

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 1107
Rules

(Senator Benson)

Residential Child Care Programs - Statement of Need - Exception for Temporary Relocation

This bill creates an exception to the process relating to statements of need for residential child care programs by allowing a program to relocate to another site on a temporary basis under specified circumstances without a statement of need.

Fiscal Summary

State Effect: The bill does not materially impact the workload of the Department of Human Resources (DHR), the Department of Juvenile Services (DJS), or the Governor's Office for Children (GOC).

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: A statement of need is not required before an existing licensed residential child care program is relocated to another site on a temporary basis if:

- the site of the existing licensed residential child care program is in a state of disrepair that necessitates rehabilitation for the health, safety, and well-being of the residents;
- the temporary site is similar in size to the site undergoing rehabilitation;

- the licensing agency determines that the number of placements at the temporary site is no greater than the number of placements at the site undergoing rehabilitation;
- the temporary site is located within the same jurisdiction as or within 10 miles of the site undergoing rehabilitation; and
- the rehabilitation of the existing site will be completed within 180 days or, if not completed within 180 days, will be completed within a period of time determined by the licensing agency, on request of the licensee, not to exceed an additional 180 days.

Current Law/Background: A statement of need is an official certification of public need for the location and establishment of a residential child care program in a county issued by a licensing agency. DHR and DJS must issue a statement of need before a residential child care program is issued a license, an existing or previously licensed program is relocated, an existing site is expanded, or the number of placements in a program is increased. DHR and DJS must consider the special needs of the affected children and consult with relevant stakeholders when developing a statement of need. DHR and DJS must publish notice of the statement of need in the *Maryland Register*.

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. GOC provides a single point of entry for persons or organizations interested in establishing a residential child care program by serving as a central point of information and referral.

Small Business Effect: The bill has a potential meaningful impact on residential child care program providers. Under the bill, a residential child care provider may relocate temporarily to another location under specified circumstances without a statement of need first being issued. This provides greater flexibility for residential child care programs to improve facilities in a timely manner.

Additional Information

Prior Introductions: None.

Cross File: HB 1522 (Delegate Reznik) - Health and Government Operations.

Information Source(s): Governor's Office for Children; Maryland State Department of Education; Department of Health and Mental Hygiene; Department of Juvenile Services; Charles, Frederick, and Montgomery counties; Department of Legislative Services

Fiscal Note History: First Reader - March 17, 2014
ncs/lgc

Analysis by: Jennifer K. Botts

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