

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 58

(Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Health)

Education, Health, and Environmental Affairs

Health and Government Operations

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**State Board for Certification of Residential Child Care Program Professionals -  
Revisions**

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This departmental bill repeals (1) the requirement that the State Board for Certification of Residential Child Care Program Professionals adopt regulations for the approval of training programs and (2) duplicative language regarding immunity from liability that contains an erroneous cross-reference.

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**Fiscal Summary**

**State Effect:** None. The bill codifies current practice and clarifies current law.

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Health has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**Current Law/Background:**

*Regulations for Approved Training Programs*

Chapters 312 and 313 of 2012 require the board to adopt regulations for approved training programs for residential child and youth care practitioners and to post a list of approved training programs on its website. Such regulations must:

- require an approved training program to provide specified information to participants;
- establish a process for approving residential child and youth care practitioner training programs; and
- establish the contact hours, curriculum, format, and fees for approved training programs.

The board advises that, subsequent to the enactment of Chapters 312 and 313, the board received a grant to develop its own training program. As a result, no other entities developed training programs, and the board did not promulgate regulations for approving such programs.

### *Immunity from Liability*

Statute currently provides an individual immunity from liability for giving information to the board or otherwise participating in the activities of the board under two separate sections of the Courts and Judicial Proceedings Article. However, § 5-710 grants immunity to a person who acts in good faith and within the scope of the jurisdiction of the State Board of Examiners of Nursing Home Administrators. Thus, the bill repeals the duplicative immunity provision, which contains an incorrect cross-reference to another board.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - January 16, 2018  
mm/jc Third Reader - January 25, 2018

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**ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**  
**Department of Health**  
**Session 2018**

**TITLE:** State Board for Certification of Residential Child Care  
Program Professionals - Revisions

**PREPARED BY:** Linda Beyer

**(Program\Unit):** Health Occupations Boards and Commissions

**PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

**PART B. ECONOMIC IMPACT ANALYSIS**

This proposal would not increase a fee or impose any additional burdens to applicants, certificate holders, or to the Board or the Department of Health. It is repealing unnecessary and duplicative language.