

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 442 (Senator Gladden)  
Education, Health, and Environmental Affairs

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**Residential Child Care Programs - Memorandum of Understanding**

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This bill specifies that a contract awarded or renewed between an agency that licenses residential child care programs and a provider of a residential child care program must require the provider to enter into a memorandum of understanding (MOU) with the community organization located nearest to the site of the provider's residential child care program.

The bill applies prospectively.

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**Fiscal Summary**

**State Effect:** The bill's requirements can be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** The MOU must contain all matters of agreement between a provider and a community organization. The MOU may contain agreements regarding the behavior of participants in the residential child care program or collaborations between the provider and the community organization. The MOU must be in writing and signed by a representative of the provider and of the community organization. The MOU must be in effect for a period of at least one year, but not more than three years. The provider must post the MOU at the site operated by the provider in a conspicuous location.

A “community organization” means a not-for-profit organization that represents the interests of residents of a limited geographic area.

**Current Law/Background:** There is no requirement for residential child care programs to enter into a MOU with community organizations. Residential child care programs provide structure and 24-hour supervision, basic care, social work, and health care services for children, including children in foster care, children involved in the juvenile justice system, and children with developmental disabilities. Residential child care programs include group homes (which may serve special populations such as medically fragile children), shelter care, alternative living units for children with developmental disabilities, and therapeutic group homes for emotionally or developmentally disabled youth. Many programs utilize community-based ancillary services and enroll children in the local school system.

Residential child care programs are licensed by three State agencies: the Department of Health and Mental Hygiene, the Department of Human Resources, and the Department of Juvenile Services. A program must obtain a license to operate. In addition to a license, the program must also have a contract with a State agency to receive placements of children in the program’s care. Regardless of which agency issues the license, a residential child care program may contract with any State agency for placements.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Governor’s Office for Children, Department of Human Resources, Department of Health and Mental Hygiene, Department of Juvenile Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 18, 2013  
mlm/lgc

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