

Department of Legislative Services  
 Maryland General Assembly  
 2020 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

House Bill 396  
 Ways and Means

(Delegate Guyton, *et al.*)  
 Education, Health, and Environmental Affairs

Child Care Centers – Early Childhood Screening and Assistance

This bill requires the Maryland State Department of Education (MSDE), by January 1, 2021, to establish guidelines for early childhood developmental screenings for children younger than age three to (1) assess a child’s progress through foundational early childhood development milestones and (2) screen for potential disabilities. Beginning July 1, 2021, each child care center that is required to be licensed or to hold a letter of compliance must offer to the parent or guardian of each child younger than age three who enters care at the center an evaluation of the child using the developed guidelines. **The bill takes effect July 1, 2020.**

Fiscal Summary

**State Effect:** General fund expenditures increase by \$76,500 in FY 2021. Future year expenditures reflect annualization. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	76,500	91,800	94,100	97,300	100,700
Net Effect	(\$76,500)	(\$91,800)	(\$94,100)	(\$97,300)	(\$100,700)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

## Analysis

**Bill Summary:** If a parent or guardian accepts the offer for the child to be evaluated, an employee of the child care center must share the results of the evaluation with the parent or guardian. An employee of the child care center must make specified information regarding the Maryland Infants and Toddlers Program available to the parent or guardian of each child younger than age three. If a parent or guardian expresses interest in contacting the local lead agency for the administration of the Maryland Infants and Toddlers Program, an employee of the child care center must offer assistance in contacting the agency, including arranging for a representative of the agency to come to the center to provide assistance to the child.

Each child care center must offer the evaluation and assistance to parents and guardians at least two times each year. A child care center may meet the bill's requirements by communicating the existence of the evaluation and assistance in plain language in a manner that a parent or guardian is likely to see. Except for any willful or grossly negligent act, an employee who offers an evaluation in good faith to a child in accordance with MSDE's guidelines is immune from civil liability.

**Current Law/Background:** Generally, a person must be licensed by MSDE before operating a child care center; religious organizations meeting specified requirements may instead operate under a letter of compliance. "Child care center" means an agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage except as otherwise provided for in law or regulation. The State Board of Education must adopt regulations relating to the licensing and operation of child care centers.

The Infants and Toddlers Program within MSDE provides early intervention services for children with developmental delays and disabilities and their families beginning at birth until the child reaches kindergarten age. The purpose of the program is to provide a statewide, community-based interagency system of comprehensive early intervention services designed to meet the developmental needs of each eligible child and the needs of the family relating to the child's development in order to enhance a child's potential for growth and development before the child reaches school age.

These services can include assistive technology devices and services, audiology, counseling services, parent counseling and training, health services, medical services for diagnostic or evaluation purposes, nursing services, nutrition services, occupational therapy, physical therapy, psychological services, recreation, social work services, special education, speech pathology, vision services, and transportation.

**State Expenditures:** General fund expenditures increase by \$76,453 fiscal 2021, which assumes a 90-day start-up delay from the bill's effective date of July 1, 2020. This estimate reflects the cost of hiring one education specialist to assist with the development and implementation of the screening requirements (which must be available starting July 1, 2021) and additional monitoring of the child care programs to ensure compliance with the new requirements. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

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Salary and Fringe Benefits	\$71,087
Operating Expenses	<u>5,366</u>
<b>Total FY 2021 State Expenditures</b>	<b>\$76,453</b>

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses.

The Developmental Disabilities Administration (DDA) within the Maryland Department of Health estimates that the number of children who will be referred for further evaluation and deemed eligible for DDA services will not materially affect expenditures.

**Small Business Effect:** Child care providers must offer screenings/evaluations and assistance, if requested, in facilitating contact with the local agency that administers the Maryland Infants and Toddlers Program. Any specific impact on child care providers will depend on the screening guidelines developed by MSDE.

### Additional Information

**Prior Introductions:** None.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - February 18, 2020  
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