The Department may not place a child in a group home or other
11 residential facility that is not operating in compliance with applicable State licensing
12 laws.

13 **(D) (1) BEFORE THE DEPARTMENT MAY CONTRACT WITH FOR, OR**
14 **AUTHORIZE THE CREATION OF, A GROUP HOME OR AN INSTITUTION OPERATED**
15 **BY A NONPROFIT OR FOR-PROFIT ENTITY ~~FOR THE PLACEMENT OF CHILDREN~~**
16 **~~UNDER THE JURISDICTION OF THE DEPARTMENT,~~ THE DEPARTMENT SHALL**
17 **SEND, BY CERTIFIED MAIL, NOTIFICATION OF THE DEPARTMENT'S INTENT TO**
18 **ESTABLISH A FACILITY TO THE HEAD OF THE LAW ENFORCEMENT AGENCY WITH**
19 **PRIMARY JURISDICTION OVER THE POLITICAL SUBDIVISION IN WHICH THE**
20 **~~GROUP HOME OR INSTITUTION~~ FACILITY IS LOCATED.**

21 **(2) THE NOTIFICATION SHALL INCLUDE:**

22 **(I) THE NAME AND ADDRESS OF THE OPERATOR OF THE**
23 **GROUP HOME OR INSTITUTION;**

24 **(II) THE STREET ADDRESS OF THE PROPERTY WHERE THE**
25 **GROUP HOME OR INSTITUTION IS TO BE LOCATED OR, IF NO ADDRESS, A**
26 **DESCRIPTION THAT IDENTIFIES THE PROPERTY;**

27 **(III) IF THE OPERATOR DOES NOT OWN THE PROPERTY, THE**
28 **NAME OF THE OWNER;**

29 **(IV) THE CHARACTERISTICS OF THE POPULATION TO BE**
30 **SERVED AND THE NUMBER OF RESIDENTS TO BE SERVED; AND**

31 **(V) ANY OTHER INFORMATION RELEVANT TO THE**
32 **OPERATION OF THE GROUP HOME OR INSTITUTION.**

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.