

Chapter 296

(House Bill 672)

AN ACT concerning

**Children in Need of Assistance – Qualified Residential Treatment Program –
Definition**

FOR the purpose of altering the definition of a “qualified residential treatment program” for purposes of certain provisions of law relating to the placement of children in need of assistance to require that a program, rather than discharge planning, must meet certain license and accreditation requirements; and generally relating to qualified residential treatment programs.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–801(v)
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

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

Article – Courts and Judicial Proceedings

3–801.

(a) In this subtitle the following words have the meanings indicated.

(v) “Qualified residential treatment program” means a program within a licensed child care institution that provides continuous, 24–hour care and supportive services to children in a residential, nonfamily home setting that:

(1) Has a trauma–informed treatment model that is designed to address the clinical and other needs of children with serious emotional or behavioral disorders or disturbances;

(2) Is able to implement the specific treatment recommended in an assessment completed by a qualified individual;

- (3) Has registered or licensed nursing staff and other licensed clinical staff who are:
 - (i) On site according to the treatment model and during business hours; and
 - (ii) Available 24 hours a day, 7 days a week;
- (4) Appropriately facilitates outreach to family members and integrates the family members into the treatment of the children; [and]
- (5) Is able to provide discharge planning that:
 - (i) Provides] **PROVIDES** family-based aftercare support for at least 6 months following discharge;
 - [(ii)] **(6)** Is licensed in accordance with § 471(a)(10) of the Social Security Act; and
 - [(iii)] **(7)** Is accredited by an approved independent nonprofit organization.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.