



Report of the
Health and Human
Services Subcommittee

To the Senate Budget and Taxation Committee

2021 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 588

General Assembly of Maryland

Senate Budget and Taxation Committee Health and Human Services Subcommittee

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**Recommended Reductions
Health and Human Services Subcommittee**

Agency	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2022 Budget Request						
Department of Aging	\$300,000	\$0	\$0	\$0	\$300,000	
Maryland Department of Health (MDH) – Behavioral Health Administration	35,000,000	0	0	0	35,000,000	
MDH – Developmental Disabilities Administration	37,800,000	0	0	0	37,800,000	
MDH – Medical Care Programs Administration	326,850,000	0	0	0	326,850,000	
Department of Human Services (DHS) – Family Investment	950,000	0	0	0	950,000	
<i>Subtotal Fiscal 2022 Regular Budget</i>	<i>\$400,900,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$400,900,000</i>	
Fiscal 2022 Total Budget	\$400,900,000	\$0	\$0	\$0	\$400,900,000	
Fiscal 2021 Deficiency Budget						
MDH – Medical Care Programs Administration	\$112,300,000	\$35,000,000	\$0	\$0	\$147,300,000	
DHS – Social Services	771,552	0	0	0	771,552	
<i>Subtotal Fiscal 2021 Deficiency Budget</i>	<i>\$113,071,552</i>	<i>\$35,000,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$148,071,552</i>	
Total Fiscal 2021 Deficiency Budget	\$113,071,552	\$35,000,000	\$0	\$0	\$148,071,552	
Grand Total Budget Bill	\$513,971,552	\$35,000,000	\$0	\$0	\$548,971,552	

ii.

D11A0401
Office of the Deaf and Hard of Hearing

Committee Narrative

D11A04.01 Executive Direction

Sign Language Interpreter Complaint Data: In the 2020 session, the Office of the Deaf and Hard of Hearing (ODHH) testified that it frequently receives complaints about sign language interpreters. However, this data is not tracked. In evaluating ways to create standards for interpreters in Maryland, it is important to understand the frequency and nature of complaints received by ODHH. The budget committees request that ODHH include, beginning with its fiscal 2023 annual Managing for Results submission, information on:

- the number of complaints received about unsatisfactory interpreters by phone, email, or other electronic forum;
- the number of complaints received about interpreters that were unskilled or unqualified;
- the number of complaints received about interpreters that were fraudulent or unethical; and
- the number of complaints received about an unsatisfactory interpreter experienced by industry sector (i.e., education, medical, legal, governmental services, etc.), to the extent available from the complainant.

Information Request	Authors	Due Date
Sign language interpreter complaint data report	ODHH	Beginning with the submission of the fiscal 2023 Governor’s budget and each year thereafter

D12A02
Department of Disabilities

Committee Narrative

D12A02.01 General Administration

Statewide Information Technology Accessibility Initiative Update: For the second consecutive year, the committees have not received the requested assessment of the current nonvisual accessibility of State websites and documents. As the Maryland Department of Disabilities (MDOD) continues to develop its Statewide Information Technology Accessibility Initiative, the committees request that MDOD submit the following:

- a timeline with specific milestones that the initiative is planning to achieve in fiscal 2022 through 2025;
- an update on the development of a guideline document for State agencies to use when developing requests for proposals that are compliant with information technology accessibility standards;
- an assessment of the current nonvisual accessibility of State-evaluated websites at the time of review, including a summary of MDOD’s preliminary findings regarding commonly found barriers to nonvisual accessibility of State websites;
- the proportion of State websites that are anticipated to be evaluated by June 30, 2022;
- the proportion of State websites under the Department of Information Technology’s purview that are anticipated to have improved accessibility by June 30, 2022;
- the amount of funding designated for the initiative in fiscal 2022, including personnel costs, the costs of conferences, seminars, trainings, membership dues, and any other costs associated with the initiative;
- an estimate of out-year costs for the initiative in fiscal 2023 and 2024; and
- an assessment of the additional document accessibility training opportunities that will be provided in fiscal 2022 as compared to fiscal 2020 and 2021.

Information Request	Author	Due Date
Statewide Information Technology Accessibility Initiative update	MDOD	July 1, 2021

D15A05
Boards, Commissions, and Offices

Committee Narrative

D15A05.03 Governor’s Office of Small, Minority and Women Business Affairs

Liaison Vacancy Data: The committees are concerned that Small Business Reserve (SBR) and Minority Business Enterprise (MBE) program liaison positions remain vacant in some State agencies despite flexibilities provided to agencies in assigning the responsibility to other staff. As the Governor’s Office of Small, Minority, and Women Business Affairs (GOSBA) is in frequent communication with agencies’ liaisons, the committees request that GOSBA track and report on which agencies have, and have not, provided SBR and MBE liaison contact information to GOSBA each month. The committees also request that, in November 2021 and May 2022, GOSBA survey each agency with liaison positions assigned and identify whether the primary responsibility of the assigned individual is to serve as MBE or SBR liaison, or whether the assigned individual’s liaison responsibilities are a secondary component of the assigned individual’s responsibilities at each agency. The committees request that monthly data from July 2021 through December 2021 be reported with the submission of the report due on January 1, 2022, and monthly data from January 2022 through June 2022 be reported with the submission of the report due on June 30, 2022. In addition, the committees request that the November 2021 survey data for each agency be reported with the submission of the report due on January 1, 2022, and the May 2022 data be reported with the submission of the report due on June 30, 2022.

Information Request	Author	Due Date
Liaison vacancy data	GOSBA	January 1, 2022 June 30, 2022

Agency Minority Business Enterprise (MBE) Participation Attainment Survey: The committees are concerned that statewide MBE participation was just 17.9% in fiscal 2019 and that the State has never met its 29% MBE participation goal since the goal has been set. To better understand how State agencies approach attaining MBE participation and whether there is room for improvement in specific agencies, the committees request that the Governor’s Office of Small, Minority, and Women Business Affairs (GOSBA), in consultation with the Department of General Services (DGS), coordinate a survey of State agencies to evaluate their approach to attaining MBE participation in procurement. The committees request that GOSBA, in consultation with DGS, create a survey that asks agencies to indicate their approach to proactively encouraging MBE participation, distribute the survey no later than ~~July 1, 2021, August 1, 2021,~~ and request that agencies submit their responses no later than ~~October 31, 2021, November 30, 2021.~~ The committees request that GOSBA compile the results of the survey and report the data, by agency, to the committees on ~~December 15, 2021, January 15, 2022.~~ The committees request that GOSBA also submit a list of agencies that did not respond to the survey by the requested deadline. GOSBA may determine the optimal format for the survey, including whether agencies may select one or multiple predetermined answer options for each prompt or

D15A05

provide narrative responses to each prompt. The committees request that the survey ask agencies to provide, at a minimum, the following data and any other data that GOSBA or DGS believe will be informative in understanding the State's low proportion of MBE participation:

- the number of staff employed at the agency involved with procurement;
- the number of staff employed at the agency that work with MBEs, strategize ways to improve MBE participation, attend trainings about MBE participation in procurement, or are otherwise involved with the agency's implementation of MBE policy;
- the number of GOSBA trainings agency staff attended in fiscal 2021;
- the total dollar amount awarded in procurements in fiscal 2021;
- the total dollar amount expended on contracts in fiscal 2021;
- the total dollar amount awarded to MBEs in fiscal 2021;
- the total dollar amount expended that went to MBEs in fiscal 2021;
- the different approaches that each agency uses to attain MBE participation, including direct MBE solicitations for certain procurements, proactive outreach to MBEs, monitoring prime contractors to ensure that agreed upon MBE participation is achieved, or unbundling large contracts to increase opportunities;
- challenges that the agency faces in attaining MBE participation, including lack of MBEs in the industries and services that the agency has contracts for, lack of MBE engagement with agency procurements, lack of MBE capacity to accommodate the scope of the contract, or lack of agency capacity to proactively encourage MBE participation; and
- each agency's training interests that would improve staff awareness and skills in making procurements more inclusive of a variety of vendors.

Information Request	Author	Due Date
Agency MBE participation survey	GOSBA	December 15, 2021 <i>January 15, 2022</i>

D26A07
Department of Aging

Budget Amendments

D26A07.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation for general administration may not be expended until the Maryland Department of Aging (MDOA) submits two reports to the budget committees analyzing waitlists and the current administration and utilization of MDOA's two recently-created programs: the Community for Life (CFL) program; and the Durable Medical Equipment Reuse Program (DME). The first report shall include the following data as of July 1, 2021, and the second report shall include the following data as of January 1, 2022:

- (1) for all MDOA programs with waitlists, the number of individuals on the waitlist, by program, by Area Agency on Aging;
- (2) membership totals of each CFL program, the amount of funding each CFL was originally granted, the date each grant period commenced, the amount each CFL has expended to date, the amount of the State grant that is unencumbered to date, and the amount of funding, by source, that each grantee received to date from other sources to support operating expenses of the CFL program;
- (3) the number of pieces of durable medical equipment collected through DME, the dollar value of the equipment in inventory, the number of pieces of equipment distributed, and the dollar value of equipment distributed; and
- (4) for both CFL and DME, demographic data, by program, indicating the number of individuals utilizing each program of each age, racial group, gender identification, zip code, and annual household income.

The first report shall be submitted by August 1, 2021. The second report shall be submitted by February 1, 2022, and the committees shall have 45 days from the date of receipt of the second report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The General Assembly is concerned that two new MDOA programs have seen low utilization, while waitlists in other MDOA programs indicate that there is more demand than resources available. In order to track these issues, this language restricts funding pending receipt of two reports providing waitlist, CFL utilization, and DME utilization data.

D26A07

Information Request	Author	Due Date
Program utilization data	MDOA	August 1, 2021 February 1, 2022

Committee Narrative

Affordable Senior Housing: The committees are concerned with the adequacy of affordable senior housing in the State. The committees request that the Maryland Department of Aging (MDOA), in consultation with the Department of Housing and Community Development (DHCD), submit a report that:

- summarizes the housing security challenges that seniors in Maryland face;
- provides any available data on the prevalence of homelessness among Marylanders age 55 and over and identifies additional data that would be necessary to better understand senior homelessness;
- assesses the adequacy of affordable senior housing in the State now and in the next 10 years given the State's aging population;
- lists all federal, State, and local programs offered in Maryland that provide affordable senior housing or support housing security for seniors;
- determines whether the existing combination of federal, State, and local programs sufficiently meet seniors' housing security needs and, if not, describes the scope of unmet senior housing security needs;
- provides available data on program waitlists for any of the federal, State, and local programs intended to improve senior housing security in Maryland;
- evaluates how the State could improve the coordination of services provided to seniors in the State through the existing combination of federal, State, and local programs and describes how MDOA plans to work with other State agencies and local governments to improve the coordination of senior housing security services in the State; and
- offers a range of policy options that could be implemented in Maryland to improve housing security for seniors in the State.

Information Request	Authors	Due Date
Affordable senior housing	MDOA, in consultation with DHCD	September 15, 2021 November 15, 2021

D26A07

Budget Amendments

D26A07.03 Community Services

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of Durable Medical Equipment Reuse Program may not be expended for that purpose but instead shall be distributed to the Area Agencies on Aging to reduce waitlists in other State programs, such as the Senior Care Program or the Senior Assisted Living Subsidy Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts funding to reduce waitlists for State programs, such as the Senior Care Program (with 2,372 waitlisted individuals as of January 1, 2021) or the Senior Assisted Living Subsidy Program (with 219 waitlisted individuals as of January 1, 2021).

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Level fund the general fund appropriation for the Community for Life Program with fiscal 2021.	300,000 GF	
Total Reductions	300,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	23,635,025	23,335,025	300,000	
Federal Fund	33,676,587	33,676,587	0	
Total Funds	57,311,612	57,011,612	300,000	

Committee Narrative

Improving Coordination of Durable Medical Equipment Donations and Distribution: The committees are concerned with the cost effectiveness of the Durable Medical Equipment Reuse Program (DME) and the degree to which activities related to durable medical equipment are coordinated across State agencies. The committees request that the Maryland Department of Aging (MDOA) submit a report that:

- identifies State agencies that may receive durable medical equipment donations or interact with constituents in need of durable medical equipment;

D26A07

- describes MDOA’s plan for coordinating with these agencies to streamline durable medical equipment donations through DME;
- illustrates MDOA’s plan for increasing public awareness of DME; and
- indicates any challenges that MDOA has experienced in developing interdepartmental coordination and increasing public awareness of DME.

Information Request	Author	Due Date
Improving coordination of durable medical equipment donations and distribution	MDOA	September 15, 2021

Supplemental Budget No. 2 – Fiscal 2021 Deficiency

D26A07.03 Community Services

Add the following language to the federal fund appropriation:

, provided that \$790,000 of this appropriation for the home-delivered meals program may only be distributed to the Area Agencies on Aging (AAA). Notwithstanding any direction from the Maryland Department of Aging, the funds shall be used at the sole discretion of each AAA for the purpose of supporting the home-delivered meals program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: *This language restricts federal deficiency funding for the home-delivered meals program provided in Supplemental Budget No. 2 to only be used at the discretion of AAAs. The federal funds were made available through the federal Coronavirus Response and Relief Supplemental Appropriations Act.*

Amendment No. _____

D26A07

Supplemental Budget No. 2

D26A07.03 Community Services

Add the following language to the federal fund appropriation:

, provided that \$1,970,917 of this appropriation for the home-delivered meals program may only be distributed to the Area Agencies on Aging (AAA). Notwithstanding any direction from the Maryland Department of Aging, the funds shall be used at the sole discretion of each AAA for the purpose of supporting the home-delivered meals program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts federal funding for the home-delivered meals program provided in Supplemental Budget No. 2 to only be used at the discretion of AAAs. The federal funds were made available through the federal Coronavirus Response and Relief Supplemental Appropriations Act.

Amendment No. _____

D27L00
Maryland Commission on Civil Rights

Committee Narrative

Pending and Open Cases: The committees request a status update on the total inventory of pending and open cases that have been received for processing by the Maryland Commission on Civil Rights (MCCR) as well as the status of current investigator caseloads and case processing times. The report should include the current total number of open and pending cases, the number of cases that have been unresolved for more than one year, the number awaiting assignment, the current caseload per investigator, the estimated timeframe for assigning remaining outstanding cases to investigators, and a comparison of MCCR’s case processing times with those of other states or jurisdictions that have similar size caseloads.

Information Request	Author	Due Date
Status update on pending and open cases	MCCR	September 1, 2021

D50H01 Military Department

Committee Narrative

D50H01.05 State Operations

Freestate Challenge Academy: The Freestate Challenge Academy (FCA) is a program for Maryland’s at-risk youth, which has been operated by the Maryland National Guard since 1993. The academy provides intervention for youth aged 16 to 18 years old who are at risk of dropping out of high school. The budget committees remain committed to the success of this program and request that the Military Department provide the following information, no later than September 1, 2021:

- the department’s goals for annual program enrollment;
- a discussion of how the COVID-19 pandemic has impacted the academy’s operations;
- a discussion of any precautions taken by FCA to mitigate the spread of COVID-19;
- the department’s outreach efforts to encourage youth enrollment, both before the pandemic and moving forward after the pandemic; and
- the department’s anticipated timeline for restoring FCA to full operations after the pandemic.

Information Request	Author	Due Date
Impact of COVID-19 on FCA	Military Department	September 1, 2021

Budget Amendments

D50H01.06 Maryland Emergency Management Agency

Add the following language to the federal fund appropriation:

, provided that it is the intent of the General Assembly that the Maryland Emergency Management Agency (MEMA) convene a Task Force on Preventing and Countering Domestic Terrorism to determine how to effectively oppose domestic terrorism in Maryland including, but not limited to, countering online extremism while mindful of First Amendment rights. The membership of this task force shall consist of representatives from the legislature, the Executive Branch, and other interested parties, and the task force shall make recommendations to MEMA on how any federal Homeland Security Grant Program (HSGP) funds received to combat domestic terrorism should be expended.

D50H01

Further provided that \$100,000 of this federal fund appropriation may not be expended until MEMA reports to the budget committees, the House Judiciary Committee, and the Senate Judicial Proceedings Committee, no later than November 15, 2021, detailing how HSGP funds received by MEMA have been expended to support programs to counter domestic terrorism and the extent to which that spending aligns with the recommendations of the task force. This report should also update the committees with the findings of the task force and any other recommended actions to counter domestic terrorism. The budget committees shall have 45 days from the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The General Assembly remains concerned with the rising threat of domestic terrorism in Maryland and across the country. This language establishes intent that MEMA convene a Task Force on Preventing and Countering Domestic Terrorism to guide federal grant funding received to address domestic terrorism and establishes a reporting requirement on how federal HSGP funding has been expended.

Information Request	Author	Due Date
Task Force on Preventing and Countering Domestic Terrorism Report	MEMA	November 15, 2021

Amendment No. _____

Committee Narrative

William H. Amoss Fire, Rescue, and Ambulance Fund (Amoss Fund): The Amoss Fund is distributed by the Maryland Emergency Management Agency (MEMA) to the counties and Baltimore City to purchase fire and rescue equipment and for capital building improvements. The Director of MEMA is responsible for enforcing the maintenance of effort (MOE) provisions associated with grants provided through the Amoss Fund. Per Chapter 225 of 2014, MOE determinations are based upon a three-year base period as compared to the actual expenditures of the subsequent two fiscal years; because of these requirements, the fiscal 2021 disbursements are the first year any penalty would be applied. Statute dictates that the penalty to a county's disbursement is equal to the percentage by which that county fails to meet the MOE requirement.

The committees are interested in understanding how MEMA is implementing the Amoss Fund's MOE requirement and request a report, submitted no later than December 15, 2021, containing the following information:

D50H01

- (1) an overview of the processes established by Chapter 225 to determine MOE for Amoss Fund disbursements;
- (2) identification of the three-year base period and the fiscal 2020 actual expenditures for each jurisdiction;
- (3) identification of whether each jurisdiction has met the necessary MOE requirement established by Chapter 225 for fiscal 2020 actual expenditures; and
- (4) for each jurisdiction which fails to meet the MOE requirement for fiscal 2020:
 - (a) the dollar amount and percentage by which that jurisdiction fails to meet the requirement;
 - (b) the fiscal 2022 disbursement prior to the application of a penalty;
 - (c) the amount of the penalty to be applied to the fiscal 2022 disbursement; and
 - (d) the fiscal 2022 disbursement after the application of a penalty.

Information Request	Author	Due Date
Report on fiscal 2022 Amoss Fund disbursement and MOE requirements	Military Department	December 15, 2021

D53T00

Maryland Institute for Emergency Medical Services Systems

Budget Amendments

D53T00.01 General Administration

Add the following language to the special fund appropriation:

Further provided that \$250,000 of this appropriation made for the purposes of executive direction may not be expended until the Maryland Institute for Emergency Medical Services Systems (MIEMSS) submits a report to the budget committees on certain aspects of the State's response to the COVID-19 pandemic. Specifically, the report should:

- (1) outline the roles of the acute care hospitals in the State, the Maryland Emergency Management Agency, MIEMSS, the Maryland Department of Health – Office of Preparedness and Response, and units of the health department including local health departments in preparation for health emergencies and roles during the pandemic;
- (2) analyze Maryland's emergency preparedness organization structure and funding compared to other states; and
- (3) discuss and identify opportunities to improve Maryland's emergency response and further integration of emergency preparedness into the public health infrastructure.

The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The COVID-19 pandemic required quick and coordinated emergency response throughout several aspects of State and local government as well as the State's acute care hospitals. The language restricts funds from MIEMSS pending an after-action report on the COVID-19 response in the State, including analyzing the roles of other State agencies including the Maryland Emergency Management Agency (MEMA, and the Maryland Department of Health (MDH), as well as other aspects of the health department, such as the Office of Preparedness and Response and local health departments, and the State's acute care hospitals. The report should also include an analysis of the State's preparedness prior to the pandemic and to identify areas for improvement during future public health crisis.

D53T00

Information Request

Authors

Due Date

*Report on Maryland's
emergency response to the
COVID-19 pandemic*

*MIEMSS, in consultation with
the Maryland Hospital
Association, MEMA, and
MDH*

December 1, 2021

Amendment No. _____

D78Y01
Maryland Health Benefit Exchange

Committee Narrative

D78Y01.01 Maryland Health Benefit Exchange

State Innovation Waiver Applications: The Maryland Health Benefit Exchange (MHBE) has indicated that it is considering submitting additional State Innovation Waiver applications, including to administer the Small Business Health Insurance Tax Credit, offer Individual Subsidies, and an extension of the State Reinsurance Program. Given the implications of these waivers on the activities of the agency and the budget for the agency, the committees are interested in remaining informed of MHBE’s activities in these areas. The committees request that MHBE notify the committees of any applications for a State Innovation Waiver that it submits during fiscal 2022 and the final decision on those applications.

Information Request	Author	Due Date
Notification of applications for a State Innovation Waiver and decisions on those applications	MHBE	As needed, within 20 days of any application and decision on any application

Options for Health Coverage and Cost Sharing for Individuals Not Eligible for Existing Programs: The committees are interested in understanding options for increasing affordable coverage to improve health equity for Marylanders who are uninsured or underinsured but are unable to enroll in Medicaid or Qualified Health Plans and are not eligible for the Advanced Premium Tax Credit. The committees request that the Maryland Health Benefit Exchange (MHBE) review options for providing coverage and subsidies to this population and make recommendations on options for health coverage and cost sharing. Specifically, the committees request that MHBE report on costs, feasibility, and a review of activity in other states to serve this population.

Information Request	Author	Due Date
Options for health coverage and cost sharing for individuals not eligible for existing programs	MHBE	November 1, 2021

High Deductible Plans: *The committees are concerned about the impact of high deductible health plans on enrollees and whether individuals understand the cost-sharing obligations of these types of plans prior to enrolling. The committees request that the Maryland Health Benefit Exchange (MHBE), in consultation with the Maryland Insurance Administration (MIA) and the*

D78Y01

Office of Attorney General Health Education and Advocacy Unit (HEAU), submit a report on high deductible health plans. Specifically, the committees request that MHBE (to the extent available) provide data on the prevalence of high deductible health plans in the individual market on the Maryland Health Connection (MHC) for the 2016 through 2021 plan years, cost-sharing requirements for high deductible plans offered on MHC by service type, and the number of complaints filed to MIA and HEAU related to high deductible health plans offered on MHC. In addition, the report should include a discussion of the perceived consumer knowledge of the cost-sharing obligations of high deductible plans prior to enrollment and the perceived impact of these plans on service utilization.

Information Request	Author	Due Date
<i>Report on high deductible plan enrollees, cost impact impacts, and service utilization</i>	<i>MHBE</i>	<i>December 1, 2021</i>

D78Y01.03 Reinsurance Program

Reinsurance Program Costs and Forecast: The committees are interested in monitoring the costs of the State Reinsurance Program and future funding needs. The committees are also interested in understanding the impact of the COVID-19 pandemic on the reinsurance program. The committees request that the Maryland Health Benefit Exchange (MHBE) submit a report that provides the final 2020 plan year reinsurance payments, an updated forecast of spending and funding needs by fund source over the waiver period, and a discussion of the impact of the COVID-19 pandemic on 2020 plan year costs and implications for 2021 plan year costs.

Information Request	Author	Due Date
Reinsurance program costs and forecast	MHBE	September 30, 2021

E50C
State Department of Assessments and Taxation

Committee Narrative

Maryland Jurisdiction Tax Lien Sale Information Report: The committees continue to be interested in tax lien sales occurring in local jurisdictions. Due to the fact that a home can be placed into a tax sale in some jurisdictions for relatively minor amounts due in delinquent property taxes and the fact that 10 counties and Baltimore City proceeded with scheduled tax lien sales in calendar 2020 despite the ongoing COVID-19 pandemic, the committees request an update from the State Department of Assessments and Taxation (SDAT) at the end of calendar 2021 including the following information:

- the total number of property tax lien sales by jurisdiction, including which jurisdictions canceled or postponed tax lien sales scheduled for calendar 2021;
- the neighborhood of each property tax lien sale;
- any changes to property tax delinquency thresholds or redemption periods that may have been implemented during the year; and
- a summary of outreach activities performed by the State Tax Sale Ombudsman during the year to assist homeowners in navigating the tax sale process and applying for any tax credits they may be eligible for.

Information Request	Author	Due Date
Property tax lien sale report	SDAT	December 31, 2021

Real Property Valuation Assessor Vacancy Report: The committees continue to be concerned about staffing and retention for assessor positions in the Real Property Valuation Division. While the State Department of Assessments and Taxation (SDAT) has reported on this issue in previous years, the committees wish to remain briefed on this situation. Therefore, the committees request a report that includes an update on the agency’s hiring activities for the division during fiscal 2021, including the following information by employee class title and jurisdiction:

- the number of employees in the program that have left State service;
- the number of new hires;
- the number of positions posted;

E50C

- the number of exemptions to the statewide hiring freeze that have been requested and granted for assessor positions;
- the number of qualified applications received in response to each posting;
- the length of time from the posting of each position to the acceptance of an offer of employment;
- details on adjustments to assessor salaries resulting from the annual salary review process;
- data on the comparison of agency salaries to salaries of assessors in neighboring jurisdictions; and
- an evaluation of exit interview data, including the main reasons cited for leaving the agency.

Information Request	Author	Due Date
Real property valuation assessor vacancy report	SDAT	December 1, 2021

M00A01
Maryland Department of Health
Office of the Secretary

Budget Amendments

M00A01.01 Executive Direction

Amend the following language to the general fund appropriation:

Further provided that ~~\$1,000,000~~ \$500,000 of this appropriation made for the purposes of executive direction may not be expended until the Maryland Department of Health submits a report on the opening and operation of a mass COVID-19 vaccination site in Montgomery County. The report shall include the location of the vaccination site, the estimated amount of daily doses able to be administered at the site, and when the site will be operational. The report shall be submitted by July 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Equitable distribution of the COVID-19 vaccine is imperative for Marylanders to recover from the COVID-19 pandemic. At present, Montgomery County, the State’s most populous jurisdiction, does not have a large-scale mass vaccination site. This has resulted in Montgomery County residents traveling across the State to other jurisdictions’ vaccination sites to receive the COVID-19 vaccine. This budget bill language restricts funds pending a report on the opening and operation of a large-scale vaccination site in Montgomery County.

Information Request	Author	Due Date
Report on mass vaccination site in Montgomery County	Maryland Department of Health	July 1, 2021

Amendment No. _____

M00A01.02 Operations

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of operations may not be expended until the Maryland Department of Health (MDH) submits a report to the budget committees on staffing vacancies throughout MDH. The report shall address barriers to attracting and maintaining staff, including:

M00A01

- (1) a salary review comparison between compensation at MDH and other comparable positions at the federal and local levels;
- (2) a comparison of compensation of direct care staff to other private and nonprofit health care settings; and
- (3) an evaluation of the impact of recent annual salary review adjustments and any other compensation benefits or incentives offered by MDH.

The report shall be submitted by December 15, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The committees are concerned about the persistently high vacancy rates in MDH. As of December 31, 2020, the vacancy rate in the department was 10.5%, with key administrations such as Prevention and Health Promotion, Behavioral Health, Developmental Disabilities, and Medical Care Programs Administration all above this level. High vacancy rates are found in both direct care institutions as well as administration of major health care programs serving a significant number of Marylanders. The only area where vacancies are not a concern is in the Health Regulatory Commissions, which have independent salary setting authority. This language restricts funds pending a report on barriers to recruitment and retention throughout MDH, including salary comparisons to other similar positions elsewhere in government or in different care settings.

Information Request	Author	Due Date
MDH vacancy rates	MDH	December 15, 2021

M00B0104
Maryland Department of Health
Health Professional Boards and Commissions

Committee Narrative

REGULATORY SERVICES

M00B01.04 Health Professional Boards and Commissions

Report on Funding and Milestones for Licensing and Regulatory Management System Project: Given the continued delays in a Major Information Technology project to assist the health occupation boards in improvements in the licensure and investigation process, the budget committees request a report on the progress of this project as well as the boards involved. This report should discuss which boards will be included in the funding, which boards will be benefiting from the project, and milestones for meeting project completion.

Information Request	Authors	Due Date
Report on Enterprise License Major Information Technology Project	Maryland Department of Health Associated Health Occupation Boards	September 1, 2021

Board of Professional Counselors and Therapists – Special Fund Balance and Fee Structure: Given the Board of Licensed Professional Counselors and Therapists surplus fund balance, the budget committees are concerned that this balance was accrued due to excessive fees on licensed providers. Therefore, the budget committees request that the board submit a report on its special fund and include an analysis of the following:

- *the fee structure history for the special fund, including fees obtained through issuing initial licenses, renewing licenses, and approving supervisors;*
- *the revenue goals, expenditure plans, and desired special fund balance level for a three-year period; and*
- *a plan to reduce fees to lower the fund balance and align revenue and expenditure projections.*

Information Request	Author	Due Date
<i>Report on fee structure of Board of Licensed Professional Counselors and Therapists</i>	<i>Board of Licensed Professional Counselors and Therapists</i>	<i>October 1, 2021</i>

M00B0104

M00B01.05 Board of Nursing

***Board of Nursing – Workload and Staffing Adequacy:** The committees are concerned with staffing levels at the Board of Nursing and its ability to meet workload demands. This is of particular concern, given the additional burdens placed on the board during the COVID-19 pandemic and its role moving forward in expanding the nursing workforce. The committees request that the Board of Nursing submit a report on the adequacy of current staffing levels given current workloads; a discussion of the board’s role in COVID-19 recovery in the State and further staffing needs that may arise in fulfilling this duty; and if staffing shortages are identified, a discussion of opportunities to address these shortages.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on workload and staffing</i>	<i>Board of Nursing</i>	<i>October 1, 2021</i>

M00F
Maryland Department of Health
Public Health Administration

Committee Narrative

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Public Health Personnel Recruitment and Retention: The vacancy rate among public health personnel in the Maryland Department of Health (MDH) Public Health Administration (PHA) has improved from 12.6% as of December 2019 to 9.1% as of December 2020. However, this includes consistent vacancies in assistant medical examiner (ME) positions and, beginning in fiscal 2020, the chief ME position. Additionally, the COVID-19 pandemic has emphasized the State’s public health personnel deficiencies as the statewide response required significant support from State employees diverted from other programs and volunteers.

The budget committees are concerned that vacancy rates remain high in PHA and MDH Prevention and Health Promotion Administration (PHPA), which reported in December 2020 a vacancy rate of 12.1%. The committees request that the department, in consultation with Local Health Departments (LHD), submit a report by January 15, 2022, providing:

- an analysis of the causes of public health staffing shortages in PHA, PHPA, and LHDs;
- an update on MDH’s efforts to hire assistant MEs and a chief ME;
- LHD vacancy rates as of December 2019 and December 2020;
- an evaluation of how the State’s COVID-19 pandemic response activities in PHA and PHPA impacted recruitment and retention of regular personnel;
- a discussion of salary enhancements, programs, and any other strategies the department is implementing to recruit and retain public health staff; and
- a discussion of any partnerships or programs with higher education institutions to recruit students and recent graduates to work for the department.

Information Request	Author	Due Date
Report on public health personnel	MDH	January 15, 2022

M00F03
Maryland Department of Health
Prevention and Health Promotion Administration

Budget Amendments

M00F03.01 Infectious Disease and Environmental Health Services

Add the following language to the general fund appropriation:

, provided that \$117,799 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only to provide additional grant funding for the Center for Infant and Child Loss under the University of Maryland, Baltimore Campus Department of Pediatrics. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts administrative funding to restore the grant to the Center for Infant and Child Loss under the University of Maryland, Baltimore Campus Department of Pediatrics to the prior funding level of \$137,799.

Supplemental Budget No. 2 – Fiscal 2021 Deficiency

M00F03.01 Infectious Disease and Environmental Health Services

Add the following language to the federal fund appropriation:

, provided that it is the intent of the General Assembly that the Maryland Department of Health (MDH) and all agencies involved in the statewide COVID-19 vaccine distribution allocate resources and vaccines across all partners and vaccine sites in an equitable manner that ensures that the vaccine allocation by jurisdiction accounts for the disproportionate impact of the COVID-19 pandemic on underserved and minority communities and that vaccines distributed to jurisdictions with high rates of COVID-19 infections and deaths are prioritized for residents of those jurisdictions.

Further provided that in ensuring equitable vaccine distribution, MDH shall collaborate with, and provide funding to, trusted community-based organizations with a history of working in zip codes in Maryland that have had the highest levels of COVID-19 infection rates in order to inform individuals in those zip codes where to access vaccinations and how to navigate the registration process, to educate individuals about the safety and efficacy of available vaccines, and to ensure that the State is using culturally proficient content and messaging across all of its communications platforms.

Further provided that the COVID-19 vaccine distribution strategy adopted by MDH shall ensure vaccination accessibility for Maryland residents who are unable to travel to vaccination clinics

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and sites, who face difficulty navigating the decentralized system for booking vaccination appointments online and by telephone, and who show vaccine hesitancy for any reason.

Further provided that \$100,000 of this appropriation may not be expended until MDH submits a report to the budget committees on the State's COVID-19 vaccine distribution efforts, including:

- (1) the number of vaccine doses administered by race and ethnicity by jurisdiction;
- (2) the number of vaccine doses administered at each mass vaccination site by the individuals' county of residence;
- (3) an update on how the Johnson and Johnson vaccine supply is being allocated and prioritized and the number of Johnson and Johnson vaccines administered by race and ethnicity by jurisdiction;
- (4) an update on the vulnerable communities that have been identified by the Vaccine Equity Task Force (VETF) and how this identification has impacted allocations of vaccines, vaccine sites, and staffing;
- (5) the number and names of community partners that VETF has approved for onsite vaccination clinics by jurisdiction and the source of vaccine supply for these partners;
- (6) the number of onsite vaccination clinics approved by jurisdiction and the number of onsite vaccination clinics implemented as of April 1, 2021, by jurisdiction;
- (7) an update on how many vaccine appointments have been made through text-based outreach and the COVID-19 vaccination support call center;
- (8) the funding that has been provided to community partners by jurisdiction to assist outreach in those zip codes with the greatest prevalence of COVID-19 infections; and
- (9) information on the culturally proficient communication tools and materials being utilized by the department to perform outreach on vaccination availability.

This report shall be submitted by April 15, 2021. The budget committees shall have 45 days following the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The legislature is concerned that initial COVID-19 vaccine distribution efforts in the State have shown disproportionately low numbers of African American and Hispanic residents receiving vaccinations. It is also not clear that the current vaccine allocation adequately ensures that residents of the jurisdictions with the highest rates of infection are prioritized among all partners administering vaccinations within those jurisdictions. This

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language expresses intent that the State ensure that the vaccine distribution strategy is equitable and prioritizes vaccine allocations to those residents in jurisdictions that showed the highest rates of COVID-19 infections and deaths and that partnerships with community-based organizations are used to implement culturally proficient outreach. The legislature is also interested in receiving information and data on the State's COVID-19 vaccine distribution by race and ethnicity, the initial activities of VETF, and the funding opportunities for community-based partners assisting the State with outreach efforts.

Information Request	Author	Due Date
<i>Report on COVID-19 vaccine distribution</i>	<i>MDH</i>	<i>April 15, 2021</i>

Amendment No. _____

Supplemental Budget No. 2

M00F03.01 Infectious Disease and Environmental Health Services

Add the following language to the federal fund appropriation:

, provided that it is the intent of the General Assembly that the Maryland Department of Health (MDH) and all agencies involved in the statewide COVID-19 vaccine distribution allocate resources and vaccines across all partners and vaccine sites in an equitable manner that ensures that the vaccine allocation by jurisdiction accounts for the disproportionate impact of the COVID-19 pandemic on underserved and minority communities and that vaccines distributed to jurisdictions with high rates of COVID-19 infections and deaths are prioritized for residents of those jurisdictions.

Further provided that in ensuring equitable vaccine distribution, MDH shall collaborate with, and provide funding to, trusted community-based organizations with a history of working in zip codes in Maryland that have had the highest levels of COVID-19 infection rates in order to inform individuals in those zip codes where to access vaccinations and how to navigate the registration process, to educate individuals about the safety and efficacy of available vaccines, and to ensure that the State is using culturally proficient content and messaging across all of its communications platforms.

Further provided that the COVID-19 vaccine distribution strategy adopted by MDH shall ensure vaccination accessibility for Maryland residents who are unable to travel to vaccination clinics and sites, who face difficulty navigating the decentralized system for booking vaccination appointments online and by telephone, and who show vaccine hesitancy for any reason.

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Further provided that \$100,000 of this appropriation may not be expended until MDH submits a report to the budget committees on the State's COVID-19 vaccine distribution efforts, including:

- (1) the number of vaccine doses administered by race and ethnicity by jurisdiction;
- (2) the number of vaccine doses administered at each mass vaccination site by the individuals' county of residence;
- (3) an update on how the Johnson and Johnson vaccine supply is being allocated and prioritized and the number of Johnson and Johnson vaccines administered by race and ethnicity by jurisdiction;
- (4) an update on the vulnerable communities that have been identified by the Vaccine Equity Task Force (VETF) and how this identification has impacted allocations of vaccines, vaccine sites, and staffing;
- (5) the number and names of community partners that VETF has approved for onsite vaccination clinics by jurisdiction and the source of vaccine supply for these partners;
- (6) the number of onsite vaccination clinics approved by jurisdiction and the number of onsite vaccination clinics implemented as of June 15, 2021, by jurisdiction;
- (7) an update on how many vaccine appointments have been made through text-based outreach and the COVID-19 vaccination support call center;
- (8) the funding that has been provided to community partners by jurisdiction to assist outreach in those zip codes with the greatest prevalence of COVID-19 infections; and
- (9) information on the culturally proficient communication tools and materials being utilized by the department to perform outreach on vaccination availability.

This report shall be submitted by July 1, 2021. The budget committees shall have 45 days following the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The legislature is concerned that initial COVID-19 vaccine distribution efforts in the State have shown disproportionately low numbers of African American and Hispanic residents receiving vaccinations. It is also not clear that the current vaccine allocation adequately ensures that residents of the jurisdictions with the highest rates of infection are prioritized among all partners administering vaccinations within those jurisdictions. This language expresses intent that the State ensure that the vaccine distribution strategy is equitable and prioritizes vaccine allocations to those residents in jurisdictions that showed the highest rates of COVID-19 infections and deaths and that partnerships with community-based

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organizations are used to implement culturally proficient outreach. The legislature is also interested in receiving information and data on the State's COVID-19 vaccine distribution by race and ethnicity, the initial activities of VETF, and the funding opportunities for community-based partners assisting the State with outreach efforts.

Information Request	Author	Due Date
<i>Report on COVID-19 vaccine distribution</i>	<i>MDH</i>	<i>July 1, 2021</i>

Amendment No. _____

Committee Narrative

M00F03.04 Family Health and Chronic Disease Services

Education and Outreach to Address Disparities in Diabetes Prevalence: In June 2020, the Maryland Department of Health (MDH) published a State Diabetes Action Plan that presented data on the prevalence and risk factors for diabetes in the State and proposed strategies the statewide health system could use to reduce the burden of diabetes. The committees are concerned with the persistent disparities in diabetes prevalence and outcomes based on race and ethnicity that were outlined in the action plan. Therefore, the committees request that the MDH Prevention and Health Promotion Administration (PHPA), in consultation with the Office of Minority Health and Health Disparities and Health Services Cost Review Commission, submit a report by October 1, 2021, that assesses areas of the State where there are gaps in diabetes prevention, education, and outreach programs. The report should also describe new programs and grant opportunities specifically focused on reaching underserved and minority communities and provide initial participation and outcomes for these diabetes prevention programs.

Information Request	Author	Due Date
Report on diabetes education and outreach	MDH PHPA	October 1, 2021

M00L
Maryland Department of Health
Behavioral Health Administration

Budget Amendments

Add the following language:

Further provided that \$1,000,000 of this appropriation made for the purposes of program direction may not be expended until the Maryland Department of Health (MDH) submits a report to the budget committees on the assisted reconciliation process. This report shall address steps made by the department during the reconciliation process, including:

- (1) affirming that MDH and the Behavioral Health Administrative Services Organization (BHASO) have provided behavioral health providers with a comprehensive claims history in an uploadable 835 format. These reports to providers shall comply with Health Insurance Portability and Accountability Act (HIPAA) standards and include HIPAA-standardized denial codes. The 835 report shall also include the original submission date of each claim, as well as reprocessing and denials. The claims history report shall also include corresponding check number and accurate check date for the full or partial amount paid on the claim;
- (2) providing detail on a neutral, independent third-party reconciliation mediator used during the process. This reconciliation mediator shall be selected in consultation with behavioral health providers and shall provide oversight and mediation in disputes of the reconciliation amounts between MDH and individual providers; and
- (3) outlining contract management steps employed by the department in response to challenges with the Administrative Services Organization (ASO). This shall include any liquidated damages and other fees and fines against the current BHASO under the ASO contract, including the totality of damages, fees, and fines that could be levied against BHASO as outlined under the contract as well as the total amount that has actually been imposed by the department, and, if applicable, why MDH did not impose the maximum amount.

The report shall be submitted by August 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The nearly eight-month estimated payments period required due to the failed launch of the new ASO resulted in overpayments to providers of over \$300 million. This language restricts funding pending a report on the specific types of reports provided by MDH and BHASO to assist the providers in the reconciliation process as well as use of a reconciliation mediator, and contract management steps taken by the department.

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Information Request	Author	Due Date
Report on reconciliation process	MDH	August 1, 2021

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH

M00K01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purposes of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees detailing the increase in psychiatric rehabilitation program expenditures and utilization. The report shall also include reasons for the significant growth in psychiatric rehabilitation program expenditures, utilization, and providers. The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Increases in psychiatric rehabilitation program (PRP) expenditures in prior years have resulted in PRPs owing a disproportionate amount to the department from the estimated payments period. One possible cause for this disparity would be actions already taken by the Behavioral Health Administration (BHA) to increase oversight over these provider types. This language requests that BHA submit a report on the increases in PRP expenditures and utilization seen in prior years and factors contributing to the overpayments to PRP providers.

Information Request	Author	Due Date
Causes for increases in PRP expenditures and steps already taken to increase PRP oversight	BHA	October 1, 2021

Committee Narrative

Ongoing Reporting on the Functionality of the New Administrative Services Organization: Given the reports of ongoing struggles with the new Behavioral Health Administrative Services Organization (ASO) over a year after the initial go-live date, the budget committees request ongoing status updates of its functionality. The budget committees are requesting a series of reports, the first of which, in consultation with the providers in the Public Behavioral Health

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System, identifies which reports and features are required for a fully functional ASO. Subsequent reports should identify progress made on each of these features, identify what is not fully functional, the steps needed to reach functionality, and the estimated completion date. The first report should be submitted by July 1, 2021, and subsequent reports shall be submitted quarterly through fiscal 2022, or until full functionality is achieved.

Information Request	Author	Due Date
Status of ASO functionality	Maryland Department of Health	July 1, 2021 Oct. 1, 2021 Jan. 1, 2022 April 1, 2022

Budget Amendments

M00L01.02 Community Services

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for substance use disorder treatment, uninsured treatment, or other community service grants for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

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Strike the following language:

~~Further provided that this appropriation shall be reduced by \$700,000 contingent upon enactment of legislation authorizing the transfer of excess special fund balance from the State Board of Examiners of Psychologists.~~

~~**Explanation:** This language provides a general fund reduction for the Community Service program contingent on a corresponding Budget Reconciliation and Financing Act recommendation made by the Department of Legislative Services to transfer surplus fund balance totaling \$700,000 to the Behavioral Health Administration from the State Board of Examiners of Psychologists.~~

Amendment No. _____

Committee Narrative

Greater Baltimore Regional Integrated Crisis System Care Traffic Control System: *The budget committees are interested in supporting the Greater Baltimore Regional Integrated Crisis System (GBRICS) Partnership that was created with the grant received in 2020 through the Health Services Cost Review Commission. One aspect of GBRICS, the Care Traffic Control System (CTCS), is a vital infrastructure investment to support behavioral health programs and better respond to individuals in crisis. This will ensure sufficient and equitable access to behavioral health services for individuals in crisis across the GBRICS Partnership.*

To better understand how the system can be utilized by providers, the budget committees request that the Maryland Department of Health (MDH) submit a report reviewing the CTCS component of GBRICS. In this review, MDH should examine the system in Georgia to determine methods for maximizing behavioral health programs' use of the System, including whether mandated use should be implemented for certain behavioral health programs. MDH should further make recommendations on incentive structures for behavioral health programs to utilize the System. This report should be submitted by October 1, 2021.

Information Request	Author	Due Date
<i>Report on GBRICS CTCS</i>	<i>MDH</i>	<i>October 1, 2021</i>

Implementation of New 988 Number for Suicide Hotline: *On July 16, 2020, the Federal Communications Commission adopted rules to establish 988 as the new, nationwide, three-digit phone number for Americans in crisis to connect with suicide prevention and mental health counselors. The rules require all phone service providers to direct all 988 calls to the existing National Suicide Prevention Lifeline by July 16, 2022. The budget committees are interested in*

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the implementation timeline of the new three-digit hotline for Maryland carriers. The Maryland Department of Health Behavioral Health Administration (BHA) should submit a report on the implementation schedule for carriers in Maryland to implement the new 988 number for Marylanders. Further, the report should identify any resources or assistance that would expedite implementation of the new hotline.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on new 988 suicide hotline</i>	<i>BHA</i>	<i>October 1, 2021</i>

Budget Amendments

M00L01.03 Community Services for Medicaid State Fund Recipients

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for Medicaid State Funded Mental Health Services for that purpose or for provider reimbursements in M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

M00M
Maryland Department of Health
Developmental Disabilities Administration

Budget Amendments

M00M01.01 Program Direction

Amend the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees regarding community service utilization data and spending forecasts that will be made available as the Developmental Disabilities Administration (DDA) Community Services program transitions to a fee-for-service (FFS) reimbursement system. The report should include:

- (1) a plan and timeline for providing data to the Department of Legislative Services on utilization by service type on a monthly basis for DDA-funded services billed through the Long Term Services and Supports (LTSS) system;
- (2) a plan and timeline for forecasting general fund spending in the Community Services program in fiscal 2023 and beyond based on actual utilization and reimbursements billed through the LTSS system following the transition to an FFS reimbursement model;
- (3) the number of individuals receiving DDA-funded services and providers that transitioned to the LTSS system before the start of fiscal 2022 and the number of individuals and providers transitioned to the LTSS system in fiscal 2022 year to date;
- (4) a cost analysis of the rates paid to providers that were transitioned to the LTSS system as part of the initial LTSS pilot program and how DDA's reimbursements compare to the estimated payments that would have been made under the prospective payment model;~~and~~
- (5) a description of the utilization and spending data that is available through the LTSS system and would assist DDA in forecasting its spending needs; and
- (6) a plan and timeline for ensuring that providers, including coordinators of community services, have the ability to automatically exchange electronic data with the department through an application program interface with the LTSS system in accordance with Chapter 7 of 2021.

The report shall be submitted by November 1, 2021, and the budget committees shall have 45 days from receipt of the report to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

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Explanation: DDA is overhauling its Community Services system by implementing new service definitions, establishing new rates based on an FFS reimbursement model, and transitioning to Medicaid's exiting LTSS system for billing and service authorization. These changes should improve DDA's data collection and spending forecast abilities compared to the current prospective payment model. This language restricts funding budgeted for administration until the Maryland Department of Health (MDH) submits a report to the budget committees on data collection and spending forecasts following the transition to a new rate structure *and on information regarding the transition to the LTSS system.*

Information Request	Author	Due Date
Report on community services utilization data collection and spending forecasts	MDH	November 1, 2021

Amendment No. _____

Committee Narrative

State Facility Performance Measures on Staff and Resident Safety: The Maryland Department of Health (MDH) introduced a new performance measure for State psychiatric hospitals that measures staff safety as the incidence rate of patient to staff assaults per 1,000 patient days. The budget committees request that MDH provide this measure for each of the Developmental Disabilities Administration facilities in its fiscal 2023 Managing for Results (MFR) submission. Further, the committees request that the fiscal 2023 MFR submission report existing measures of resident-on-resident and resident-on-staff assault data separately for the Holly Center, the Potomac Center, and the Secure Evaluation and Therapeutic Treatment unit.

Information Request	Author	Due Date
Performance measures related to State facility staff and resident safety	MDH	With the submission of the fiscal 2023 allowance

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Budget Amendments

M00M01.02 Community Services

Add the following language:

All appropriations provided for program M00M01.02 Community Services are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: The Maryland Department of Health has reported increasing net general fund transfers out of the Developmental Disabilities Administration Community Services program, mainly to cover shortfalls elsewhere in the department. This language restricts funds appropriated for the Community Services program to that use only and prevents budgetary transfers.

Add the following language:

Further provided that all federal funds attained by the Maryland Department of Health Developmental Disabilities Administration (DDA) in program M00M01.02 resulting from any enhancement to the federal medical assistance percentage (FMAP) for home- and community-based services authorized in the American Rescue Plan Act of 2021 shall be:

- (1) retained by DDA, and there shall be no budgetary transfer to any other program; and
- (2) separately identified from any other federal Medical Assistance funding in supporting documentation provided at the time an amendment is submitted to the Department of Legislative Services and in the fiscal 2023 budget detail submitted with the Governor's budget books for the fiscal 2021 actual, fiscal 2022 working appropriation, and fiscal 2023 allowance.

Further provided that at least 75% of federal funds attained by DDA resulting from any enhancement to the FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021 may be expended only on a one-time rate increase paid to community providers that are reimbursed under program M00M01.02 and are licensed, certified, or approved under Section 7 of the House General Article, including coordinators of community services. DDA shall apply the rate increase retroactively to all services provided in the first two quarters of fiscal 2020 and shall pay community providers the rate increase in at least two payments. DDA shall disburse the first payment no later than October 7, 2021, and the final payment no later than April 7, 2022. Remaining federal funds attained from any enhancement to the federal FMAP for home and community-based services authorized in the American Rescue Plan Act of 2021 may be expended only on:

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- (1) a commensurate one-time rate increase applied to services provided in the first two quarters of fiscal 2020 for individuals enrolled in self-directed services as of October 1, 2021;
- (2) grants to community providers and nonprofit organizations reimbursed under program M00M01.02 for the development of resources and infrastructure to enhance independence and inclusive opportunities, which shall include and not be limited to development of models to provide independent affordable housing, expanded use of technology, and technical assistance from subject matter experts, for individuals who receive DDA-funded services; and
- (3) certain allowable administrative costs.

Further provided that no more than 5% of federal funds attained by DDA resulting from any enhancement to the FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021 may be expended for administrative costs, which shall be restricted to expenses to expedite new placements in DDA-funded home- and community-based services and to improve the processing of person-centered plans.

Further provided that \$100,000 of the general fund appropriation made for the purpose of administration may not be expended until DDA submits a report to the budget committees, including:

- (1) the total amount of federal funds attained in fiscal 2021 and 2022 year to date as a result of the enhanced FMAP authorized in the American Rescue Plan Act of 2021 for home- and community-based services reimbursed in program M00M01.02;
- (2) a detailed accounting of how the federal funds were spent to enhance, expand, or strengthen home and community-based services;
- (3) the share of funds used on administrative expenses;
- (4) a discussion of whether any uses of the funds are ongoing and what source of funds would support the expenses in the future;
- (5) the total amount of federal funds attained in fiscal 2020, 2021, and 2022 year to date as a result of the enhanced FMAP authorized in the Families First Coronavirus Response Act of 2020 for community services reimbursed in program M00M01.02; and
- (6) the fiscal 2020, 2021, and 2022 year to date spending on the Emergency Preparedness and Response Appendix K approved for DDA's home- and community-based waiver programs, including spending by fund type and spending disaggregated by use of funds.

The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the

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receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The federal American Rescue Plan Act of 2021 provides a 10% enhanced FMAP for eligible home- and community-based services administered by the Maryland Department of Health from April 1, 2021, through March 31, 2022. This language prohibits budgetary transfer of the enhanced federal match attained through DDA programs and requires DDA to account for these federal funds separately from other Medicaid funding. This language also restricts at least 75% of federal funds attained by DDA through the enhanced FMAP to be used to provide a one-time rate increase to community providers and outlines allowable uses for the remaining funds. Finally, this language restricts \$100,000 in general funds budgeted for administration until DDA submits a report on the use of enhanced federal matching funds.

Information Request	Author	Due Date
Report on enhanced federal match on home- and community-based services	DDA	October 1, 2021

Amendment No. _____

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on unanticipated enhanced federal matching funds continuing through the COVID-19 public health emergency.	37,800,000	GF
 Total Reductions	 37,800,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	120.50	120.50		0.00
General Fund	779,548,146	741,748,146	37,800,000	
Special Fund	6,298,272	6,298,272	0	
Federal Fund	701,973,811	701,973,811	0	
Total Funds	1,487,820,229	1,450,020,229	37,800,000	

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Committee Narrative

Transitioning Youth Placements: *The budget committees are concerned that individuals who are eligible for adult services funded by the Maryland Department of Health Developmental Disabilities Administration (DDA) are not starting these services in a timely manner after aging out of youth services. The budget committees request that DDA submit a report including:*

- *the number of transitioning youth referred to DDA who have exited the State educational system, have not received approval for DDA funding since exiting, and/or have not begun DDA-funded services (aggregated by fiscal year from fiscal 2018 to 2022 year to date);*
- *a list of reasons that transitioning youth who exited the State educational system and were referred to DDA in fiscal 2018 through 2022 year to date have not begun to receive DDA-funded services;*
- *barriers and delays that have prevented transitioning youth from receiving approval and placement into DDA-funded services;*
- *DDA's plan to ensure that services for transitioning youth are approved and provided in a timely manner for individuals who exit the educational system in fiscal 2022;*
- *a timeline and necessary steps to ensure that all transitioning youth who are deemed eligible for DDA-funded services throughout fiscal 2022 are able to begin services by July 1, 2022; and*
- *a discussion of how the COVID-19 pandemic and transitioning youth's ability to extend services provided through the Autism waiver have impacted the approval and placement process for DDA-funded services.*

Information Request	Author	Due Date
<i>Report on transitioning youth placements</i>	<i>DDA</i>	<i>October 1, 2021</i>

M00Q01
Maryland Department of Health
Medical Care Programs Administration

Budget Amendments

Add the following language:

Provided that all federal funds attained by the Maryland Department of Health Medical Care Programs Administration (Medicaid) in programs M00Q01.03 and M00Q01.07 resulting from any enhancement to the federal medical assistance percentage (FMAP) for home- and community-based services authorized in the American Rescue Plan Act of 2021 shall be:

- (1) retained by Medicaid, and there shall be no budgetary transfer to any other program; and
- (2) separately identified from any other federal medical assistance funding in supporting documentation provided at the time an amendment is submitted to the Department of Legislative Services and in the fiscal 2023 budget detail submitted with the Governor's budget books for the fiscal 2021 actual, fiscal 2022 working appropriation, and fiscal 2023 allowance.

Further provided that at least 75% of federal funds attained by Medicaid resulting from any enhancement to the FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021 may be expended only on a one-time rate increase paid to Medicaid home- and community-based community providers reimbursed under programs M00Q01.03 and M00Q01.07 and eligible for mandatory rate increases under Chapters 10 and 11 of 2019. Remaining federal funds attained from any enhancement to the federal FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021 may be expended only on waiver slot expansion and other efforts to ensure the enhancement, strengthening, and expansion of Medicaid home- and community-based services reimbursed under programs M00Q01.03 and M00Q01.07.

Further provided that \$100,000 of the general fund appropriation made for the purpose of administration in Program M00Q01.01 Deputy Secretary for Health Care Financing may not be expended until Medicaid submits a report to the budget committees that provides:

- (1) the total amount of federal funds attained in fiscal 2021 and 2022 year to date as a result of the enhanced FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021;
- (2) details how the federal funds were spent to enhance, expand, or strengthen home- and community-based services, provides the share of funds used on administrative expenses, and discusses whether any uses of the funds are ongoing and what source of funds would support the expenses in the future; and

M00Q01

(3) the total amount of federal funds attained in fiscal 2021, and 2022 year to date as a result of the enhanced FMAP authorized in the Families First Coronavirus Response Act of 2020.

The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The federal American Rescue Plan Act of 2021 provides a 10% enhanced FMAP for eligible home- and community-based services administered by the Maryland Department of Health from April 1, 2021, through March 31, 2022. This language prohibits budgetary transfer of the enhanced federal match attained through Medicaid programs and requires Medicaid to account for these federal funds separately from other Medicaid funding. This language also restricts at least 60% of federal funds attained by Medicaid through the enhanced FMAP to be used to provide a one-time rate increase to home- and community-based providers and outlines allowable uses for the remaining funds. Finally, this language restricts \$100,000 in general funds budgeted for administration until Medicaid submits a report on various items related to the enhanced federal match.

Information Request	Author	Due Date
Report on enhanced federal match on home- and community-based services	Medicaid	October 1, 2021

Amendment No. _____

Add the following language:

All appropriations provided for program M00Q01.03 Medical Care Provider Reimbursements are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: This annual budget bill language restricts Medicaid provider reimbursements to the purpose.

M00Q01

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds based on the availability of special funds from the Board of Pharmacy Fund authorized in the Budget Reconciliation and Financing Act of 2020. The special funds were not included in the fiscal 2022 budget.	750,000	GF
3. Reduce general funds for the non-emergency transportation program based on the most recent actual federal fund attainment.	4,500,000	GF
4. Reduce general funds based on service utilization trends.	77,000,000	GF
5. Reduce general funds based on the unanticipated availability of enhanced federal matching funds through calendar 2021.	244,600,000	GF
Total Reductions	326,850,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	3,724,129,522	3,397,279,522	326,850,000	
Special Fund	705,963,656	705,963,656	0	
Federal Fund	6,592,096,258	6,592,096,258	0	
Total Funds	11,022,189,436	10,695,339,436	326,850,000	

Committee Narrative

Calendar 2020 Managed Care Organization (MCO) Risk Corridor Settlements: Given the uncertainty around service utilization trends during the COVID-19 pandemic, the Maryland Department of Health (MDH) entered into risk corridor arrangements with MCOs for both calendar 2020 and 2021. Under these arrangements, the MCOs and State will share in any underspending when revenues exceed certain expenditure levels and also share risk when revenues fall short of expenditures. The specific details of the risk corridor arrangements vary between the two calendar years. It is anticipated that fiscal 2020 MCO spending will be below capitated revenue. However, settlements from the calendar 2020 risk corridor arrangement will

M00Q01

not be known until after session. The committees are interested in the results of the calendar 2020 risk corridor process and request MDH to submit a report detailing results by individual MCO.

Information Request	Author	Due Date
Calendar 2020 MCO risk corridor settlements	MDH	July 1, 2021, or earlier if the results are known

Home- and Community-based Waiver Services Expansion: A draft report completed by the Hilltop Institute for the Maryland Department of Health (MDH) concluded that, on balance, there are costs to Medicaid associated with the expansion of home- and community-based waiver services although these costs were lower than cited in the past. However, the report noted opportunities that may exist for programming that allows the State to share in the savings that can accrue to Medicare from Medicaid-funded waiver services to the dual eligibles and using those savings to defray the costs of waiver expansion. The committees are interested in pursuing such opportunities and request that MDH submit a report with specific programmatic recommendations on ways to claim Medicare savings to apply to costs for waiver expansion.

Information Request	Author	Due Date
Home- and community-based waiver services expansion	MDH	December 1, 2021

Collaborative Care Pilot Updates: Chapters 683 and 684 of 2018 established a four-year pilot program in Medicaid aimed at improving the delivery of behavioral health care in primary care settings. The pilot provides for the delivery of behavioral health services in three primary care locations using a Collaborative Care Model (CCM), which is a validated, evidence-based intervention that has been shown to improve clinical outcomes and reduce hospitalizations and associated costs and is being used in Medicare, numerous state Medicaid agencies, and commercial carriers. The budget committees are interested in initial data and findings from the CCM pilot and whether the findings warrant full-scale implementation in Medicaid earlier than the pilot end date.

Information Request	Author	Due Date
CCM pilot	Maryland Department of Health	November 1, 2021

M00Q01

Fiscal 2021 Deficiency

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general fund deficiency appropriations to reflect service utilization trends.	75,000,000	GF
2. Reduce general fund deficiency appropriations to reflect the availability of unrecognized fiscal 2020 enhanced federal match.	37,300,000	GF
 Total Reductions	 112,300,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	233,718,178	121,418,178	112,300,000	
Special Fund	10,000,000	10,000,000	0	
Federal Fund	482,651,672	482,651,672	0	
Total Funds	726,369,850	614,069,850	112,300,000	

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce special funds based on revised available Medicaid Deficit Assessment funding	35,000,000	SF
 Total Reductions	 35,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	45,000,000	10,000,000	35,000,000	
Total Funds	45,000,000	10,000,000	35,000,000	

M00Q01

Budget Amendments

M00Q01.07 Maryland Children's Health Program

Add the following language:

All appropriations provided for program M00Q01.07 Maryland Children's Health Program are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: The language restricts funding in the Maryland Children's Health Program to that purpose.

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Funded Recipients or M00L01.02 Community Services.

Add the following language:

Further provided that all federal funds attained by the Maryland Department of Health (MDH) Behavioral Health Administration (BHA) in program M00Q01.10 resulting from any enhancement to the federal medical assistance percentage (FMAP) for home- and community-based services authorized in the American Rescue Plan Act of 2021 shall be:

- (1) retained by MDH BHA, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to programs M00L01.02 Community Services and M00L01.03 Community Services for Medicaid State Fund Recipients; and
- (2) separately identified from any other federal Medical Assistance funding in supporting documentation provided at the time an amendment is submitted to the Department of Legislative Services and in the fiscal 2023 budget detail submitted with the Governor's budget books for the fiscal 2021 actual, fiscal 2022 working appropriation, and fiscal 2023 allowance.

M00Q01

Further provided that \$100,000 of the general fund appropriation made for the purpose of administration may not be expended until MDH BHA submits a report to the budget committees that provides the total amount of federal funds attained in fiscal 2021 and 2022 year to date as a result of enhanced FMAP for home- and community-based services authorized in the American Rescue Plan Act of 2021; details how the federal funds were spent to enhance, expand, or strengthen home- and community-based services; provides the share of funds used on administrative expenses; and discusses whether any uses of the funds are ongoing and what source of funds would support the expenses in the future. The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The federal American Rescue Plan Act of 2021 provides a 10% enhanced FMAP match for eligible home- and community-based services administered by MDH from April 1, 2021, through March 31, 2022. This language prohibits budgetary transfer of the enhanced federal match attained through MDH BHA programs and requires BHA to account for these federal funds separately from other Medicaid funding. Finally, this language restricts \$100,000 in general funds budgeted for administration until the department submits a report on the use of the enhanced federal match.

Information Request	Author	Due Date
Report on enhanced federal match on home- and community-based services	BHA	October 1, 2021

Amendment No. _____

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of behavioral health provider reimbursements may not be expended until the Maryland Department of Health submits a report on the Institutions for Mental Disease (IMD) designation for psychiatric hospitals in the State. This report shall address barriers to removing the IMD designation from psychiatric hospitals from the Centers for Medicare and Medicaid Services, opportunities for waivers to remove the designation from the hospitals currently designated as IMDs, and timeline for submission of necessary waivers to remove this designation. Further, the report shall address funding adequacy for these hospitals and steps taken by the department to ensure adequate funding. The report shall be submitted by August 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

M00Q01

Explanation: The IMD designation on certain hospitals in the State currently prohibits Medicaid federal match under the IMD exclusion. This language restricts funds pending a report from the Maryland Department of Health (MDH) on the opportunities from removing the IMD designation from certain Maryland hospitals through seeking a waiver from the federal Centers for Medicare and Medicaid Services. The report also requires MDH to review funding adequacy for the services currently under the IMD exclusion and measures taken by the department to ensure adequacy for these services.

Information Request	Author	Due Date
Report on IMD designation	MDH	August 1, 2021

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds by \$35,000,000 to account for six months of extended enhanced federal fund match in the Medicaid program.	35,000,000	GF
Total Reductions	35,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	642,665,447	607,665,447	35,000,000	
Special Fund	11,114,687	11,114,687	0	
Federal Fund	1,225,401,281	1,225,401,281	0	
Total Funds	1,879,181,415	1,844,181,415	35,000,000	

M00Q01.11 Senior Prescription Drug Assistance Program

Amend the following language to the special fund appropriation:

Authorization is granted to process a special fund budget amendment of ~~\$4,363,720~~ \$1,863,720 contingent upon the enactment of legislation to increase the Senior Prescription Drug Assistance Program annual mandated appropriation.

Explanation: The language amends the contingent budget amendment authorization in the Senior Prescription Drug Assistance Program to reflect anticipated need.

M00R01
Maryland Department of Health
Regulatory Commissions

Committee Narrative

M00R01.01 Maryland Health Care Commission

***Hospital at Home Model:** The committees are interested in the expansion of a Hospital at Home model in Maryland. This model offers patients an alternative to inpatient hospital-based care, was founded in Maryland through Johns Hopkins Medicine in the mid-1990s, and has operated in various pilot programs at other hospitals outside of the state. During the recent public health emergency, the federal government has offered broad regulatory flexibility to hospitals to provide services in locations other than traditional hospital settings, the Hospitals Without Walls program. However, while it is unclear if this regulatory flexibility will continue beyond the current public health emergency, there is interest from states to develop model programs to continue it. The committees request that the Health Services Cost Review Commission (HSCRC) and the Maryland Health Care Commission (MHCC), in consultation with the Office of Health Care Quality and Maryland Medicaid, report on the efficacy of the Hospital at Home model, how this model fits into the Maryland Total Cost of Care Model, barriers in existing State law and regulations that currently exist to prevent the broadening of the model, cost implications to public and private payers and, if the commissions think the model should be more broadly implemented, recommendations on how to do so.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Hospital at Home model</i>	<i>HSCRC MHCC</i>	<i>December 1, 2021</i>

M00R01.02 Health Services Cost Review Commission

Health Services Cost Review Commission Evaluation of the Maryland Primary Care Program (MDPCP): Given the role of the MDPCP in transforming care in the State under the total cost of care model and the prior findings that the MDPCP has yet to produce cost savings, the budget committees request information on the effectiveness of the program. In particular, this evaluation should focus on cost-savings from the MDPCP, reducing unnecessary utilization or hospitalization for patients participating in the MDPCP over the increased expenditures from provider incentives, and a consideration of racial equity within MDPCP, including racially diverse participation by providers and patients.

Information Request	Author	Due Date
Evaluation of the MDPCP	Health Services Cost Review Commission	October 1, 2021

M00R01

Budget Amendments

M00R01.03 Maryland Community Health Resources Commission

Strike the following language:

~~Amend the following language to the special fund appropriation:~~

~~, provided that this appropriation shall be reduced by \$4,363,720 \$1,863,720 contingent upon the enactment of legislation to reduce the Community Health Resource Commission annual mandated appropriation.~~

~~**Explanation:** The language amends the contingent reduction to the Community Health Resources Commission to align with a corresponding Budget Reconciliation and Financing Act action.~~

Amendment No. _____

N00
Department of Human Services

Budget Amendments

Add the following language:

Provided that \$950,000 in general funds for administrative expenses in the Department of Human Services shall be reduced. The reduction shall be allocated among the programs and objects within the department.

Explanation: Language in the fiscal 2020 Budget Bill restricted \$950,000 of the general fund appropriation in the Department of Human Services Local Family Investment Program to be used for a grant to support the transition of community action agencies or other community organizations in the transition to a Two-Generation Model of Service Delivery. These funds were required to be reverted if not used for this purpose. The fiscal 2021 budget plan assumed that these funds would be reverted and a deficiency appropriation for fiscal 2020 replaced the restricted funds to allow the grant to be provided. However, the restricted funds were not reverted as required at closeout. This reduction may be allocated among subprograms and comptroller subobjects.

N00A01
Department of Human Services
Office of the Secretary

Budget Amendments

N00A01.04 Maryland Legal Services Program

Add the following language to the general fund appropriation:

, provided that this appropriation made for the purpose of the Maryland Legal Services Program may be expended only for that purpose. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts the general fund appropriation of the Maryland Legal Services Program (MLSP) to that purpose and, if it is not needed for that purpose, requires that the funds revert to the General Fund. During the fiscal 2013 closeout process, the Department of Human Services recorded an unprovided for payable in the MLSP. That was the second consecutive year that an unprovided for payable was recorded and the fourth since fiscal 2007. Given the important functions of the MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last seven fiscal years.

N00B
Department of Human Services
Social Services Administration

Budget Amendments

N00B00.04 General Administration – State

Add the following language to the general fund appropriation:

, provided that \$250,000 of the general fund appropriation in the General Administration – State program of the Department of Human Services (DHS) Social Services Administration made for the purpose of general operating expenses may not be expended until DHS submits a report to the budget committees on:

- (1) the number of youth in out-of-home placements served in emergency rooms for psychiatric evaluation or crises and the average length of stay (ALOS) by month for the period October 2019 through September 2021;
- (2) the number of youth in out-of-home placements served separately by medical hospitals and inpatient psychiatric hospital and ALOS by month for the period October 2019 through September 2021;
- (3) the number of days that youth in out-of-home placements served in hospitals were in the hospital longer than was deemed medically necessary by either the hospital or a judicial finding separately by type of hospital for calendar 2020 and 2021; and
- (4) the placement type after discharge separately by type of hospital, including identifying the number of youth placed out-of-state after discharge for fiscal 2021.

Data on youth served in medical hospitals should include all medical hospitalizations regardless of diagnosis. The report shall be submitted by November 30, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The General Assembly continues to be concerned about whether youth are remaining in emergency rooms or inpatient hospital settings longer than is medically necessary. The General Assembly has requested data on hospital stays for several years. However, DHS provided no updated information on hospital stays for fiscal 2020 beyond September 2019 due to limitations in the source of data used for the most recent report. In addition, the change in the source of the data related to youth in hospital settings and ALOS made the data that was provided not comparable to prior years. This language restricts funds until recent data on hospital stays, emergency room visits, stays beyond medical necessity, and placement after discharge is submitted.

N00B

Information Request	Author	Due Date
Report on emergency room visits, hospital stays, and placements after discharge	DHS	November 30, 2021

Committee Narrative

Status of Implementation of the Families First Prevention Services Act (FFPSA): The committees are interested in understanding the impact of the FFPSA on families served through the child welfare system and the State budget. The committees request that the Department of Human Services (DHS) submit a report on:

- the status of the approval of the State’s revised Cost Allocation Plan and other Title IV-E Plan amendments, including those to add new prevention services, to allow the department to claim Title IV-E Funds for prevention services and Qualified Residential Treatment Programs (QRTP);
- the implementation of an application or certification process for QRTPs;
- if applicable, the number of approved or certified QRTPs; and
- any changes in the evidence-based practices implemented in fiscal 2022 including new practices implemented, practices no longer implemented, or changes in the jurisdictions implementing practices.

Information Request	Author	Due Date
Status of implementation of the FFPSA	DHS	October 15, 2021

N00F00
Department of Human Services
Office of Technology for Human Services

Committee Narrative

N00F00.02 Major Information Technology Development Projects

Maryland Total Human-services Integrated Network (MD THINK) Updates: The committees request that the Department of Human Services (DHS) provide three updates including the following information:

- monthly MD THINK expenditures by project component since the prior report, specifically identifying components supported by other agencies;
- the actual general/federal fund split for each category of expenditures;
- a description of the activities since the prior report;
- an update on the timeline for activities to be completed during the year; and
- a description of any schedule delays, scope changes, or cost increases, including the reason for the delay or changes.

The report submitted October 15, 2021, should include data for the period July 1, 2021, through September 30, 2021. The report submitted January 15, 2022, should include data for the period October 1, 2021, through December 31, 2021. The report submitted April 15, 2022, should include data for the period January 1, 2022, through March 31, 2022.

Information Request	Author	Due Date
MD THINK updates	DHS	October 15, 2021 January 15, 2022 April 15, 2022

Maryland Total Human-services Integrated Network (MD THINK) Spending and Development Timeline: The committees are interested in continuing to monitor the implementation status of MD THINK components and having a baseline to compare future information. The committees request that the Department of Human Services (DHS) submit a report identifying:

- the date each outstanding application or component of an application will be deployed to pilot counties;

N00F00

- the date each application or component of an application will be deployed statewide;
- expected quarterly expenditures in each quarter of the fiscal year; and
- challenges anticipated throughout fiscal 2022 that may impact the project timeline.

Information Request	Author	Due Date
MD THINK spending and development timeline	DHS	July 1, 2021

N00G00
Department of Human Services
Local Department Operations

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

Further provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for foster care payments to that use only. This restriction prevents a transfer of general funds to other programs that might create or increase a deficit in spending in the Foster Care Maintenance Payments program (N00G00.01).

Committee Narrative

Implementation of the New Foster Care Rate Structure: In a response to language included in the fiscal 2021 Budget Bill (Chapter 19), the Department of Human Services (DHS) indicated that a new provider rate structure for providers who have rates set by the Interagency Rates Committee would begin to be implemented in fiscal 2023 for residential child care providers. However, a change in vendor appears likely to delay this timeline. The committees are interested in receiving updates on the timeline for implementation and monitoring the impact of the new rate structure on the budget. The committees request that DHS submit a report on the status of implementation, including any updates on the status of the procurement of the vendor for the actuarial services and a revised timeline for implementation of the new structure. DHS should also discuss efforts to work with the Maryland Department of Health on the actuarial services that would be required for the new rate process and receipt of Medicaid reimbursement. The report should also include an update on the status and timeline of any amendments to the State Medicaid Plan to allow for clinical care costs to be eligible for reimbursement.

Information Request	Author	Due Date
Status and timeline for the new provider rate structure	DHS	December 15, 2021

Savings for Foster Youth: Recent programs have led to increased savings for foster youth. The Foster Youth Savings Program deposits funds into accounts for transition-aged youth including annual deposits of varying amounts based on age and incentives for achieving specific goals. Chapters 815 and 816 of 2018 reduced the amount of federal benefits received on behalf of foster youth that can be used for the cost of care and required certain percentages of these funds to be

N00G00

conserved for youth based on age. The committees are interested in continuing to monitor these programs and request the Department of Human Services (DHS) to submit information on:

- the average number of accounts in which deposits have been made by jurisdiction and month as a result of Chapter 815 and 816 for fiscal 2021 and 2022 year to date;
- the average amount conserved by age group in Chapter 815 and 816 for fiscal 2021 and 2022 year to date;
- total amount conserved by age group in Chapter 815 and 816 for fiscal 2021 and 2022 year to date;
- the number of youth receiving a deposit into a Foster Youth Savings account separately by age and whether it is a new, additional annual deposit, or incentive deposit by type of incentive for fiscal 2020, 2021, and 2022 year to date; and
- the total amount deposited separate by age and whether it is an annual deposit or incentive for fiscal 2020, 2021, and 2022 year to date.

Information Request	Author	Due Date
Youth savings under the Foster Youth Savings Program and Chapters 815 and 816 of 2018	DHS	December 30, 2021

Fiscal 2021 Deficiency

N00G00.01 Foster Care Maintenance Payments

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete Reduce a general fund deficiency appropriation for a temporary provider rate increase because sufficient funding exists within the Foster Care Maintenance Program for these costs. The fiscal 2022 budget includes a deficiency appropriation to provide a 2% rate increase to providers who have rates set by the Interagency Rates Committee from January 1, 2021, through June 30, 2020. Due to declines in average monthly placements, the Foster Care Maintenance Payments Program is forecasted to have a surplus of	1,543,103 771,552	GF GF

N00G00

approximately \$2.9 million. ~~This surplus is sufficient to fully fund the cost of the temporary 2% provider rate increase allowing for a reduction.~~

Total Reductions 1,543,103
771,552

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	1,543,103	0	1,543,103	
		771,551	771,552	
Total Funds	1,543,103	0	1,543,103	
		771,551	771,552	

Amendment No. _____

Supplemental Budget No. 2

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This language is annually added to the general fund appropriation of N00G00.01 Foster Care Maintenance Payments program to restrict the funding to that use only. This restriction prevents a transfer of general funds to other programs that might create or increase a deficit in spending in the program. This action adds this annual language to the appropriation for the program included in Supplemental Budget No. 2.

N00G00

Budget Amendments

N00G00.03 Child Welfare Services

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for the Child Welfare Services program to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

Committee Narrative

Child Welfare Caseload Data: The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS) report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America caseload standards, by jurisdiction, for the following caseload types current within 70 days:

- intake screening;
- child protective investigation;
- consolidated in-home services;
- interagency family preservation services;
- services to families with children – intake;
- foster care;
- kinship care;
- family foster care;
- family foster homes – recruitment and new applications;

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- family foster homes – ongoing and licensing;
- adoption;
- interstate compact for the placement of children; and
- caseworker supervision.

The committees also request that DHS provide information on reallocation of positions, including the number of positions reallocated by type (caseworker or supervisor) between jurisdictions and identifying the jurisdictions that these positions were transferred from and to, in order to assist jurisdictions to meet the caseload standard. DHS should also include information on efforts to fill vacant caseworker and caseworker supervisor positions in Baltimore and Prince George’s counties in order to assist those jurisdictions in meeting the caseload standards based on filled (not just available positions).

Information Request	Author	Due Date
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types and reallocation and filling of vacant positions	DHS	December 1, 2021

Child Welfare League of America (CWLA) Standards: Current Maryland statute requires the State to have sufficient child welfare staff to achieve caseload ratios consistent with CWLA caseload standards. However, CWLA currently recommends that caseload standards be defined based on a completed workload study that takes into account the appropriate caseload size given the work to be done. The budget committees request that the Department of Human Services (DHS) report on a timeline and activities that would be required to complete a workload study for child welfare services and implement recommendations from such a workload study. The report should also include information on any adjustments that would be required to transition the current Maryland statute regarding caseload standards to one in line with a completed workload study.

Information Request	Author	Due Date
Child welfare caseworker workload study planning and timeline	DHS	October 1, 2021

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N00G00.08 Assistance Payments

Reason for Case Closures: During a temporary end to six-month extensions of recertifications in calendar 2020, the number of Temporary Cash Assistance (TCA), Temporary Disability Assistance Program (TDAP), and Supplemental Nutrition Assistance Program (SNAP) case closures increased substantially. In addition, the primary cause of closures during this period was failure to reapply. The committees are interested in monitoring the impact of the end of waivers that once again allow for recertifications to be extended by six months. The committees request that the Department of Human Services (DHS) submit reports on the number of case closures by month and the reason for closure separately for TCA, TDAP, and SNAP. The first report should include data for the period of October 2020 through June 2021, and each subsequent report should provide data for the appropriate quarter (July through September 2021, October through December 2021, January through March 2022, and April and May 2022).

Information Request	Author	Due Date
TCA, TDAP, and SNAP case closures by month	DHS	July 20, 2021 October 20, 2021 January 20, 2022 April 20, 2022 June 20, 2022

Children Served in the Summer Supplemental Nutrition Assistance Program (SNAP): Chapters 635 and 636 of 2019 created a supplemental benefit for children receiving SNAP in jurisdictions that chose to implement the program. Fiscal 2021 was the first year of mandated funds, and the summer benefits were delayed as the State implemented pandemic-related programs. The fiscal 2022 allowance also includes the \$200,000 mandated funding. The committees are interested in continuing to monitor the implementation of the program with a more typical benefit distribution. The committees request that the Department of Human Services (DHS) provide two reports with the following information:

- the number of children served by jurisdiction;
- the benefit level provided by jurisdiction; and
- the number of children in participating jurisdictions that are not able to receive benefits due to insufficient funding by jurisdiction.

In addition, the first report should also provide information on the number of jurisdictions that applied for the program funding; how the determination for funding was made by jurisdiction; the total funding available for benefits, including the local match by jurisdiction; and how jurisdictions determined which children would receive the benefit.

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The first report should cover the summer portion of the program (June, July, and August 2021), while the second report should cover the winter portion of the program (December 2021).

Information Request	Author	Due Date
Children receiving benefits through the Summer SNAP for Children Act	DHS	October 1, 2021 February 1, 2022

Pandemic Electronic Benefits Transfer (P-EBT) Spending: The committees are interested in understanding the impact of the P-EBT program on the Supplemental Nutrition Assistance Program budget. The committees request that the Department of Human Services (DHS) and Department of Budget and Management (DBM) separately identify in subprogram detail spending related to the P-EBT program in the fiscal 2021 actual and, to the extent applicable, the fiscal 2022 working appropriation and fiscal 2023 allowance.

Information Request	Authors	Due Date
P-EBT costs	DHS DBM	With submission of the fiscal 2023 allowance

Application Processing Times and Denial Rates: The committees are concerned about the ability to process applications and recertifications timely, given the anticipated surge in recertifications following the end of extensions of this requirement. In addition, the committees are concerned that the ability to provide verification documents will continue to be problematic with the limited access to local departments of social services. The committees request that the Department of Human Services (DHS) submit three reports that contain:

- the average number of days to process applications by benefit type for Temporary Cash Assistance (TCA), Supplemental Nutrition Assistance Program (SNAP), and Temporary Disability Assistance Program (TDAP) separately by month of application;
- the percentage of applications processed in 0 to 30 days, 31 to 45 days, and longer than 45 days by benefit type for TCA, SNAP, and TDAP separately by month of application; and
- the number and percentage of applications denied by reason for denial and by benefit type for TCA, SNAP, and TDAP.

The first report due on August 15, 2021, should cover the period of April 2021 through July 2021. The second report due on December 31, 2021, should cover the period August 2021

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through November 2021. The third report due on June 30, 2022, should cover the period December 2021 through May 2022.

Information Request	Author	Due Date
Application processing times and denial rates	DHS	August 15, 2021 December 31, 2021 June 30, 2022

Review of Alternative Benefit Cliff Programs: The committees are interested in better understanding the impact of the current income thresholds for various State and federal programs on the benefit cliff, particularly for households with incomes just above these thresholds. The Department of Human Services (DHS) currently administers a Temporary Cash Assistance (TCA) transitional benefit that provides benefits for three months at the same level as the household received prior to leaving TCA due to employment or income. The committees request that the department evaluate and report on:

- the potential for adjusting income thresholds and/or benefit levels of programs for which the State sets eligibility levels to reduce the impact of the benefit cliff;
- the potential to alter the current TCA transitional benefit to a gradual, step-down approach from the current program to improve self-sufficiency; and
- a review of transitional benefit programs and any other programs to address the benefit cliff in other states.

Information Request	Author	Due Date
Report on options for addressing the benefit cliff	DHS	November 15, 2021

N00H00
Department of Human Services
Child Support Administration

Committee Narrative

N00H00.08 Child Support – State

Child Support Services Performance Reports: The federal government evaluates states' performance against five measures to determine federal incentive payments: paternity establishment; support order establishment; collections on current support; cases paying toward arrears; and cost effectiveness. In federal fiscal 2019, Maryland's performance against three of the five performance measures was below the national average. Baltimore City, the only privatized jurisdiction in the State, comprises the greatest share of the State's child support caseload. The committees request that the Department of Human Services (DHS) submit three reports on performance. The report submitted November 1, 2021, should include data for the period July 1, 2021, through September 30, 2021, and state whether any incentives or liquidated damages were assessed to the Baltimore City Office of Child Support Services (BCOCSS) vendor at the conclusion of the federal fiscal year and also state the cost effectiveness achieved for Baltimore City, each county, and the State overall in federal fiscal 2021. The report submitted February 1, 2022, should include data for the period October 1, 2021, through December 31, 2021. The report submitted May 1, 2022, should include data for the period January 1, 2022, through March 31, 2022. Each report should include the following:

- a discussion of factors affecting performance in the quarter;
- the State's aggregate performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- each county's performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- the BCOCSS performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- a statement of the BCOCSS privatization contract's minimum service levels and incentive payment goals; and
- a discussion of any changes to BCOCSS' privatization contract and the method used to make the change.

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Information Request	Author	Due Date
Child Support Services performance reports	DHS	November 1, 2021 February 1, 2022 May 1, 2022

Performance Measures for Temporary Cash Assistance (TCA)-related Child Support Cases: Since fiscal 2020, the Department of Human Services (DHS) has passed through a portion of the child support payments collected on behalf of TCA recipients. The committees request that DHS include annually, beginning with the fiscal 2023 Managing for Results submission, the average monthly collections for TCA-related cases, the number of families that received pass-through collections, the number of children that received pass-through collections, the total collections on arrears for TCA-related cases, the percentage of TCA-related cases with collections on arrears, the percentage of TCA-related cases receiving current support, and the percentage of TCA-related cases with a support order.

Information Request	Author	Due Date
Performance measures for TCA-related child support cases	DHS	With the submission of the fiscal 2023 allowance, and annually thereafter

Report on State Enforcement Measures: The committees are interested in the State's performance on child support enforcement measures compared to states with similar population sizes and median income levels, the frequency of enforcement actions taken, and the number of cases that receive collections on current support or arrearages when an enforcement action is applied. The committees request that the Department of Human Services (DHS) submit a report that provides:

- the number of cases for which an enforcement measure was applied during federal fiscal 2021, by type of enforcement activity;
- the number of cases for which an enforcement measure was applied in federal fiscal 2021, by reason for applying the enforcement measure;
- the number of cases with an enforcement action (excluding wage withholdings), by type of enforcement measure, that reports separately the number of cases for which no collections were received in federal fiscal 2021, the number of cases that received collections on current support in federal fiscal 2021, and the number of cases that received collections on arrears in federal fiscal 2021;

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- a list of the State’s child support enforcement practices that identifies which practices are and are not federally mandated;
- the full range of enforcement options that other states have implemented that are not currently adopted in Maryland and an assessment of the potential benefits and drawbacks of adopting each measure; and
- the State’s relative performance in enforcement activities when compared with states that have similar population sizes and median income levels.

Information Request	Author	Due Date
Report on State enforcement measures	DHS	November 15, 2021

N00I00
Department of Human Services
Family Investment Administration

Budget Amendments

Add the following language:

Provided that \$950,000 in general funds for administrative expenses in the Department of Human Services shall be reduced. The reduction shall be allocated among the programs and objects within the department.

Explanation: Language in the fiscal 2020 Budget Bill restricted \$950,000 of the general fund appropriation in the Department of Human Services Local Family Investment Program to be used for a grant to support the transition of community action agencies or other community organizations in the transition to a Two-Generation Model of Service Delivery. These funds were required to be reverted if not used for this purpose. The fiscal 2021 budget plan assumed that these funds would be reverted and a deficiency appropriation for fiscal 2020 replaced the restricted funds to allow the grant to be provided. However, the restricted funds were not reverted as required at closeout. This reduction may be allocated among subprograms and comptroller subobjects.

Committee Narrative

N00I00.04 Director's Office

Performance Data for the Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Program: The committees continue to be interested in the participation in and performance of the SNAP E&T program. The committees request that the Department of Human Services (DHS) begin including in its annual Managing for Results submission:

- performance in each of the national performance measures for SNAP E&T separately for the total population and the able-bodied adults without dependents (ABAWD) population;
- performance in the State option measures for SNAP E&T identified in the State plan for program components serving 100 or more individuals separately for the total population and the ABAWD population; and
- participation in SNAP E&T by participant characteristic as defined in the performance measures, including education, gender, age, and ABAWD status.

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Information Request	Author	Due Date
SNAP E&T participation and performance	DHS	With the submission of the fiscal 2023 budget and annually thereafter

Use of Temporary Assistance for Needy Families (TANF) Funds: The committees are interested in understanding more about the ability to TANF to support the work of nonprofits and other non-State entities for case management and other services provided to households meeting TANF eligibility levels. The committees request that the Department of Human Services (DHS) submit a report on (1) whether TANF dollars can be used to support nonprofit organizations or non-State entities providing case management and services to households meeting TANF eligibility levels; (2) a review of the use of TANF for these types of activities in other states; and (3) any potential benefits (if authorized) to expanding case management and service provision with TANF dollars to nonprofits and/or other non-State entities.

Information Request	Author	Due Date
Report on use of TANF for case management and services by non-State entities	DHS	November 1, 2021

N00I00.06 Office of Home Energy Programs

Energy Assistance Applications Processing Times and Denial Rates: The committees are interested in continuing to monitor the local administering agencies (LAA) energy assistance application processing times and overall program denial rates. The committees request that the Department of Human Services (DHS) provide by LAAs:

- the number of applications received;
- the average number of days to process applications; and
- the number and percentage of applications processed within 30 days, 55 days, and longer than 60 days.

In addition, the committees request that DHS provide application denial rates separately by benefit type as well as the most common causes for application denials separately by benefit type.

The report should note the date of the data. The data should be current through November 1, 2021, for the report due December 30, 2021, and current through May 1, 2022, for

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the report due June 30, 2022. In addition, for the application denial rate data, DHS should provide the fiscal 2021 actual data in the report due December 30, 2021.

Information Request	Author	Due Date
Application processing times and denial rates	DHS	December 30, 2021 June 30, 2022

Administrative and Eligibility Changes: The Department of Human Services (DHS) Office of Home Energy Programs intends to implement categorical eligibility for energy assistance programs to ease the application process. DHS indicates that it plans to submit details on this planned change to the Public Service Commission, with the submission of its fiscal 2022 proposed operations plan, and the U.S. Department of Health and Human Services, with submission of its Low Income Home Energy Assistance Program State Plan in calendar 2021. In addition to reviewing categorical eligibility, a report submitted by Eleventh House Solutions to DHS reviewed the potential for changing the method of service delivery for energy assistance. The committees request that DHS submit a report providing an update on the status of the implementation of categorical eligibility for energy assistance, including information on programs that will be used for establishing categorical eligibility and regulatory or statutory changes needed. In addition, DHS should provide an update on the status of integration of energy assistance programs into the new Eligibility and Enrollment System and any other administrative changes to energy assistance programs, including a transition in the method of service delivery.

Information Request	Author	Due Date
Report on status of implementation of categorical eligibility and other administrative changes	DHS	October 15, 2021

S00A
Department of Housing and Community Development

Committee Narrative

OFFICE OF THE SECRETARY

S00A20.01 Office of the Secretary

Educational Broadband Network: The committees request two reports on the project status of the educational broadband network to be constructed with funding from the Coronavirus Aid, Relief, and Economic Security Act. The first report should include projected operational costs for each participating school district, the estimated construction costs and schedule for each school district and the overall project, and a specific plan for how the Department of Housing and Community Development (DHCD) plans to allocate any remaining funding after design and construction costs are covered. The second report should include a progress update and any changes to project costs or schedule.

Information Request	Authors	Due Date
Project costs and schedule for educational broadband network	DHCD, in consultation with the Maryland State Department of Education (MSDE)	June 1, 2021
Progress update on educational broadband network	DHCD, in consultation with MSDE	December 1, 2021

Resident Feedback in Low Income Housing Tax Credit Compliance Monitoring: The committees are interested in how the Department of Housing and Community Development (DHCD) solicits feedback from residents related to compliance monitoring for Low Income Housing Tax Credit (LIHTC) properties. The committees request that DHCD provide a report detailing the methods by which residents can submit complaints as well as how DHCD manages the follow-up and response to complaints, including any partnerships the department uses with regard to soliciting resident feedback (e.g., 2-1-1 Maryland or other organizations).

Information Request	Author	Due Date
Report on resident feedback in LIHTC compliance monitoring	DHCD	September 1, 2021

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Broadband Data and Mapping: *The committees are interested in better understanding broadband availability across the State. The Department of Housing and Community Development (DHCD) should prepare a report that maps locations across the State that are unserved or underserved by broadband and identifies the needed investment in each jurisdiction to serve those locations. DHCD may consider procuring outside services to complete the requested mapping and analysis if necessary.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on broadband availability</i>	<i>DHCD</i>	<i>December 1, 2021</i>

Sections

Budget Amendments

Add the following section:

Section 38 Maryland Total Human Services Integrated Network (MD THINK) Project Cost Estimates

SECTION 38. AND BE IT FURTHER ENACTED, That \$1,000,000, of the general fund appropriation made for the purpose of general administration in the Department of Human Services (DHS) Office of Technology for Human Services (N00F00.04); \$1,000,000, of the general fund appropriation made for the purpose of MD THINK in the Department of Information Technology (DoIT) Major Information Technology Development Project Fund (F50A01.01); and \$100,000 of the general fund appropriation made for the purpose of general administration in the Department of Budget and Management (DBM) Office of the Secretary (F10A01.01) may not be expended until DHS, DoIT, and DBM, jointly submit a report with a full accounting by fund source of the MD THINK project's funding, funding cancellations, and expenditures for each year of the project's existence. The report should also include fiscal 2022 cost estimates by fund source. To the extent possible, the data shall be provided both in total, and by component system. The report should include affirmation from the secretaries of DHS, DoIT, and DBM that the submitted cost estimates are the most updated and accurate reflection of project costs, informed by all available data on the project's expenditures. The report shall be submitted by July 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted.

Explanation: The committees have not been provided with sufficient, reliable documentation on MD THINK costs either in total or by year. Accurate and reliable data on MD THINK expenditures and funding needs are perennially unavailable, obstructing any meaningful understanding or deliberation of the adequacy of project funding. This language restricts funds in DHS, DoIT, and DBM pending receipt of a report that provides actual prior year funding and expenditure data and fiscal 2022 project cost estimates, regardless of the availability of funds in the fiscal 2022 budget.

Information Request	Authors	Due Date
MD THINK project cost estimates	DHS DoIT DBM	July 1, 2021

Sections

Add the following section:

Section 43 Review of Voluntary Placement Agreement Process

SECTION 43. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Human Services Social Services Administration General Administration – State Program (N00B00.04) and \$100,000 of the general fund appropriation in the Maryland Department of Health Behavioral Health Administration Program Direction (M00L01.01) each made for the purpose of general operating expenses may not be expended until the agencies, in coordination with the Children’s Behavioral Health Coalition, the Maryland Association of Resources for Families and Youth, the Maryland State Department of Education, and other appropriate stakeholders, submit a report on:

- (1) current requirements and processes including those related to Voluntary Placement Agreements (VPA) that may present barriers for children requiring high intensity behavioral health services to access and sustain residential treatment including child support requirements, source and coverage of insurance, educational services, state mandated family assessments, timely admission to residential treatment, and court intervention;
- (2) the reason for the current requirements and processes that may present barriers to access;
- (3) an explanation of the funding streams associated with VPA and residential treatment;
- (4) a review of processes in other states for assisting families in accessing high intensity behavioral health services for their children including states that do not require custody relinquishment or a VPA; and
- (5) a description of statutory, regulatory, or other changes that could allow families to access high intensity behavioral health services without child welfare system involvement.

The report shall be submitted by November 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled if the report is not submitted to the budget committees.

Explanation: The committees are interested in better understanding the Voluntary Placement Agreement process used by families seeking to obtain high-intensity behavioral health services for their children. The committees are also interested in better understanding barriers identified by families when seeking services and whether alternatives to relinquishment of physical custody to the State through the Department of Human Services (DHS) for obtaining services exist in other states. This language restricts funds in DHS and the Maryland Department of Health (MDH) until the agencies, in coordination with the Children’s Behavioral Health Coalition, the Maryland Association of Resources for Families and Youth, the Maryland State Department of Education, and other appropriate stakeholders, submit a report on current

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requirements and funding, processes in other states for assisting families in this manner, and changes that would be required to provide these services outside of the child welfare system.

Information Request	Authors	Due Date
VPA review and access to intensive behavioral health services	DHS MDH	November 1, 2021

Add the following section:

Section 44 Coordinating Applications and Documentation for Public Benefits

SECTION 44. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Human Services (DHS) Family Investment Administration Director's Office (N00I00.04), \$100,000 of the general fund appropriation in the Maryland Department of Health Medical Care Programs Administration Deputy Secretary for Health Care Financing Program (M00Q01.01), \$100,000 of the general fund appropriation in the Maryland State Department of Education Office of the State Superintendent (R00A01.01), \$100,000 of the special fund appropriation of the Maryland Health Benefit Exchange (D78Y01.01), \$100,000 of the general fund appropriation of the State Department of Assessments and Taxation Property Tax Credit Programs (E50C00.08), and \$100,000 of the general fund appropriation in the Comptroller of Maryland Executive Direction program (E00A01.01) all made for the purpose of general operating expenses may not be expended until the agencies submit a report describing current coordination among agencies, planned actions to simplify applications to reduce the amount of information required, limit documentation, and improve coordination of documentation required as part of the application for benefits between public benefit programs including benefits in the Assistance Payments program of DHS, energy assistance programs, Medicaid, the Maryland Children's Health Program, Special Supplemental Nutrition Program for Women, Infants and Children, school meals programs, Child Care Scholarship program, Homestead Tax Credit and any other property tax credit programs, Maryland Earned Income Tax Credit, Poverty Level Income Credit, Maryland Dependent Care Credit, and any other assistance programs administered by the agencies. The agencies shall provide a timeline for completing each action. The agencies shall also describe any existing State or federal statutory and/or regulatory barriers to simplifying or coordinating application processes. The report shall be submitted by the Department of Human Services by November 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled if the report is not submitted to the budget committees.

Explanation: The General Assembly is interested in understanding the ways in which public benefit provision can be improved to simplify the process for households to receive benefits and to ensure that households receive all of the benefits for which they qualify by improving

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coordination of required information at application. This language restricts funds until a report is submitted describing current coordination efforts among agencies administering public benefits, identifying a timeline for completing actions to address this concern, and any barriers to improving coordination or simplification of the application processes.

Information Request	Authors	Due Date
Report on options for simplifying applications and coordinating benefits	DHS Maryland Department of Health Maryland State Department of Education Maryland Health Benefit Exchange State Department of Assessments and Taxation Comptroller's Office	November 1, 2021

Amendment No. _____

Add the following section:

Section 46 Development of Cognitive Health Plan for Maryland's Aging Population

SECTION 46. AND BE IT FURTHER ENACTED, That \$50,000 of the general fund appropriation made for the purpose of general administration in program D26A07.01 General Administration and \$50,000 of the general fund appropriation made for the purpose of general administration in program M00L01.01 Program Direction may not be expended until the Maryland Department of Aging (MDOA) and the Maryland Department of Health (MDH) jointly submit a report that:

- (1) defines the current cognitive and behavioral health needs of Maryland's aging population;
- (2) identifies the challenges that the State currently faces, and is expected to face over the next five years, in providing services that meet the cognitive and behavioral health needs of Maryland's aging population;
- (3) provides information on the adequacy of State services to meet the cognitive and behavioral health needs of Maryland's aging population;
- (4) develops a multi-year plan to meet the future cognitive and behavioral health needs of Maryland's aging population, including possible limitations in meeting these needs; and

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- (5) provides a plan to coordinate MDOA and MDH Behavioral Health Administration services, specifically identifying programs that may benefit from interdepartmental collaboration, and a timeline, with specific goals to be achieved.

The report shall be submitted by October 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The budget committees are interested in the State’s preparedness for substantial increases to its population over the age of 65 and specifically the State’s ability ensure the cognitive and behavioral health needs of its aging population are met. Given MDOA’s forthcoming State Plan on Aging, the budget committees are interested in using this opportunity to further examine the cognitive and behavioral health needs of its aging population. This report shall be submitted in coordination with, and in alignment to the five-year State Plan on Aging, which takes effect on October 1, 2021, which had previously been extended one year. Further, this report should rely upon current data, as well as identify limitations in existing data, and identify ways to address these programmatic shortfalls, while also identifying best practices that would fully meet the needs for this population, over the five-year outlay of the State’s Plan on Aging. This language restricts funds in MDOA and MDH until a report is submitted detailing the anticipated cognitive and behavioral health needs of Maryland’s aging population, an evaluation of the adequacy of existing State services, and a plan to work in partnership to collect data and coordinate services for older Marylanders in need of State services that support cognitive and behavioral health.

Information Request	Authors	Due Date
Development of cognitive health plan for Maryland’s aging population	MDOA MDH	October 1, 2021

Budget Reconciliation and Financing Act of 2021 Senate Health and Human Services Subcommittee

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
HHS	8	19-20, 21-23	Alters the use of the Carefirst premium tax exemption beginning in fiscal 2022 to make the distribution to the Community Health Resources Commission a cap rather than a floor and make the distribution to the Senior Prescription Drug Assistance Program a floor rather than a cap.	The fiscal 2022 budget includes a special fund contingent reduction of \$4,363,720 related to this item.	Reject	Concur with First House	
HHS	8-B&T Alt		Retains for fiscal 2022 the current distribution of the Carefirst Premium Tax Credit and beginning in fiscal 2023 funds only the Senior Prescription Drug Assistance Program through the Carefirst Premium Tax Credit, authorizes the use of the Maryland Health Benefit Exchange Fund to fund the remaining portion of the Senior Prescription Drug Assistance Program in fiscal 2022 only, and requires a diversion of \$8 million in revenue from the provider assessment for the Reinsurance Program in each fiscal 2023 and 2024 for the Community Health Resources Commission.			Adopt	
HHS	8-DLS Alt	19-20, 21-23	Phases in the change in the distribution of the Carefirst premium tax exemption for the Senior Prescription Drug Assistance Program to make it \$11.5 million in fiscal 2022 before going to \$14 million in fiscal 2023, increasing the funding available to the Community Health Resources Commission in fiscal 2022.	This action reduces the special fund contingent reduction in the Community Health Resources Commission to \$1.9 million.	Adopt	Reject First House – Adopt 8-B&T Alternative	
HHS	9	20-21	Requires the transfer of \$100 million in each fiscal year, fiscal 2021 through 2026, from the provider assessment created for the State Reinsurance Program to Medicaid.	The fiscal 2022 budget includes general fund contingent reductions of \$100 million in each fiscal 2021 and 2022 related to this item. The fiscal 2022 budget also includes a special fund contingent appropriation of \$100 million in fiscal 2021 related to this item.	Modify – Authorizes transfers in fiscal 2021 and 2022 only from the provider assessment for the State Reinsurance Program to Medicaid.	Concur with First House	
HHS	9-Tech	20-21	Clarifies that the required transfer can be from provider assessment revenue already received and held in the Maryland Health Benefit Exchange Fund rather than only new revenue and that the transfer is made by either the Governor or the Insurance Commissioner, depending on whether it is new revenue or fund balance.		Adopt	Modify – Adds Medicaid to the authorized uses of the Maryland Health Benefit Exchange Fund for fiscal 2021 and 2022 only.	
HHS	10	23	Reduces the mandate, from the premium tax revenue, for the Maryland Health Benefit Exchange from \$35 million to \$32 million beginning in fiscal 2022.	The fiscal 2022 budget includes a special fund contingent reduction of \$3,000,000 and a federal fund contingent reduction of \$4,156,408 related to this item. The Administration budget plan assumes \$3,000,000 of general fund revenue related to this item.	Adopt	Concur with First House	
HHS	20	32-34	Phases in increases of the local share of the administrative costs of the State Department of Assessments and Taxation beginning with an increase from 50% to 60% in fiscal 2022, increases the cost share by 10 percentage points per year until it reaches 90% in fiscal 2025, and maintains it at 90% thereafter.	The fiscal 2022 budget includes general fund contingent reductions totaling \$3,948,020 related to this item.	Reject	Concur with First House	
HHS	23	40	Increases the Medicaid Deficit Assessment beginning in fiscal 2021 by \$35 million to \$329,825,000 from the amount authorized in the Budget Reconciliation and Financing Act of 2020 and maintains it at that level in the out-years.	The fiscal 2022 budget includes a general fund contingent reduction of \$35 million related to this item. The fiscal 2022 budget also contains a special fund contingent appropriation of \$35 million in fiscal 2021 related to this item.	Reject	Concur with First House	
HHS	25	40	Limits the increase in rates for providers who have rates set by the Interagency Rates Committee to 4% over the rates in effect on December 31, 2020.		Modify – Changed the date to January 1, 2021 rather than December 31, 2020.	Concur with First House	

**Budget Reconciliation and Financing Act of 2021
Senate Health and Human Services Subcommittee**

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
HHS	26	41	Authorizes a transfer of \$500,000 from the State Board of Pharmacy Fund to the Maryland Department of Health (MDH) Office of Controlled Substances Administration in fiscal 2022.	The fiscal 2022 budget includes a general fund contingent reduction of \$500,000 related to this item.	Reject	Concur with First House	
HHS	26-DLS Alt	41	Reject the transfer of \$500,000 from the State Board of Pharmacy Fund to the MDH Office of Controlled Substances Administration.		Adopt	Concur with First House	
HHS	27	41	Authorizes a transfer of \$2 million from the State Board of Professional Counselors and Therapists Fund to MDH Behavioral Health Administration (BHA) in fiscal 2022.	The fiscal 2022 budget includes a general fund contingent reduction of \$2 million related to this item. The Senate modification reduces the contingent reduction to \$1.5 million.	Adopt	Modify – Authorizes a transfer of \$1.5 million rather than \$2 million.	
HHS	28	41	Authorizes a transfer of \$6 million from the Natalie M. LaPrade Medical Cannabis Commission Fund to MDH BHA in fiscal 2022.	The fiscal 2022 budget includes a general fund contingent reduction of \$6 million related to this item. The House action reduces the contingent reduction to \$3 million. The Senate action increase the contingent reduction to \$4 million.	Modify – Authorizes a transfer of \$3 million rather than \$6 million.	Modify – Authorizes a transfer of \$4 million rather than \$3 million.	
HHS	101-DLS Add'l	42-43	Authorizes a transfer of \$700,000 from the Board of Psychologists Fund to MDH BHA for community mental health services.		Adopt	Reject First House	
HHS	109-DLS Add'l	43	Reduces fiscal 2020 spending in the MDH Behavioral Health Provider Reimbursement program due to unneeded accruals by \$5 million in general funds.		Adopt	Concur with First House	
HHS	110-DLS Add'l		Reduces fiscal 2021 spending in the MDH Developmental Disabilities Administration Community Services program by \$16.8 million based on the amount of unclaimed enhanced Medicaid match in fiscal 2020.		Reject	Concur with First House	



Report of the
**Public Safety, Transportation, and
Environment Subcommittee**
To the Senate Budget and Taxation Committee

2021 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 588

General Assembly of Maryland

Senate Budget and Taxation Committee
Public Safety, Transportation, and Environment
Subcommittee

2021 Session Membership Roster

Senator Cory V. McCray, Chairman

Senator George C. Edwards
Senator Douglas J. J. Peters
Senator Johnny Ray Salling

Committee Staff

Matthew J. Bennett

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Support Staff

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Recommended Reductions
Public Safety and Administration Subcommittee

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2022 Budget Request						
Judiciary	\$6,668,826	\$340,012	\$0	\$0	\$7,008,838	
Office of the Attorney General	22,127	0	0	0	22,127	
Public Service Commission	0	290,993	0	0	290,993	
Governor's Office of Crime Prevention, Youth, and Victim Services	1,660,000	0	0	0	1,660,000	
Comptroller of Maryland	514,075	0	0	0	514,075	
State Lottery and Gaming Control Agency	0	2,000,000	0	0	2,000,000	
VI: DPSCS – Community Supervision	2,000,000	0	0	0	2,000,000	
Department of State Police	256,101	0	0	0	256,101	
<i>Subtotal Fiscal 2022 Regular Budget</i>	<i>\$11,121,129</i>	<i>\$2,631,005</i>	<i>\$0</i>	<i>\$0</i>	<i>\$13,752,134</i>	
Fiscal 2022 Total Budget	\$11,121,129	\$2,631,005	\$0	\$0	\$13,752,134	
Grand Total Budget Bill	\$11,121,129	\$2,631,005	\$0	\$0	\$13,752,134	

DPSCS: Department of Public Safety and Correctional Services

C00A00
Judiciary

Budget Amendments

Add the following language:

Provided that \$1,392,469 in general funds, \$43,013 in special funds, and \$14,443 in reimbursable funds are reduced to increase the turnover rate to 2%. The Chief Judge is authorized to allocate this reduction across the Judiciary.

Explanation: This action reduces funds to a level consistent with a turnover rate of 2.0% to be more in line with actual vacancies.

Add the following language:

Further provided that \$4,776,357 in general funds, \$296,999 in special funds, and \$67,213 in reimbursable funds for fiscal 2022 general salary increases are reduced. The Chief Judge is authorized to allocate this reduction across the Judiciary.

Explanation: This action reduces funding in the fiscal 2022 budget provided for a 2.0% general salary increase beginning July 1, 2021. Legislative intent expressed in the fiscal 2021 budget indicated that funding for judicial employee compensation enhancements should be provided consistent with what is funded for Executive Branch employees and should be provided via the Department of Budget and Management. There is no funding provided in the Governor's fiscal 2022 allowance for statewide employee compensation enhancements.

Strike the following language:

~~Further provided that \$7,531,417 in general funds, \$502,053 in special funds, and \$113,598 in reimbursable funds for fiscal 2022 merit increases are reduced. The Chief Judge is authorized to allocate this reduction across the Judiciary.~~

~~**Explanation:** This action reduces funds in the fiscal 2022 budget for a 3.5% merit increase beginning July 1, 2021. Legislative intent expressed in the fiscal 2021 budget indicated that funding for judicial employee compensation enhancements should be provided consistent with what is funded for Executive Branch employees and should be provided via the Department of Budget and Management. There is no funding provided in the Governor's fiscal 2022 allowance for statewide employee compensation enhancements.~~

Amendment No. _____

C00A00

C00A00.04 District Court

Add the following language to the general fund appropriation:

, provided that \$8,250,000 of the general fund appropriation may be expended only for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Court of Appeals in DeWolfe v. Richmond. Any funds not expended for this purpose shall revert to the General Fund.

Explanation: This language restricts the use of \$8.25 million of the Judiciary’s general fund appropriation for the implementation of DeWolfe v. Richmond.

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce the funding for capital improvement projects. The Chief Judge is authorized to allocate this reduction across the Judiciary.</i>	500,000	GF
<i>Total Reductions</i>	<i>500,000</i>	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	<i>1,586.50</i>	<i>1,586.50</i>		<i>0.00</i>
<i>General Fund</i>	<i>224,316,272</i>	<i>223,816,272</i>	<i>500,000</i>	
<i>Total Funds</i>	<i>224,316,272</i>	<i>223,816,272</i>	<i>500,000</i>	

Amendment No. _____

C00A00.06 Administrative Office of the Courts

Add the following language to the general fund appropriation:

, provided that \$50,000 of the general fund appropriation in the Judiciary Administrative Office of the Courts made for the purposes of administrative expenses may not be expended until the Judiciary submits a report on continuing legal education (CLE) and pro bono requirements for barred attorneys. This report should include the following information:

- (1) current CLE requirements in the State of Maryland;
- (2) the impact on increasing existing CLE requirements;

C00A00

- (3) a comparison of Maryland CLE requirements to Virginia and Delaware; and
- (4) the impact of establishing a pro bono requirement for barred attorneys in Maryland, including how that compares to requirements in Virginia and Delaware.

The report shall be submitted by July 1, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted for this report may not be transferred by budget amendment or otherwise to any other purpose and shall be reverted to the General Fund if the report is not submitted.

Explanation: The committees are interested in gaining a better understanding of CLE requirements in the State of Maryland and the impact that would result from increasing those requirements. Additionally, the committees are also interested in the potential impact of a pro bono requirement for barred attorneys in Maryland. This language restricts funds pending a report from the Judiciary exploring those issues.

Information Request	Authors	Due Date
Report on CLE requirements and pro bono requirements for barred attorneys	Judiciary	July 1, 2021

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report, to be submitted by October 1, 2021, detailing the fiscal 2021 costs and utilization of the Appointed Attorney Program.

Information Request	Author	Due Date
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2021

Judiciary Status Report on Major Information Technology Development: The committees remain interested in the Judiciary's Major Information Technology Development Projects (MITDP). The committees request a report, to be submitted by December 15, 2021, detailing the MITDPs being undertaken by the Judiciary.

Information Request	Author	Due Date
Judiciary status report on MITDPs	Judiciary	December 15, 2021

C00A00

Judgeship Need for Fiscal 2023: The committees remain interested in the judgeship needs at the Judiciary. The committees request a report, to be submitted by December 1, 2021, detailing the fiscal 2023 judgeship needs.

Information Request	Author	Due Date
Judgeship need for fiscal 2023	Judiciary	December 1, 2021

Judiciary Report on Court Performance Measures: The committees remain interested in the court performance measures. The committees request a report on court performance measures, to be submitted by November 1, 2021.

Information Request	Author	Due Date
Judiciary report on court performance measures	Judiciary	November 1, 2021

Specialty Treatment Court Recidivism Report: *The budget committees request that the Judiciary conduct an evaluation on specialty treatment court outcomes such as veteran treatment courts and drug treatment courts. The requested report, due November 1, 2021, should provide the following:*

- *a list of specialty treatment court programs across Maryland;*
- *the total number of individuals served by these court programs for fiscal 2012 through 2021;*
- *three-year recidivism rates for these populations for fiscal 2016 through 2018; and*
- *a comparison of recidivism rates between specialty treatment courts and a control group.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Specialty treatment court recidivism report</i>	<i>Judiciary</i>	<i>November 1, 2021</i>

C80B00
Office of the Public Defender

Committee Narrative

Public Defender Pay and Benefits Comparison Report: The committees are interested in learning how the compensation – including pay and benefits – for public defenders in Maryland compares to other jurisdictions. Additional information, including the hourly rates for appointed and panel attorneys and the number of cases that public defenders, appointed attorneys, and panel attorneys are responsible for, should also be included. For all of the above information, the report should include a comparison to Pennsylvania, Virginia, and Washington, DC. Additionally, the committees are interested in an evaluation of the effectiveness of the Workload Reduction Pilot Program, which was discontinued for fiscal 2021. The report shall be submitted by the Office of the Public Defender (OPD) no later than August 1, 2021.

Information Request	Author	Due Date
Public defender pay and benefits comparison report	OPD	August 1, 2021

C81C
Office of the Attorney General

Budget Amendments

C81C00.14 Civil Litigation Division

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. <i>Increase turnover on new position to 25% to allow time for hiring process. This reduction may be allocated across divisions, as necessary.</i>	22,127	GF
<i>Total Reductions</i>	22,127	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	23.00	23.00		0.00
<i>General Fund</i>	2,989,209	2,967,082	22,127	
<i>Special Fund</i>	512,391	512,391	0	
<i>Total Funds</i>	<i>3,501,600</i>	<i>3,479,473</i>	<i>22,127</i>	

Amendment No. _____

Committee Narrative

Nonbudgeted Fund Balances Report: *The Office of the Attorney General (OAG) maintains several special fund accounts off budget for a variety of purposes and in accordance with various spending restrictions. There is no clear reporting to the legislature what the balances of these off-budget funds are from year to year. With the increased use of special funds to balance the budget and support OAG operations, a more complete understanding of the funds maintained by the office is necessary.*

The budget committees direct OAG to submit a report on the status of its nonbudgeted special fund accounts, including the actual and projected fund balances for all special funds that OAG maintains for fiscal 2020 through 2022. The report shall be submitted not later than September 30, 2021.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Nonbudgeted fund balances report</i>	<i>OAG</i>	<i>September 30, 2021</i>

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2021

C90G00
Public Service Commission

Budget Amendments

C90G00.01 General Administration and Hearings

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
<p>1. <i>Increase turnover expectancy from 4% to 6% to better reflect recent experience. The Public Service Commission (PSC) has experienced high levels of vacancies since fiscal 2019. As of December 31, 2020, PSC has 17 vacant positions, of which 4 have been vacant longer than one year. This level of vacancies is approximately 11.5 positions higher than is needed to meet turnover. Increasing the turnover expectancy to 6% would still allow PSC to fill 8 of the vacant positions.</i></p>	290,993	SF
<i>Total Reductions</i>	290,993	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	63.00	63.00		0.00
<i>Special Fund</i>	11,880,198	11,589,205	290,993	
<i>Total Funds</i>	11,880,198	11,589,205	290,993	

Amendment No. _____

Committee Narrative

Consumer Choice Websites: The committees are interested in increasing the use of the Public Service Commission’s (PSC) consumer choice websites for electric and gas supply. The committees request that PSC provide (to the extent available) data on the usage of the consumer choice websites by month since the launch of the websites. If this data is not currently tracked, the committees request that PSC begin tracking this information to allow for future reporting. The committees also request that PSC provide recommendations to increase usage on these websites among residential customers and any other efforts to increase consumer education related to electric and gas supplier shopping.

C90G00

Information Request	Author	Due Date
Report on increasing usage of consumer choice websites	PSC	November 1, 2021

Electric Vehicle Charging Equipment Pilot: *The committees are interested in continuing to track the progress of the utilities in installing electric vehicle charging equipment under the ongoing investor-owned utility (IOU) pilot. The committees request that the Public Service Commission (PSC) report on the status of installation by IOU including the location of the installations and the cost by IOU for the utility and for ratepayers. The committees also request that PSC report on steps that have been undertaken and completed to address barriers to locating and installing these stations in Baltimore City.*

Information Request	Author	Due Date
Report on electric vehicle charging station pilot progress	PSC	December 1, 2021

Regulation of Energy Suppliers: *The committees are interested in understanding the regulation of energy suppliers in Maryland compared to other states to better understand whether consumer protections could be strengthened. The committees request that the Public Service Commission (PSC) review and report on the regulation of energy suppliers in other states, with a specific discussion of (1) limitations on cancellation fees, including when these can be applied and the dollar value of the fee; (2) other limitations on fees; and (3) door-to-door marketing, particularly marketing targeted in specific zip codes.*

Information Request	Author	Due Date
Report on regulation of energy suppliers	PSC	November 1, 2021

Complaints Filed Against Utilities: *The committees are interested in tracking complaints filed against utilities as a point of comparison for the complaints filed against energy suppliers currently reported by the Public Service Commission (PSC) on its website. PSC indicated that it could report this data along with the energy supplier-related complaints. The committees request that PSC provide a notification of when the data has begun to be posted or a notification that it is unable to post the data. If the data is posted, PSC should describe how frequently the data will be updated. If the data is unable to be posted, PSC should describe why it cannot post the data and submit the notification as soon as this determination is made.*

C90G00

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Notification of reporting on utility complaints</i>	<i>PSC</i>	<i>Within 20 days of the posting of the data or a determination that the data cannot be posted</i>

C91H00
Office of the People’s Counsel

Committee Narrative

C91H00.01 General Administration

Evaluation of Adequacy of Cap on Utility Assessment: The budget of the Office of People’s Counsel (OPC) is supported with assessments on public service companies based on the estimated expenses of OPC. The Public Service Commission (PSC) similarly assesses these companies based on PSC’s estimated expenses. Section 2-110 of the Public Utilities Article caps the assessments at the lower of (1) the expenses of PSC and OPC or (2) 0.05% of the public service company’s gross operating revenue derived from intrastate utility and electricity supplier operations in the preceding calendar year (or other 12-month period) for OPC and 0.25% of those revenues for PSC. The cap for PSC was increased to that 0.25% level in the 2020 session, while OPC’s cap remained at the same level. Given the potential for lower operating revenues, the committees are interested in evaluating the adequacy of the existing cap on assessment for OPC expenses. The committees request that OPC report on:

- the budget/spending of the agency relative to the cap for fiscal 2018 through 2022;
- a projection for fiscal 2023; and
- trends in responsibilities, spending, revenue subject to the assessment/cap, and the cap of OPC as a proportion of the PSC cap that might influence the agency’s ability to function effectively within the cap.

Information Request	Author	Due Date
Report on adequacy of the cap on utility assessment for OPC	OPC	October 15, 2021

D13A13
Maryland Energy Administration

Committee Narrative

D13A13.01 General Administration

Strategic Energy Investment Fund Revenue, Spending, and Fund Balance: The committees are interested in ensuring transparency in Regional Greenhouse Gas Initiative (RGGI) revenue assumptions and spending included in the budget as well as available fund balance. The committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emission allowance auctions, set aside allowances, and interest income in conjunction with the submission of the fiscal 2023 budget as an appendix to the Governor’s Budget Books. The report shall include information on the actual fiscal 2021 budget, the fiscal 2022 working appropriation, and the fiscal 2023 allowance. The report shall detail:

- revenue assumptions used to calculate the available Strategic Energy Investment Fund (SEIF) from RGGI auctions for each fiscal year, including the number of auctions, the number of allowances sold, the allowance price in each auction, and the anticipated revenue from set-aside allowances;
- interest income received on the SEIF;
- amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required statutory allocation, dues owed to RGGI, Inc., and transfers or diversions of revenue made to other funds; and
- fund balance for each SEIF subaccount for the fiscal 2021 actual, the fiscal 2022 working appropriation, and the fiscal 2023 allowance.

Information Request	Author	Due Date
Report on revenue assumptions and use of RGGI auction revenue	DBM	With the submission of the Governor’s Fiscal 2023 Budget Books

D13A13

Budget Amendments

D13A13.08 Renewable and Clean Energy Programs and Initiatives

Strike the following language:

~~, provided that \$23,000,000 of this appropriation made for the purpose of Maryland Energy Infrastructure Grants, including the Contributions in Aid of Construction Dispensation Fund, the Anchor Customer Program, and the Local Distribution Company Program, and technical assistance from the Maryland Gas Expansion Fund may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Human Services program N00I00.06 Office of Home Energy Programs to be used only for bill payment assistance and arrearage retirement for residential electric and natural gas customers. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.~~

~~**Explanation:** This language restricts \$23.0 million of the \$26.32 million appropriation in the Renewable and Clean Energy Programs and Initiatives program of the Maryland Energy Administration from the Maryland Gas Expansion Fund created as a result of a condition of approval of the WGL Holdings, Inc. and AltaGas Ltd. to be used in the Department of Human Services for bill payment or arrearage assistance for residential electric and natural gas customers.~~

Amendment No. _____

Committee Narrative

Maryland Gas Expansion Fund Activities: Fiscal 2020 spending from the Maryland Gas Expansion Fund totaled \$4 million, and no activity is expected in fiscal 2021. The fiscal 2022 appropriation will be the second round of funding under the program. As a result, the committees request that the Maryland Energy Administration (MEA) submit a report providing information on the status of the application process, including applications received, evaluation criteria, and awards made. If awards have not been made as of the submission of the report, it should instead include information about the planned timeline for determining awards.

Information Request	Author	Due Date
Maryland Gas Expansion Fund	MEA	December 30, 2021

D13A13

Electric Vehicle Recharging Equipment Rebate Program Use in Multi-unit Dwelling Developments: The committees are interested in understanding the extent to which the Electric Vehicle Recharging Equipment Rebate program has been used in multi-unit dwelling developments. Specifically, the committees request that the Maryland Energy Administration (MEA) submit a report providing information on the number of rebates provided for multi-unit dwelling developments in each fiscal year from fiscal 2017 to 2021. This information should be provided separately by fiscal year and, to the extent possible, by county or county equivalent.

Information Request	Author	Due Date
Report on electric vehicle recharging equipment rebate program use in multi-unit dwelling developments	MEA	October 1, 2021

D21

Governor's Office of Crime Prevention, Youth, and Victim Services

Budget Amendments

Add the following language:

Provided that 2 regular positions (PIN 020543 and PIN 087450) may only be funded for the purpose of reclassifying the positions for the purposes of addressing staffing deficiencies related to the oversight and auditing of grants.

Explanation: The General Assembly has raised concerns regarding the Governor's Office of Crime Prevention, Youth, and Victim Services' ability to perform adequate grants management and grant audits due to the lack of staffing and resources. This language authorizes the reclassification of 2 vacant and unfunded positions in the agency's budget for the sole purpose of addressing these staffing shortages.

Add the following language:

Provided that \$100,000 of the appropriation made for the purpose of grant expenditures may only be used to provide an operating grant to the Boys and Girls Clubs of Southern Maryland. Funds not expended for this purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts grant funding to be directed to the Boys and Girls Clubs of Southern Maryland.

Amendment No. _____

Administrative Headquarters

D21A01.01 Administrative Headquarters

Amend the following language:

Provided that no funding provided under the federal Victims of Crime Act (VOCA) provided through the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) may be awarded to State agencies, programs, or held in reserve until each victim services provider who received funding during fiscal 2020 or 2021 has been awarded funding at no less than the same level as fiscal 2020 to continue services to victims of crime during fiscal 2022. For the purposes of identifying a state agency or program, it is the intent of the budget committees that higher education institutions, the Baltimore Police Department, and other quasi-state entities be excluded from that definition and be included in the category of non-state victim services providers.

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2021

D21

Further provided that if funding under the VOCA is reduced, funding shall be awarded in the following manner:

- (1) victim services providers who received funding during fiscal 2020 or 2021 shall receive all available VOCA funds, and funding for each provider may only be reduced by the same percentage as other providers, unless a provider submits a grant request for a lower amount; and
- (2) in the event that funding is not available, each grant shall be reduced by the same percentage unless a provider has requested reduced funding. Non-State providers shall be fully funded prior to any award to a State agency and prior to the retention of reserve funds. If additional federal funding becomes available as a result of COVID-19 relief, changes in the federal VOCA allocations to states, or otherwise, such cuts shall be restored.

No VOCA funding may be awarded by GOCPYVS except in a manner that gives priority to continuing funding for non-State victim services providers who received funding during fiscal 2020 or 2021 and have the capacity to continue to provide services to victims.

Further provided that \$500,000 of the general fund appropriation for GOCPYVS made for the purposes of general administration may not be expended until, prior to providing fiscal 2022 awards and no later than August 1, 2021, GOCPYVS reports to the budget committees on:

- (1) each proposed grant award;
- (2) how priority has been given to non-State victim services providers;
- (3) whether each grant is equal to fiscal 2020 awards; and, if it is not, the identification of the difference in funding and justification for this difference; and
- (4) the amount of VOCA funding held in reserve.

The budget committees shall have 45 days from the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided that \$500,000 of the general fund appropriation for the purposes of administration may not be expended until GOCPYVS submits a report by November 1, 2021, regarding the federal VOCA funding. The report should include:

- (1) total active VOCA grant awards as of January 1, 2021, including grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;

D21

- (2) for each VOCA grant award in item (1) and for any other VOCA grant awards made subsequently, a description of whether for the federal fiscal year beginning October 1, 2021, the award was continued, awarded, or otherwise funded, including the grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;
- (3) for each VOCA grant award in items (1) and (2) identification of any decrease or other change in victim services funding between items (1) and (2), the justification for each grant award change, and the impact on the continuity of crime victim services;
- (4) the amount of unexpended funds for each open three-year VOCA grant, and the reason funds are unexpended, including whether they are held in reserve for future grants;
- (5) identification of the respective amount of funds expended for the purpose of direct provision of services, administration, and that which went unobligated for the federal fiscal 2015, 2016, 2017, and 2018 three-year funding cycles;
- (6) identification of the legislative appropriation for VOCA and the actual level of spending for each State fiscal year, beginning with State fiscal 2015 through 2021; and
- (7) identification of any decrease or other change between the legislative appropriation for VOCA and the actual level of spending for VOCA for each State fiscal year identified in item (6), and the reason for any and all disparities that may exist between the legislative appropriation and the actual spending level.

Further provided that \$500,000 of the general fund appropriation made for the purposes of administration may not be expended until GOCPYVS publishes the total amount of funding from federal VOCA funds on GOCPYVS's website, including funds available from prior years and including the specific amounts held in reserve from each federal three-year award. GOCPYVS shall provide the budget committees with a letter, no later than November 1, 2021, indicating that this data has been made available on its website and provides the web address to this data. The budget committees shall have 45 days from the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Further provided that GOCPYVS is authorized to process a budget amendment recognizing additional federal funds to restore funding cuts to victim services providers if additional State or federal funding becomes available as a result of COVID relief or changes in the federal VOCA allocations to states or otherwise.

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the VOCA grant awards be to ensure continuity of trauma-informed, high-quality services for victims of crime as the COVID pandemic progresses.

D21

Explanation: There have been several concerns among members of the General Assembly and the advocacy community that reductions in federal VOCA funding will result in a loss of services for victims of crime in Maryland. Questions have arisen surrounding the impact of declining federal awards, the allocation of grant awards, and the levels of unspent funding.

This language requires the State fiscal 2022 VOCA awards to be awarded at a level equal to that of fiscal 2020 in order to ensure the continuity of victim services. Further, in the event that available funding is reduced, priority shall be given to non-State service providers such that funding remains equal to that which was provided in fiscal 2020.

The language restricts funds pending the submission of a report by GOCPYVS detailing how non-State providers were given funding priority and proposed VOCA awards for the fiscal 2022 grant cycle.

The language restricts an additional \$1.0 million pending the submission of VOCA data by November 1, 2021. Of this funding, \$500,000 shall be released pending submission of a report providing information for all active VOCA grants as of January 1, 2021. The report should detail whether each of the grant recipients received the same level of VOCA funding during the federal fiscal 2020 VOCA grant cycle and the information on each of the grant programs receiving such funds. The report should specifically identify any changes in victim services funding between January 1, 2020, and October 1, 2020, and the subsequent impact on the continuity of crime victim services. For each open three-year grant cycle (federal fiscal 2019, 2020, and 2021), GOCPYVS should report the amount of currently unexpended funds, the reason these funds remain unspent, and whether they will be held in reserve.

The report should provide further detail regarding the expenditure of funds for the four most recently completed funding cycles: federal fiscal 2015; 2016; 2017; and 2018. Finally, the report should identify any differences between the legislative appropriation and actual spending levels for each closed out fiscal year, beginning with State fiscal 2015: State fiscal 2015; 2016; 2017; 2018; 2019; 2020; and 2021. For any differences between the authorized and actual spending levels during the aforementioned State fiscal years, the report should identify and discuss the reasons for these disparities.

An additional \$500,000 shall be released pending submission of a letter, no later than November 1, 2021, confirming that data related to available VOCA fund reserves is published to GOCPYVS's agency website.

D21

Information Request	Author	Due Date
Report on proposed VOCA grant awards	GOCPYVS	August 1, 2021
Letter on VOCA data publication	GOCPYVS	November 1, 2021
Report of VOCA funding, expenditures, and continuity of service	GOCPYVS	November 1, 2021

Amendment No. _____

Add the following language to the general fund appropriation:

, provided that \$300,000 of this appropriation made for the purpose of agency administration may not be expended for that purpose but instead may be used only to contract and consult with a private accounting firm for the purposes of performing a fiscal audit of the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) grants management processes and all grants budgeted within its fiscal 2020 and 2021 legislative appropriations.

Further provided that an additional \$100,000 of this appropriation made for the purpose of administration may not be expended until GOCPYVS submits a report to the Governor and the budget committees detailing the following:

- (1) the findings of this audit;
- (2) an explanation of the corrective actions taken by GOCPYVS to address the findings of the audit identified in item (1);
- (3) the fiscal 2020 legislative appropriation and fiscal 2020 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS; and
- (4) the fiscal 2021 legislative appropriation and fiscal 2021 actual expenditure for all general, special, and federal fund grants budgeted within GOCPYVS.

The report shall be submitted by December 31, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

D21

Explanation: GOCPYVS reported \$17.2 million in general fund reversions in fiscal 2020, which includes a significant number of erroneous grant reversions.

This language requires GOCPYVS to hire an accounting firm to audit the office's grant management processes and to reconcile the actual expenditures of its fiscal 2020 and 2021 grants. It requires submission of a report to the Governor and the budget committees discussing the findings of this audit, the corrective actions taken by the office to address the findings, and the actual expenditures for all grants budgeted within GOCPYVS in fiscal 2020 and 2021.

Information Request	Author	Due Date
Fiscal 2020 and 2021 audit report	GOCPYVS	December 31, 2021

Committee Narrative

D21A01.02 Local Law Enforcement Grants

Baltimore City Crime Reduction Strategy: The budget committees request that the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS), the Baltimore City Mayor's Office, the Mayor's Office of Criminal Justice, the Baltimore City State's Attorney's Office, and the Baltimore Police Department provide an update to the comprehensive five-year crime strategy submitted during the 2021 fiscal year. This update should be submitted no later than October 1, 2021, and provide specific measurable actions that the city will take to address crime, be based on a threat assessment, and include annual crime reduction targets for homicides, nonfatal shootings, violent crime, firearms-related offenses, and property crime. The budget committees further request that the Mayor's Office of Criminal Justice, beginning October 1, 2021, and quarterly thereafter, provide performance reports on progress made on the crime reduction strategy.

Information Request	Author	Due Date
Crime reduction strategy update	GOCPYVS	October 1, 2021
Quarterly performance metrics	GOCPYVS	October 1, 2021 January 1, 2022 April 1, 2022 July 1, 2022

D21

Budget Amendments

D21A01.04 Violence Intervention and Prevention Program

Add the following language to the general fund appropriation:

, provided that this appropriation made for the purpose of funding mandated grants within the Maryland Violence Intervention and Prevention Program (VIPP) is reduced by \$1,660,000. The Governor's Office of Crime Prevention, Youth, and Victim Services is authorized to submit a budget amendment recognizing an equivalent amount of special funds available from the VIPP fund balance to offset this reduction.

Explanation: The Maryland VIPP fund has maintained a special fund balance of \$4.7 million for the past three fiscal years. This language deletes the general fund appropriation for grants budgeted within VIPP and replaces it with available special fund balances in this fund.

Committee Narrative

Children and Youth Division

D21A02.01 Children and Youth Division

Local Management Boards (LMB) and Youth Service Bureaus (YSB): The committees remain concerned that the level of funding provided to LMB and YSB does not align with their increased caseloads. During its July 1, 2021 meeting, the Board of Public Works adopted a package of cost containment actions, which included a \$1.8 million reduction to the funding available within the Children's Cabinet Interagency Fund for the purposes of supporting LMB and YSB operations. At the same time, the caseloads for LMB and YSB has more than doubled since the start of the COVID-19 pandemic.

The committees remain further concerned that the fiscal 2021 cost containment actions were not restored in the Governor's fiscal 2022 allowance. It is the intent of the budget committees that the funding for LMB and YSB be restored to a level equal to their fiscal 2021 legislative appropriations in future budget submissions.

D40W01
Department of Planning

Budget Amendments

D40W01.10 Preservation Services

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general operating expenses may not be expended unless the Maryland Department of Planning (MDP) converts the administrator I contractual full-time equivalent (FTE) tax credit reviewer staffing the Historic Revitalization Tax Credit Program to a regular position on or before July 1, 2021. Further provided that MDP shall submit a report by July 1, 2021, on the status of Historic Revitalization Tax Credit Program staffing. The report shall include information on the average length of the tax credit review period from January 1, 2021, to July 1, 2021; the status of Program staffing, including the vacancy status for the 2 regular positions and 1 contractual FTE currently staffing the program; and recommendations for improving the efficiency and sustainability of the tax credit review process. The budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the administrator I contractual FTE tax credit reviewer is not converted to a regular position and the staffing report is not submitted to the budget committees.

Explanation: This action restricts funding pending the conversion of an administrator I contractual FTE tax credit reviewer to a regular position and the submission of a report on Historic Revitalization Tax Credit Program staffing. The program has had staffing challenges in recent years leading to extended tax credit review periods. The conversion of the contractual FTE to a regular position is intended to improve recruitment and retention for the tax credit review function. The report is intended to provide an update on the status of program staffing and recommendations for program improvements.

Information Request	Author	Due Date
Historic Revitalization Tax Credit Program staffing report	MDP	July 1, 2021

Amendment No. _____

D55P00
Department of Veterans Affairs

Committee Narrative

D55P00.01 Service Program

Complementary and Alternative Medicine (CAM) for Veterans: CAM is used to help individuals with recovery with vitamin and mineral supplements, medical foods, and mind and body treatments. The budget committees are interested in the use of CAM for the treatment of veterans suffering from post-traumatic stress disorder, anxiety, depression, or stress. The budget committees are further interested in funding available to assist veterans in seeking CAM. The Maryland Department of Veterans Affairs (MDVA) and the Maryland Department of Health (MDH) should report on the benefits of CAM in treating veterans' mental health needs; possible CAM treatments for veterans; as well as opportunities for grant funding for veterans requiring CAM treatments, including the Maryland Veterans Trust. Further, the budget committees wish to ensure that MDH is working collaboratively with MDVA regarding CAM treatments for veterans, and the report should detail the partnership between these State agencies to help administer any new programs around these treatments.

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on CAM for veterans</i>	<i>MDVA MDH</i>	<i>October 1, 2021</i>

D70J00
Maryland Automobile Insurance Fund

Committee Narrative

***Installment Payment Plan Legislation Report:** The budget committees remain interested in changing the installment payment plan offered by the insured division of the Maryland Automobile Insurance Fund (MAIF). It is the intent of the General Assembly that the down payment amounts be reduced by 50% for MAIF installment payment plans in order to make them more accessible to Marylanders. MAIF should submit a report confirming whether the agency has pursued legislation for the 2021 session that would alter the installment plan to reduce the down payment amounts. If legislation has not been drafted, MAIF should offer explanation for why the changes are not being pursued. This report shall be submitted by December 31, 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Installment payment plan legislation report</i>	<i>MAIF</i>	<i>December 31, 2021</i>

E00A
Comptroller of Maryland

Budget Amendments

OFFICE OF THE COMPTROLLER

E00A01.01 Executive Direction

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Increase turnover to 7.75% 7.00%. The budgeted turnover rate is 6.25%. The most recent vacancy rate in the department is 11.13%. The reduction is taken in Executive Direction but may be allocated across the department as appropriate. The Department of Legislative Services would note that even with this reduction, the Comptroller has adequate budget flexibility to absorb the extra responsibilities of the proposed RELIEF Act of 2021.	1,028,150 GF 514,075 GF 97,770 SF	
Total Reductions	1,125,920 514,075	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	36.00	36.00		0.00
General Fund	4,827,312	3,799,162 4,313,237	1,028,150 514,075	
Special Fund	1,005,200	907,430 1,005,200	97,770 0	
Total Funds	5,832,512	 4,706,592 5,318,437 	 1,125,920 514,075 	

Amendment No. _____

E00A

Committee Narrative

REVENUE ADMINISTRATION DIVISION

E00A04.02 Major Information Technology Development Projects

Report on the Integrated Tax System (ITS): The committees remain interested in the progress of the ITS Major Information Technology Development Project. The committees request a report providing an update on the project's current status, cost projections, and timeline. The report should include details on the use of fiscal 2022 funding and project development costs.

Information Request	Author	Due Date
Report on the ITS project	Comptroller of Maryland	December 1, 2021

E75D
Maryland Lottery and Gaming Control Agency

Budget Amendments

E75D00.01 Administration and Operations

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for lottery advertising to a level more in line with historical spending.	3,000,000 SF	
	2,000,000 SF	
 Total Reductions	 3,000,000	
	2,000,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	163.10	163.10		0.00
Special Fund	87,639,279	84,639,279 85,639,279	3,000,000 2,000,000	
Total Funds	87,639,279	84,639,279 85,639,279	3,000,000 2,000,000	

Amendment No. _____

Committee Narrative

***Minority Business Enterprise (MBE) Participation in Lottery Advertising:** The committees are interested in the level of MBE participation in lottery advertising. The State Lottery and Gaming Control Agency (SLGCA) should submit a report detailing any goals that the agency has for MBE participation in its advertising contracts, what actions SLGCA takes to achieve those goals, and the percentage of MBE participation in lottery advertising for each media type (television, radio, out-of-home, etc.). The report should also indicate the percentage of MBEs in each category that are Maryland-based companies.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on MBE participation in lottery advertising</i>	<i>SLGCA</i>	<i>October 1, 2021</i>

J00
Department of Transportation

Budget Amendments

Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (2) above; or moving projects from the development and evaluation program to the construction program shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

Explanation: This annual budget bill language requires the department to notify the budget committees of proposed changes to the transportation capital program that will add a new project that was not in the fiscal 2021-2026 Consolidated Transportation Program (CTP) or will increase a total project’s cost by more than 10%, or \$1 million, due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP with each using the 2021 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

J00

Information Request	Author	Due Date
Capital budget changes from one CTP version to the next	Maryland Department of Transportation (MDOT)	With draft CTP With final CTP
Capital budget changes throughout the year	MDOT	45 days prior to the expenditure of funds or seeking Board of Public Works approval

Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,057.5 positions and 115.0 contractual full-time equivalent (FTE) positions paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2022. The level of contractual FTE positions may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport, that demands additional personnel; or
- (2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2022 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

Explanation: This annual budget bill language establishes a position ceiling for MDOT each year to limit growth in regular positions and contractual FTEs.

Information Request	Author	Due Date
Need for additional regular or contractual positions	MDOT	As needed

J00A01
Department of Transportation
The Secretary's Office

Budget Amendments

J00A01.01 Executive Direction

Add the following language to the special fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of departmental administration may not be expended until the Maryland Transit Administration (MTA) submits two reports to the budget committees on the results of the solicitation for a replacement design-build contractor for the Purple Line Light Rail project. The first report shall include information on:

- (1) the number of firms shortlisted through the request for qualifications process;
- (2) the number of proposals received in response to the request for proposals;
- (3) the details of the selected company or design-build team;
- (4) a description of and timeline for the transition of project management responsibilities from MTA to the new design-build contractor; and
- (5) a summary of revisions being proposed to the public-private partnership (P3) agreement including:
 - (a) the revised project cost estimate;
 - (b) the revised project schedule showing remaining milestones and estimated start date of revenue service;
 - (c) details of the financing revisions and changes to the availability payments;
 - (d) an accounting of the revised cost sharing among the federal, State, local and Concessionaire showing the revised amount each source is providing and the amount from each source expended to date; and
 - (e) a summary of significant changes to the P3 agreement not included in any item above.

The second report shall provide an update of the information required under items (4) and (5). The first report shall be submitted at least 14 days prior to seeking approval of modifications to the P3 agreement and the second report shall be provided on February 15, 2022. Half of the restricted funds shall be released when review of the first report is complete or 45 days have

J00A01

elapsed from the date that the report was received, and the remainder shall be released when review of the second report is complete or 45 days have elapsed from the date that the report was received. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The replacement of the design-build contractor for the Purple Line Light Rail will entail modifications to the P3 agreement and project structure. This language requires MTA to report on the proposed changes prior to seeking approval from the Board of Public Works (BPW) for these changes and to provide an update in February 2022.

Information Request	Author	Due Date
Report on selected design-build contractor replacement for the Purple Line and summary of modifications to the project structure and agreement	MTA	14 days prior to seeking approval from BPW
Update on information required in items (4) and (5)	MTA	February 15, 2022

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of departmental administration may not be expended until the Maryland Department of Transportation submits a report to the budget committees providing data on sworn officers of the Maryland Transit Administration Police. The report shall provide the following information, broken out by supervisory vs. nonsupervisory officers and further broken out by race and by gender, by calendar year for five years ending with calendar 2020. The report shall:

- (1) list the number of officers in each level of the pay scale; and
- (2) detail the number of officers that were:
 - (a) hired;
 - (b) provided training necessary for advancement;
 - (c) promoted;
 - (d) suspended with pay;

J00A01

(e) suspended without pay; and

(f) dismissed.

The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The committees are interested in ensuring that human resource practices are fair and equitable.

Information Request	Author	Due Date
Report on sworn officer positions in the Maryland Transit Administration Police	Maryland Department of Transportation	December 1, 2021

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$5,390,710 of this appropriation may be expended for operating grants-in-aid, except for:

- (1) any additional special funds necessary to match unanticipated federal fund attainments; or
- (2) any proposed increase either to provide funds for a new grantee or to increase funds for an existing grantee.

Further provided that no expenditures in excess of \$5,390,710 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees.

Explanation: This annual language caps the level of special funds provided for operating grants-in-aid. The cap may be increased to match unanticipated federal dollars or to provide new or expanded grant funding upon notification to the budget committees.

Information Request	Author	Due Date
Explanation of need for additional special funds for operating grants-in-aid	Maryland Department of Transportation	45 days prior to expenditure

J00A01

J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2021-2026 Consolidated Transportation Program, except as outlined below:

- (1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of \$500,000, including the need and justification for the project and its total cost; and
- (2) the budget committees shall have 45 days to review and comment on the proposed system preservation or minor project.

Explanation: This language provides legislative oversight of grants exceeding \$500,000 that are not listed in the current Consolidated Transportation Program (CTP).

Information Request	Author	Due Date
Notification of the intent to fund a capital grant exceeding \$500,000 that is not listed in the current CTP	Maryland Department of Transportation	45 days prior to expenditure

J00A04
Department of Transportation
Debt Service Requirements

Budget Amendments

Add the following language:

Consolidated Transportation Bonds may be issued in any amount, provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues may not exceed \$3,475,580,000 as of June 30, 2022.

Explanation: Section 3-202 of the Transportation Article requires the General Assembly to establish the maximum debt outstanding each year in the budget bill. The level is based on the outstanding debt as of June 30, 2020, plus projected debt to be issued during fiscal 2021 and 2022 in support of the transportation capital program.

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on:

- (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and
- (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2021 through 2031.

Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation; debt backed by customer facility charges, passenger facility charges or other revenues; and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

Explanation: The General Assembly is interested in monitoring the use of nontraditional debt by MDOT. The information requested provides the budget committees with additional information on the usage and annual costs of nontraditional debt.

J00A04

Information Request	Author	Due Date
Nontraditional debt outstanding and anticipated debt service payments	MDOT	With the September forecast
Nontraditional debt outstanding and anticipated debt service payments	MDOT	With the January forecast

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by the Maryland Department of Transportation (MDOT), exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed \$1,171,210,000 as of June 30, 2022. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed \$925,315,170 as of June 30, 2022. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2022, and the total amount by which the fiscal 2022 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

J00A04

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2022 for non-TIFIA debt to the total amount that was outstanding from all previous nontraditional debt issuances as of June 30, 2020, plus an anticipated issuance of \$215 million in refunding bonds and \$300 million for the concourse A/B connector and baggage handling system at the Baltimore/Washington International Thurgood Marshall Airport. TIFIA debt outstanding for the Purple Line Project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2022 by providing notification to the budget committees regarding the reason that the additional debt is required.

Information Request	Author	Due Date
Justification for increasing nontraditional debt outstanding	MDOT	45 days prior to publication of a preliminary official statement

J00B01
Department of Transportation
State Highway Administration

Budget Amendments

J00B01.01 State System Construction and Equipment

Amend the following language:

It is the intent of the General Assembly that when *the State Highway Administration (SHA) or a county or municipality* has direct notice of multiple suicides or attempted suicides from a bridge under its control it shall:

- (1) increase surveillance in a manner designed to prevent additional attempts; and
- (2) add or construct barriers on the bridge designed to prevent suicides.

It is further the intent of the General Assembly that SHA construct suicide prevention barriers on the Clarysville Bridge crossing Vale Summit Road on I-68.

Explanation: When knowledge of suicides or suicide attempts from a particular bridge becomes widespread, copycat behavior has been known to occur with additional suicides and/or attempts increasing in frequency. This language states the intent of the General Assembly that *SHA and counties and municipalities* should make modifications to bridges under their control when multiple suicides or attempts from the same structure become known. *The language further states intent that SHA make modifications to a specific bridge.*

Amendment No. _____

Add the following language to the special fund appropriation:

provided that, contingent on receipt of a federal Better Utilizing Investments to Leverage Development (BUILD) grant providing a portion of the funds necessary for an environmental impact study under the National Environmental Policy Act (NEPA) for the Southern Maryland Rapid Transit Project, \$5,000,000 of this appropriation made for the purpose of system preservation and minor projects may not be expended for that purpose but instead may be used only to provide a portion of the funds needed to conduct the NEPA study for the Southern Maryland Rapid Transit Project. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

J00B01

Explanation: This language restricts funds to be used only for the NEPA study for the Southern Maryland Rapid Transit Project subject to the project receiving a federal grant for the study.

Amendment No. _____

Committee Narrative

Road Construction Worker Safety: The committees are concerned about road construction worker injuries and fatalities occurring within road project work zones and wish to ensure that adequate safety policies are in place and safety procedures are being utilized. The committees request that the State Highway Administration (SHA) provide a report summarizing the measures utilized to keep workers safe. The report should include a discussion of specific measures used to protect workers working in trenches. The report should be submitted to the budget committees by August 1, 2021.

Information Request	Author	Due Date
Report on measures used and policies in place to ensure the safety of road construction workers	SHA	August 1, 2021

Installation of Suicide Barriers on Bridges – Best Practices: The committees request that the State Highway Administration (SHA) review the policies that other state and local governments have adopted related to the installation of suicide prevention barriers on bridges and identify best practices for when such barriers should be included in bridge construction, reconstruction, or repair projects. SHA should then share the best practices identified through this effort with Maryland’s counties and municipalities. Finally, SHA is requested to provide a report to the committees summarizing the identified best practices and indicating the methods used to share this information with counties and municipalities in the State.

Information Request	Author	Due Date
Identification and dissemination of best practices related to installation of suicide barriers on bridges	SHA	December 1, 2021

J00B01

J00B01.02 State System Maintenance

Microbrewery and Distillery Tourism Signs Along State Roads: The committees are interested in supporting the diversification of agricultural-based businesses within the State and believe that the inclusion of microbreweries and distilleries in the Tourist Area and Corridor (TAC) Signing Program would further this effort. The State Highway Administration (SHA) is requested to provide a report summarizing the TAC Signing Program and discussing the pros and cons of expanding the program to include microbreweries and distilleries and a review of how other states promote microbreweries and distilleries through signage along state roads. The report should be submitted by October 1, 2021.

Information Request	Author	Due Date
Report on pros and cons of including microbreweries and distilleries in the TAC Signing Program	SHA	October 1, 2021

J00E00
Department of Transportation
Motor Vehicle Administration

Budget Amendments

J00E00.01 Motor Vehicle Operations

Add the following language to the special fund appropriation:

, provided that \$250,000 of the appropriation may not be expended until the Motor Vehicle Administration submits a report on the modernization of the Vehicle Emissions Inspection Program (VEIP). This report should include the following information:

- (1) what changes are being made to VEIP standards and how these will impact Marylanders;
- (2) an explanation of the reason for these changes; and
- (3) information regarding the potential discontinuation or alteration of service at any existing VEIP locations.

The report shall be submitted by August 1, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted for this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: *The committees are interested in the changes being made to VEIP by the Motor Vehicle Administration (MVA), the impact that it will have on Marylanders, the justification for these changes, and if it will impact service at existing VEIP locations. This language restricts funds pending a report from MVA exploring these issues.*

Information Request	Author	Due Date
Report on changes to VEIP	MVA	August 1, 2021

Amendment No. _____

J00E00

Committee Narrative

Maryland REAL ID Act Implementation Report: The COVID-19 pandemic delayed implementation of the REAL ID Act. Federal law now requires that starting October 1, 2021, all state-issued driver's licenses and identification cards be in compliance with the REAL ID Act requirements if an individual seeks to enter a federal facility or board a commercial domestic airline flight. Due to the potential consequences for Maryland residents who are not in compliance with the REAL ID Act when the deadline passes, the budget committees request that the Motor Vehicle Administration (MVA) submit a pre- and post-deadline report regarding the implementation of the new October 1, 2021 REAL ID deadline. These reports should include the number of Maryland residents not in compliance as of June 1, 2021, and November 1, 2021, respectively. The pre-deadline report should also include information on the number of outstanding recalled driver's licenses and identification cards and MVA's efforts to meet the deadline, and the post-deadline report should include information on MVA's plan to deal with the Maryland residents still not in compliance. The reports shall be provided by July 1, 2021, and December 1, 2021, respectively.

Information Request	Author	Due Date
Pre-deadline report on REAL ID implementation	MVA	July 1, 2021
Post-deadline report on REAL ID implementation	MVA	December 1, 2021

J00H01
Department of Transportation
Maryland Transit Administration

Budget Amendments

J00H01.01 Transit Administration

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on the services provided by Locally Operated Transit Systems (LOTS), including Non-Emergency Medical Transportation (NEMT), to determine if these services are adequate to meet the local transportation requirements of the areas they serve. The study shall include the sources of funding and the amount of the funding provided by each source, by fiscal year, for fiscal 2015 through 2020. The study shall include a detailed examination of the NEMT services provided by Maryland LOTS during these fiscal years to determine whether adequate funding is available to meet the current and projected future service demands. The report shall be submitted by November 15, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: This language restricts funds until a report on NEMT services provided by LOTS is submitted.

Information Request	Author	Due Date
Report on adequacy of NEMT services provided by LOTS	Maryland Transit Administration	November 15, 2021

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on expanding bus service to Tradepoint Atlantic. The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: Bus service to Tradepoint Atlantic would connect people to jobs. This language restricts funds pending a report on establishing this service.

J00H01

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on establishing bus service to Tradepoint Atlantic</i>	<i>Maryland Transit Administration</i>	<i>December 1, 2021</i>

Amendment No. _____

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of state of good repair may not be expended until the Maryland Transit Administration submits a report to the budget committees on an assessment of the steps that would be necessary to add a MARC Station on the Penn Line within the East Baltimore Development, Inc. footprint in a location that would facilitate access to the Johns Hopkins Hospital. The assessment shall include and identify all steps that would be necessary to meet the requirements imposed by Amtrak as the owner of the Penn Line. The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: Revitalization of the East Baltimore area would be facilitated by a MARC Station providing improved access to the Johns Hopkins Hospital. Funds are restricted until the Maryland Transit Administration (MTA) provides a report on how a station could be added.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Assessment of steps necessary to add a MARC Station within the East Baltimore Development, Inc. footprint.</i>	<i>MTA</i>	<i>December 1, 2021</i>

Amendment No. _____

Committee Narrative

MARC Service to Western Maryland: It is the intent of the committees that the Maryland Transit Administration include a study of the feasibility of extending MARC rail service to Western Maryland in the Statewide Transit Plan that is currently being developed, a draft of which is expected to be released for public comment in summer 2021.

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2021

J00I00
Department of Transportation
Maryland Aviation Administration

Committee Narrative

***Aircraft Noise Mitigation Report:** The budget committees remain interested in efforts that the Maryland Aviation Administration (MAA) is taking to mitigate the impact of aircraft noise on the lives of Marylanders. The budget committees request that MAA submit a report detailing these efforts that are being taken to mitigate the impact of aircraft noise on residents. This report should also include information on how expanded cargo aircraft traffic at Baltimore/Washington International Thurgood Marshall Airport will impact the noise levels being experienced by Marylanders in the area. The report shall be provided by September 1, 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Aircraft noise mitigation report</i>	<i>MAA</i>	<i>September 1, 2021</i>

K00A
Department of Natural Resources

Committee Narrative

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

Montgomery County Enhanced Deer Management Strategy: The budget committees are concerned that Montgomery County is experiencing uncontrollable deer population growth and that existing methods of lawfully mitigating the detrimental impact of this growth have proven ineffective. Therefore, the budget committees request that the Department of Natural Resources (DNR), in cooperation with and approval by Montgomery County officials, develop an enhanced deer management strategy to reduce the Montgomery County deer population by a measurable amount. The report shall be submitted by November 1, 2021.

Information Request	Author	Due Date
Montgomery County enhanced deer management strategy	DNR	November 1, 2021

Impact Assessment Study of Maryland's Coyote Population: *The budget committees are concerned that the coyote has fully colonized Maryland and that the coyote population is threatening both domestic and wild animals as well as public health, safety, and welfare. Therefore, the budget committees request that the Department of Natural Resources (DNR), in cooperation with stakeholder groups, conduct an impact assessment study of Maryland's coyote population and report on the findings. The study shall include the following: an assessment of the coyote population statewide in terms of range and subspecies, including fertile hybrids; a determination of the socioeconomic impact of unchecked growth in the coyote population; and identification of strategies and policies to control coyote population growth and mitigate attendant ecological impacts. The report shall be submitted by December 1, 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Impact assessment study of Maryland's coyote population</i>	<i>DNR</i>	<i>December 1, 2021</i>

K00A

MARYLAND PARK SERVICE

K00A04.01 Statewide Operations

Patapsco Valley State Park Access Improvements: *The budget committees are concerned that there are limited parking options for access to Patapsco Valley State Park. In particular, there is a lack of access to the Daniels Area due to parking limitations along the shoulders of Daniels Road and a lack of access to the west end of the Orange Grove Area due to similar parking limitations in and around the corner of South Hilltop Road and River Road. These access limitations impede enjoyment of amenities such as the recently restored area around the former Bloede Dam. Therefore, the budget committees request that the Department of Natural Resources (DNR) develop a plan for Patapsco Valley State Park access improvements in the Daniels Area and Orange Grove Area and provide a report detailing that plan, including an evaluation of existing parking options, the need for additional parking options on existing park land, and the need for additional park land to be purchased on which parking may be developed for safe parking and easy access. The report shall be submitted by September 1, 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Patapsco Valley State Park access improvements</i>	<i>DNR</i>	<i>September 1, 2021</i>

Budget Amendments

RESOURCE ASSESSMENT SERVICE

K00A12.05 Power Plant Assessment Program

Amend the following language to the special fund appropriation:

. provided that ~~\$100,000~~\$50,000 of this appropriation made for the purpose of technical assistance in environmental engineering may not be expended for that purpose and instead may be used only to issue a request for proposals and contract with a vendor to study the 20 coal combustion by-product storage, fill, and disposal sites in Maryland that were determined to have some potential for coal combustion by-product recovery and beneficial use by the Coal Combustion By-Product Storage, Use, and Disposal Sites in Maryland report by the Power Plant Research Program published in August 2019. The study shall conduct the following:

- (1) assess transportation methods and distances from the coal combustion by-product sites to potential users;
- (2) contact site owners to verify current and future land use and determine whether owners are amenable to coal combustion by-product recovery at the site;

K00A

- (3) evaluate coal combustion by-product quality;
- (4) determine the extent and quantity of coal combustion by-products;
- (5) analyze the beneficial uses of coal combustion by-product deposits; and
- (6) recommend ways to ameliorate environmental problems caused by coal combustion by-products, including coal fly ash.

Further provided that the Power Plant Research Program shall submit a report to the budget committees based on the information provided in the vendor's completed study. The report shall be submitted by November 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the Power Plant Research Program does not submit the report to the budget committees.

Explanation: This language restricts funding pending a vendor being selected to study coal combustion by-products and the Power Plant Research Program submitting a report to the budget committees based on the vendor's study. The Power Plant Research Program published the report Coal Combustion By-Product Storage, Use, and Disposal Sites in Maryland in August 2019, which included recommendations for next steps. In addition, there are environmental concerns related to coal combustion by-products that could be ameliorated by beneficial use or remediation of coal combustion by-product storage, fill, and disposal sites.

Information Request	Author	Due Date
Coal combustion by-products study and report	Department of Natural Resources	November 1, 2021

Amendment No. _____

K00A

Committee Narrative

CHESAPEAKE AND COASTAL SERVICE

K00A14.02 Chesapeake and Coastal Service

Summary of Chesapeake Bay Restoration Spending: The budget committees request that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide a report on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the report is as follows: Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2021 actual, fiscal 2022 working appropriation, and fiscal 2023 allowance to be included as an appendix in the fiscal 2023 budget volumes and submitted electronically in disaggregated form to DLS.

Information Request	Authors	Due Date
Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration	DBM DNR MDE	Fiscal 2023 budget submission

FISHING AND BOATING SERVICES

K00A17.01 Fishing and Boating Services

Data on Oyster Lease Locations in Maryland: *The budget committees recognize the vital role that wild native oysters and oyster aquaculture play in the continued revitalization and restoration of the Chesapeake Bay but are concerned that the effect of aquaculture and oyster leases on shoreline property owners has not been evaluated. Therefore, the budget committees request that the Department of Natural Resources (DNR) submit a report by December 1, 2021. The report shall include the following data both statewide and by county: the number of active oyster leases in Maryland within 500 feet of a shoreline property; the number of these leases that are water column leases; the number of these leases that are bottom leases; and the number of shoreline properties located within 500 feet of an oyster lease.*

Information Request	Author	Due Date
<i>Data on oyster lease locations in Maryland</i>	<i>DNR</i>	<i>December 1, 2021</i>

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2021

Q00A
Department of Public Safety and Correctional Services
Administration and Offices

Committee Narrative

Justice Reinvestment Act (JRA) Report: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2021, on the following items:

- annual updates on the number of offenders petitioning and approved for JRA provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation, and graduated sanctions;
- the number of offenders affected by JRA diminution and earned compliance credit rules; and
- annual JRA cost savings updates along with any efforts/initiatives to increase savings.

Information Request	Author	Due Date
JRA report	DPSCS	December 1, 2021

Position Abolishments and Reclassifications Report: The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by September 1, 2021, on the following items:

- all fiscal 2021 and 2022 abolishments, reclassifications, and transfers including the position titles, what facility or division they came from, and what agency or division they are being transferred or reclassified into along with the effect these position changes are having on operations; and
- a briefing on the impact of the fiscal 2021 and 2022 changes in correctional officers (CO) compensation and the department's expectations regarding those changes on CO retention and recruitment.

Information Request	Author	Due Date
Position abolishments and reclassifications report	DPSCS	September 1, 2021

Q00A

Report on Recidivism: The budget committees are interested in the impact of incarceration on the future outcomes of returning citizens. The budget committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by November 15, 2021, on the following:

- single-, two-, and three-year recidivism numbers for the fiscal 2016, 2017, and 2018 release cohorts;
- two-year recidivism numbers for the fiscal 2019 release cohort; and
- an analysis of recent recidivism trends, including a comparison to past years and a comparison to other states.

Information Request	Author	Due Date
Recidivism report	DPSCS	November 15, 2021

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits a report on the audited funds expended by the inmate medical services provider in response to the COVID-19 pandemic. The Office of the Inspector General shall fully audit expense documentation to verify that each payment was made in accordance to all relevant statutes. The results of this audit shall be detailed in the report. The report shall provide an accounting of and justification for all emergency COVID-19 payments made to the inmate medical services provider in excess of the original contract. The report shall be submitted to the budget committees no later than October 1, 2021. The budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The Department of Public Safety and Correctional Services (DPSCS) made an emergency 33% contract increase to Corizon Health, Inc. at the outset of the COVID-19 pandemic in order to maintain medical staffing levels and cover any costs that would be required to provide the necessary medical services. The emergency modification to the flat-rate medical contract totaled \$11.3 million in fiscal 2020 but was rejected in favor of an auditable reimbursement model by the Board of Public Works. The amount approved for fiscal 2021 is not to exceed \$24 million and is required to be supported by auditable documentation. This budget bill language requires DPSCS to audit these documents and verify them as valid COVID-19 expenses. The information will enhance budgetary oversight over the proper usage of federal tax dollars intended for COVID-19 relief.

Q00A

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Inmate medical audited COVID-19 expenses report</i>	<i>DPSCS</i>	<i>October 1, 2021</i>

Q00B
Department of Public Safety and Correctional Services
Corrections

Budget Amendments

Strike the following language:

~~Further provided that \$2,800,000 of the general fund appropriation for the Department of Public Safety and Correctional Services (DPSCS) made for the purpose of general operations may not be expended for that purpose but instead may only be used to continue operations of the Southern Maryland Pre-Release Unit (SMPRU) and the Eastern Pre-Release Unit (EPRU). It is the intent of the General Assembly that DPSCS postpone indefinitely the planned closure of SMPRU and EPRU. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise and shall revert to the General Fund.~~

~~**Explanation:** The budget committees are concerned that the State will no longer provide adequate prerelease opportunities due to the decision to close SMPRU and EPRU at the end of fiscal 2021. Savings for closing the two facilities are only estimated to be about \$2.8 million each year due to the reassignment of fixed personnel costs and fixed medical contract costs to other facilities. The budget committees do not consider this cost saving measure to be in the interest of the State and respectfully seek continuance of the services provided by SMPRU and EPRU. Sufficient funds are restricted across the entire department to enable continued operations of these facilities based on past spending trends.~~

Amendment No. _____

Committee Narrative

Q00A03.01 Maryland Correctional Enterprises

Maryland Correctional Enterprises (MCE) Staffing, Programs, and Sales Report: The budget committees are concerned that COVID-19 and recent trends in sales, employment, and staff vacancies may inhibit the ability of MCE to carry out its mission to improve employability upon release, enhance safety and security, reduce prison idleness, and produce quality goods and services. The budget committees direct the Department of Public Safety and Correctional Services (DPSCS) to submit a report by September 1, 2021, providing the following information:

- a breakdown of regular and special programs, including employment data;
- a review of efforts to address MCE legislative audit findings;
- sales and vacancy data and any steps that can be taken to maximize sales and minimize vacancies; and

Q00B

- an analysis of the impact of COVID-19 on operations, sales, and employment.

Information Request	Authors	Due Date
MCE staffing, programs, and sales report	MCE DPSCS	September 1, 2021

Budget Amendments

Q00B01.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits the second of four quarterly hiring and attrition reports to the budget committees. The reports shall include a breakdown of all hires and separations for each of the three months in question by category of employee (correctional officer, community supervision agent, or administrative employee) and by reason for separation. The report shall also include narrative summarizing all hiring events and changes to the hiring process that occurred during the quarter; the quantity, type, and cost of bonuses disbursed; as well as overall applications received, tested, and interviewed. The first quarterly report shall be submitted to the budget committees no later than October 15, 2021, and the second report shall be submitted to the budget committees no later than January 15, 2022. The budget committees shall have 45 days to review and comment following submission of the second quarterly report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Hiring within the Department of Public Safety and Correctional Services (DPSCS) has recently improved staffing levels after years of unsustainable employment decline. The department submitted monthly staffing reports in fiscal 2021 that demonstrated sustained improvements to hiring and attrition. The quarterly reports requested in fiscal 2022 will continue the cooperation between DPSCS and the budget committees to track all departmental hiring, the success of recent initiatives, and the impact of COVID-19 on public safety staffing.

Information Request	Author	Due Date
Quarterly hiring and attrition reports	DPSCS	October 15, 2021 January 15, 2022 April 15, 2022 July 15, 2022

Q00B

Committee Narrative

Report on Prerelease Opportunities: *The budget committees are concerned that the State no longer provides adequate prerelease opportunities due to the decision to close the Southern Maryland Pre-Release Unit (SMPRU) and the Eastern Pre-Release Unit (EPRU) at the end of fiscal 2021. The budget committees request a report due August 15, 2021, on the department's prerelease program. The report should summarize the decision to close SMPRU and EPRU and identify the one-time and recurring budgetary savings associated with the closure. The report should also summarize any prerelease opportunities that will remain in place as well as the strategy of the department overall to deliver reentry and work release services.*

Information Request	Author	Due Date
<i>Report on prerelease opportunities</i>	<i>Department of Public Safety and Correctional Services</i>	<i>August 15, 2021</i>

Programs, Treatment, and Reentry Coordination Report: *The Department of Public Safety and Correctional Services (DPSCS) is in the process of redeploying the Brockbridge Correctional Facility (BCF) in Jessup as a comprehensive Pre-release, Re-entry, and Workforce Development Facility to allow the department to create additional bridges of connection and expand on existing prerelease and reentry facilities. Over 5,000 people are released in a year, and the population returns to every county across the State. The budget committees request a report due by December 1, 2021, from the Assistant Secretary for Programs, Treatment, and Reentry Coordination on the following:*

- *mechanisms to expand and report on public-private partnerships and community engagement with third parties across all counties within the state, including community-based collaboratives;*
- *the means for county and community-based organizations to conduct remote inreach to BCF to reduce the travel burden on community partners;*
- *mechanisms to ensure holistic continuity of care on release, including the electronic transfer of information to the returning citizen;*
- *the provision of trained, community-based coaches to supplement the interventions of and referrals by probation and parole officers, given the continuation of caseloads in excess of national averages; and*
- *secure technology to support case planning and execution that enables information-sharing between returning citizens, probation and parole officers, State and county agencies, and private entities under the auspices of a trusted third party in order to respect returning citizen privacy and facilitate independent cross-agency reporting.*

Q00B

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Programs, treatment, and reentry coordination report</i>	<i>DPSCS</i>	<i>December 1, 2021</i>

State and Local Prerelease Cooperation Report: *The budget committees would like the Department of Public Safety and Correctional Services (DPSCS) to explore options to house and provide programming to State prerelease inmates in local jail facilities rather than State-owned prerelease units. Two State-owned prerelease units are scheduled for closure by the start of fiscal 2022, which requires significant commute times for offenders and risks the loss of long-standing relationships with prerelease programming partners. The committees believe there exists ample space within many local jail facilities to house State prerelease offenders and provide reentry services. The requested report, due December 1, 2021, should provide the following:*

- *local jails with a prerelease unit;*
- *local jails that consistently have excess bed space or underutilized programming space;*
- *existing partnerships between local jails and DPSCS prerelease or reentry programs; and*
- *an evaluation of opportunities to cooperate with local jails to provide prerelease and reentry services to citizens returning from State custody.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>State and local prerelease cooperation report</i>	<i>DPSCS</i>	<i>December 1, 2021</i>

Q00C
Department of Public Safety and Correctional Services
Community Supervision

Budget Amendments

Q00C02.01 Division of Parole and Probation – Support Services

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Division of Parole and Probation (DPP) in collaboration with the Department of Budget and Management (DBM) submits a report on Drinking Driver Monitor Program (DDMP) monitor classifications. It is the intent of the General Assembly that a new grade 13 Monitor III classification be created for DDMP monitors to mirror the career opportunities of DPP parole and probation agents. In the report, DPP and DBM shall identify a plan to create a new Monitor III classification, including the current number of Monitor II positions that could be promoted and the amount of funds necessary to support these changes. The report shall be submitted to the budget committees no later than November 15, 2021. The budget committees shall have 45 days to review and comment following submission of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: DDMP monitor positions are limited to monitor I, monitor II, and field supervisor positions, while parole and probation agents are able to rise an additional level to agent III. Public testimony and a previous Joint Chairman’s Report submission by DPP indicated that the lack of a senior monitor classification leads to declined morale among senior monitor II positions and is a factor in the departure of valued monitors. In order to improve attrition in DDMP and improve the overall delivery of services to those placed on DDMP supervision, this language expresses legislative intent that the career path in DDMP be extended by one grade. The language also directs DPP and DBM to collaborate to determine the appropriate number of senior positions and the process for promoting monitors to the new senior classification.

Information Request	Authors	Due Date
DDMP monitor classifications report	DPP DBM	November 15, 2021

Q00C

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation may not be expended until the Division of Parole and Probation (DPP) in collaboration with the Governor's Office of Crime Prevention, Youth, and Victim Services submits the Murder-Involved Supervisees Report. The report shall include the number of DPP supervisees involved in a murder or shooting either as a victim or suspect in fiscal 2019, 2020, and 2021. DPP shall also detail the after action review (AAR) process and summarize the findings for these years. It is the intent of the General Assembly that DPP promulgates regulations requiring fatality reviews and AARs to be completed in all instances of a supervisee being involved in a murder or shooting. The Murder-Involved Supervisees Report shall use offender information, compliance data, fatality reviews, and AARs to identify risk factors that contributed to involvement in the murder or shooting. In the report, DPP shall also evaluate the feasibility of modifying the existing risk assessment tool to assess the likelihood of involvement in a murder or shooting. The report shall be submitted to the budget committees no later than November 1, 2021. The budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The Office of Program Evaluation and Government Affairs (OPEGA) within the Department of Legislative Services released a preliminary report on DPP in calendar 2020. The report indicated that a high level of DPP supervisees are involved in fatal and nonfatal shootings, especially in Baltimore City, and make up a disproportionate share of those victimized through criminal violence. Specifically, 37% (66 of 177) of the people involved, as victims or suspects, in murders or nonfatal shootings in Baltimore City in January and February 2020, were under DPP supervision at the time of the incident. Forty-five percent (23 of 51) of murder victims were under DPP supervision. There were noticeable differences in the compliance rate of supervisees who ended up involved in murders and nonfatal shootings when compared to a control group, and DPP failed to follow its own after action policy in a majority of cases. A full program evaluation of DPP is underway by OPEGA, and more observations and recommendations are likely to come to light. This budget bill language requires DPP to report on the number of supervisees involved in a murder or shooting and determine risk factors for said involvement. This language also includes legislative intent that DPP enhance the AAR and fatality review process to better track, analyze, and safeguard murder-involved supervisees.

Information Request	Authors	Due Date
Murder-involved supervisees report	DPP Governor's Office of Crime Prevention, Youth, and Victim Services	November 1, 2021

Amendment No. _____

Q00C

Q00T03.01 Division of Parole and Probation – Central Region

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Increase budgeted turnover to match vacancy trends.	2,000,000	GF
<i>Total Reductions</i>	2,000,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	430.00	430.00		0.00
<i>General Fund</i>	37,649,748	35,649,748	2,000,000	
<i>Special Fund</i>	1,297,454	1,297,454	0	
<i>Total Funds</i>	38,947,202	36,947,202	2,000,000	

Amendment No. _____

Committee Narrative

Supervision Caseloads and Staffing: In recent fiscal years, the Division of Parole and Probation (DPP) has been working to reduce caseloads to a manageable level for its parole and probation agents. Caseload ratios improved, but vacancies worsened in fiscal 2020. The budget committees request a report due by September 15, 2021, from DPP on the following:

- efforts to maintain uniform caseloads below the national average in each region;
- the exact breakdown of support staff and general supervision caseloads by office into DPP supervision levels for fiscal 2020 and 2021;
- an evaluation of staff realignment between regions; and
- a review and analysis of monthly fiscal 2021 DPP agent and Drinking Driver Monitor Program monitor new hires, separations, and vacancies.

Information Request	Author	Due Date
DPP caseload report	DPP	September 15, 2021

Q00G
Department of Public Safety and Correctional Services
Police and Correctional Training Commission

Committee Narrative

Q00G00.01 General Administration

Dementia Response Training Report: *The budget committees request that the Police and Correctional Training Commissions (PCTC), in collaboration with the Governor’s Office for Crime Prevention, Youth, and Victim Services (GOCPYVS), conduct an evaluation on the training provided to law enforcement and other first responders who may respond to emergency calls for services related to those with dementia. The requested report, due August 15, 2021, should provide the following:*

- *the current process for reporting to law enforcement instances of neglect, criminal abuse, sexual abuse, physical abuse, and financial exploitation of individuals with dementia;*
- *the current process for responding to calls for service from Adult Protective Services and referring cases to Adult Protective Services;*
- *existing training standards, curriculum, and best practices related to dementia; and*
- *the available data on dementia-related calls including, but not limited to, cases of wandering or hostile behaviors. To the extent available, the data should be provided for each of the last 10 years. This component of the report should also include a cost-per-search analysis related to calls for wandering or missing persons with dementia.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Dementia response training report</i>	<i>PCTC GOCPYVS</i>	<i>August 15, 2021</i>

Q00T04
Department of Public Safety and Correctional Services
Division of Pretrial Detention

Budget Amendments

Add the following language:

Further provided that \$7,091,738 of the appropriation for substance use disorder (SUD) treatment services subprograms may only be expended in those subprograms. Funds may be transferred between SUD treatment services subprograms throughout the Department of Public Safety and Correctional Services. Funds unexpended for this purpose at the end of the fiscal year shall revert to the General Fund or be canceled.

Explanation: Chapter 532 of 2019 directs the Department of Public Safety and Correctional Services (DPSCS) to create a medication assisted treatment program within the confines of the Baltimore Pretrial Complex as well as apply for funding to support local detention centers required to create its own treatment programs. DPSCS has historically underspent the appropriation for SUD services and does not have a contract in place for these services. This language ensures that funds for SUD services will only be spent for that purpose or shall revert to the General Fund or be canceled at the end of the fiscal year.

Q00T04.01 Chesapeake Detention Facility

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services conducts a review of the agreement to operate the Chesapeake Detention Facility as a federal facility, reaches out to the U.S. Marshals Service to renegotiate the agreement, and submits a report on these efforts to the budget committees. The report shall include results of efforts to renegotiate the agreement, options to reduce the reliance on general funds for this facility (including the consequences of exiting the agreement prior to expiration), and plans for the facility following the conclusion of the agreement. The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The Chesapeake Detention Facility (CDF) is used as a federal detention center for the U.S. Marshals Service but is operated by the Division of Pretrial Detention and Services (DPDS). DPDS received \$20 million as supplemental funding to construct the Dorsey Run Correctional Facility and receives a contractually negotiated per diem payment for each inmate housed. The per diem rate is no longer sufficient to support CDF operations, resulting in the State subsidizing the detainment of federal offenders. This language directs DPD to revisit the federal agreement, seek ways to increase the per diem rate, and report on these efforts to the

Q00T04

General Assembly. The report will include a history of the Department of Public Safety and Correctional Services (DPSCS) actions regarding the contract and address plans for CDF usage following the conclusion of the contract.

Information Request	Author	Due Date
CDF renegotiation report	DPSCS	December 1, 2021

Q00T04.04 Baltimore Central Booking and Intake Center

Strike the following language:

~~provided that \$100,000 of this appropriation made for the purpose of a substance use disorder (SUD) treatment services subprogram may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on the new SUD treatment services provider and the Medication Assisted Treatment (MAT) Pilot Program in the Baltimore City Pretrial Complex. The report shall include a description of the new vendor and SUD treatment services that are provided at DPSCS facilities, a description of actions taken to establish an MAT Pilot Program at the Baltimore City Pretrial Complex, and a description of the planned use of restricted SUD treatment funds. The report shall be submitted by November 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.~~

~~**Explanation:** Chapter 532 of 2019 directs DPSCS to create an MAT program within the confines of the Baltimore Pretrial Complex as well as apply for funding to support local detention centers required to create their own treatment programs. DPSCS has historically underspent the appropriation for SUD services and does not have a contract in place for these services. This language allows the budget committees to monitor the provision of live-saving and life-altering treatment services by DPSCS and the proper usage of allocated funds. This language restricts \$100,000 of the \$1.2 million general fund appropriation meant for SUD treatment at the Baltimore Central Booking and Intake Center.~~

Information Request	Author	Due Date
SUD and MAT report	DPSCS	November 1, 2021

Amendment No. _____

U00A
Department of the Environment

Budget Amendments

WATER AND SCIENCE ADMINISTRATION

U00A04.01 Water and Science Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administrative expenses in the Water and Science Administration may not be expended pending the submission of a report on the status of the quality of groundwater that sources residential wells and that updates the Groundwater Protection Program report previously required under Joint Resolution 5 of 1985. The report shall include at a minimum the following:

- (1) geologic conditions, quality, and quantity of groundwater that sources private residential wells, community wells, and public drinking water supplies;
- (2) common contamination in groundwater sourcing residential wells (private and community systems) such as nitrates and radon that are present at levels that may pose a public health risk and potential contamination hotspots in Maryland;
- (3) the drinking water quality issues for both private and public systems that rely on groundwater and the associated risks to public health, including the latest peer-reviewed research on the potential adverse impacts associated with long-term consumption of those contaminants;
- (4) how many residents in Maryland may be adversely affected by groundwater contamination, whether these effects could disproportionately affect sensitive sub-populations, and whether communities in contamination hotspots face a significant burden of other environmental and social stressors;
- (5) the State's current oversight of private and public water systems and current efforts to monitor, protect, manage, and remediate groundwater resources, including groundwater that sources private residential wells; and
- (6) the State's current challenges in the management of groundwater resources, including agency coordination, and recommendations for the General Assembly to address those challenges based on best management practices used by other states to protect well owners.

The requested report shall be submitted no later than November 1, 2021. The budget committees shall have 45 days from the date that the report is received to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

U00A

Explanation: This action restricts funding pending the submission by November 1, 2021, of an updated Groundwater Protection Program report focusing on the quality of groundwater that sources residential wells. Joint Resolution 5 of 1985 required annual reports on the development and implementation of a comprehensive groundwater protections strategy and on the coordinated efforts by the State agencies in groundwater protection and supply. Section 2 of Chapter 58 of 2015 repealed the annual reporting requirement.

Information Request	Author	Due Date
Groundwater Protection Program update report	Maryland Department of the Environment	November 1, 2021

Amendment No. _____

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of general administrative expenses in the Water and Science Administration may not be expended pending the submission of a report by the Maryland Department of the Environment on per- and polyfluoroalkyl substances (PFAS). The report shall be submitted in accordance with § 2-1257 of the State Government Article and shall include the following:

- (1) the location and results of any testing for PFAS chemicals, as defined in § 6-1601 of the Environment Article, that the department has conducted on waters of the State;
- (2) any plan the department has for further testing for PFAS chemicals in waters of the State; and
- (3) any plan the department has for remediation and public education in areas where the water has been found to be contaminated by PFAS chemicals.

The report shall be submitted by December 31, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This action restricts funding until the submission of a report on PFAS chemicals.

U00A

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>PFAS chemicals report</i>	<i>Maryland Department of the Environment</i>	<i>December 31, 2021</i>

Amendment No. _____

LAND AND MATERIALS ADMINISTRATION

U00A06.01 Land and Materials Administration

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses in the Land and Materials Administration may not be expended pending the submission of the Maryland Scrap Tire annual report. The requested report shall be submitted no later than November 1, 2022. The budget committees shall have 45 days from the date the report is received to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This action restricts funding pending the submission by November 1, 2021, of the Maryland Scrap Tire Annual Report. Section 9-275(c) of the Environment Article specifies that an annual status report is due on or before November 1 of each year, which has not been consistently met.

Information Request	Author	Due Date
Maryland Used Tire Cleanup and Recycling Fund annual report	Maryland Department of the Environment	November 1, 2021

U00A

Committee Narrative

COORDINATING OFFICES

U00A10.01 Coordinating Offices

Budgeting of Prior Year Actual Personnel Expenditures: The Maryland Department of the Environment's (MDE) fiscal 2020 actual budget data incorrectly reflects the allocation of funding for personnel expenditures. The fringe benefit expenditures – health insurance, pension contributions, and turnover adjustments, among others – are almost entirely reflected as Social Security contributions, which makes it difficult to do historical data comparisons. The budget committees request that MDE reflect prior year actual personnel expenditures up to and including fiscal 2021 in the correct statewide subobjects with the fiscal 2023 budget submission.

Information Request	Author	Due Date
Budgeting of prior year actual personnel expenditures	MDE	Fiscal 2023 budget submission

U10B00
Maryland Environmental Service

Committee Narrative

U10B00.41 General Administration

Maryland Environmental Service Funding Statement: The committees request that the Maryland Environmental Service (MES) continue to provide a report on the following:

- undesignated unrestricted net assets for fiscal 2021, 2022, and 2023 estimated and an explanation for any changes between each of these years, including revenues credited to and expenditures debited from the net assets;
- overhead rate for fiscal 2021, 2022, and 2023 estimated, including a separate calculation for the water and wastewater overhead rate for each fiscal year from fiscal 2015 through 2023;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2021 and 2022 for the State Reimbursable Project Contingency Fund, the Eastern Correctional Institution Steam Turbine Contingency Fund, and the Department of Natural Resources Project Contingency Fund; and
- justification for the changes in reimbursable project funding for fiscal 2021, 2022, and 2023 estimated based on a discussion about how MES’s undesignated unrestricted net assets allow for reducing MES’s overhead rate for State reimbursable projects and how project reserve funds are available for any under budgeting.

The report should be submitted in coordination with the Department of Budget and Management (DBM) with the fiscal 2023 budget submission.

Information Request	Authors	Due Date
MES funding statement	MES DBM	Fiscal 2023 budget submission

Procurement Procedures and Rate-setting: *The budget committees remain interested in the impact of the Maryland Environmental Service’s (MES) procurement procedures, which authorize sole source contracts, exclusive memoranda of understanding (MOU) with State and local jurisdictions, and rate-setting with private contractors. Therefore, the budget committees request a report evaluating contracts from July 1, 2018, to September 30, 2020. The report shall be submitted by September 1, 2021, and include the following data:*

- *a list of jurisdictions that are party to an MOU with MES and whether the memorandum authorizes the awarding of a sole source contract;*

U10B00

- *a list of projects that were sole sourced to MES and the statutory authority granting such an exemption;*
- *for each project, whether the rate for private contractors was a percentage of overhead or the Maryland Department of Transportation audited rate; and*
- *the overall utilization of these contract methodologies as a percentage of work undertaken by MES.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Procurement procedures and rate-setting</i>	<i>MES</i>	<i>September 1, 2021</i>

V00A
Department of Juvenile Services

Budget Amendments

OFFICE OF THE SECRETARY

V00D01.01 Office of the Secretary

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of providing administrative support may not be expended until the Department of Juvenile Services (DJS) submits a report detailing updates on the operations of the Baltimore City Strategic Partnership to the budget committees. This report shall:

- (1) identify the entities participating in this partnership and the respective role and responsibilities of each;
- (2) detail the processing of cases under this partnership;
- (3) identify performance measures demonstrating the efficacy of this partnership and provide relevant performance data;
- (4) comment on how the partnership will impact juvenile caseloads; and
- (5) identify the funding associated with this partnership in DJS’s fiscal 2021 and 2022 budgets.

The report shall be submitted by December 31, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Governor Lawrence J. Hogan, Jr. and DJS announced the new Baltimore City Strategic Partnership in December 2019 with the goal to improve early intervention efforts for low-offending youth. Because of the COVID-19 pandemic, progress in developing this partnership has been impeded. This language requests a one-year update on the operations of this partnership, its impact on juvenile caseloads, relevant performance data, and the amount of departmental funds directed toward partnership programming.

Information Request	Author	Due Date
Update on the Baltimore City Strategic Partnership	DJS	December 31, 2021

W00A
Department of State Police

Budget Amendments

W00A01.01 Office of the Superintendent

Add the following language to the general fund appropriation:

, provided it is the intent of the budget committees that the Department of State Police (DSP) take all necessary actions to pursue diversity within its sworn and civilian ranks. Additionally, it is the intent of the budget committees that DSP take steps to expand and diversify the Maryland State Police Academy applicant pool by strengthening its State Trooper Cadet Program, and by increasing recruiting efforts at historically black colleges and universities (HBCU).

Further provided that \$250,000 of the general fund appropriation made for the purposes of administration within the DSP Office of the Superintendent may not be expended until DSP establishes a diversity study group to review departmental recruitment procedures, barriers to diverse employment within its ranks, and proposed corrective actions. Restricted funds will be considered for release after DSP submits an action plan to diversify its workforce based on the work of the study group. This report should, at a minimum, provide the following information:

- (1) specific and measurable goals for achieving diversity among civilian and sworn employees, including a date or dates by which the department hopes to achieve these goals;
- (2) a demographic breakdown of the department's civilian and sworn employees for the previous three years;
- (3) a demographic breakdown of the department's attrition rate for the previous three years;
- (4) a demographic breakdown of the department's managerial and leadership positions for the previous three years;
- (5) a demographic breakdown of the Maryland State Police Academy classes for the previous three years;
- (6) the department's plans to promote diversity among its managerial and leadership positions;
- (7) the frequency with which the department currently offers diversity- and implicit bias-related training to its sworn and civilian personnel, as well as to Maryland State Police Academy classes;
- (8) the department's plans to address implicit bias among its workforce;

W00A

- (9) the department's plans to promote diversity through its recruitment and retention efforts, including its efforts to recruit from HBCUs;
- (10) the number of reported incidents of racially insensitive behavior among departmental personnel for the previous three years;
- (11) the department's current disciplinary policies related to improper social media usage, and racially insensitive or otherwise discriminatory actions, and any plans it has to strengthen these policies in the future; and
- (12) a demographic breakdown of the disciplinary actions for civilian and sworn personnel over the past three years.

This report shall be submitted to the budget committees by August 1, 2021. The budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose, and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: During the 2021 session, the General Assembly expressed concern with the allegations of racial insensitivity and lack of diversity among the Department of State Police (DSP) workforce. This language directs DSP to convene a diversity study group to develop an action plan to address these concerns and submit the findings by August 1, 2021. The submitted action plan should, at a minimum, identify how DSP plans to improve diversity within its civilian and sworn workforces, including specific goals for achieving diversity, metrics detailing the current degree of diversity in the department, as well as the department's plans for promoting diversity through recruitment and retention efforts. In any instance where "demographic" data is requested, this should include data categorized by both race and gender.

Information Request	Author	Due Date
Action plan to improve diversity	DSP	August 1, 2021

Amendment No. _____

W00A

Committee Narrative

W00A01.02 Field Operations Bureau

Department of State Police Operations in Baltimore City: The Department of State Police (DSP) works in collaboration with the Baltimore Police Department (BPD) and the Governor's Office of Crime Prevention, Youth, and Victim Services as part of the Baltimore Enhanced Visibility Patrol Initiative to detect and deter criminal activity. The budget committees request that DSP submit a biannual report providing the following information related to the Baltimore Visibility Patrol Initiative:

- *the list of police agencies participating in the initiative and the number of personnel deployed to the initiative;*
- *the Baltimore police districts in which the initiative operates;*
- *the number of warnings, citations, and safety equipment repair orders issued;*
- *the number of warrants served;*
- *the number of firearms seized; and*
- *the number of persons arrested.*

Additionally, the Public Resources Organizing to End Crime Together Act (Chapter 20 of 2020) requires DSP to enter into a memorandum of understanding (MOU) with BPD to perform traffic enforcement operations and other law enforcement activities within Baltimore City. The budget committees further request biannual updates on DSP's implementation of Chapter 20, the status of the MOU with BPD, and the law enforcement operations performed.

The first report on the aforementioned operations is to be submitted to the budget committees on December 31, 2021, with the second report submitted on June 30, 2022.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on DSP operations in Baltimore City</i>	<i>DSP</i>	<i>December 31, 2021 June 30, 2022</i>

W00A

Budget Amendments

W00A01.03 Criminal Investigation Bureau

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Increase turnover expectancy to 25% for new positions in the Licensing Division.	256,101	GF
<i>Total Reductions</i>	256,101	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	463.00	463.00		0.00
<i>General Fund</i>	75,192,930	74,936,829	256,101	
<i>Federal Fund</i>	1,425,000	1,425,000	0	
<i>Total Funds</i>	76,617,930	76,361,829	256,101	

Amendment No. _____

Committee Narrative

W00A01.04 Support Services Bureau

National Incident Based Reporting System: The Federal Bureau of Investigation required that all State Uniform Crime Report (UCR) data be reported consistent with the National Incident Based Reporting System (NIBRS) by January 1, 2021. The Department of State Police (DSP), as the author of the Maryland UCR, has been tasked with leading the State's effort to achieve compliance. The budget committees request that DSP report the following information:

- (1) a list of all State and local agencies that are NIBRS compliant, specifically noting those who were compliant by the January 1, 2021 deadline;
- (2) a list of all State and local agencies that remain noncompliant; and
- (3) an update on the implementation of NIBRS in Maryland and how its implementation will impact the production of the UCR.

Information Request	Author	Due Date
One-year update on NIBRS implementation	DSP	January 1, 2022

W00A

W00A01.08 Vehicle Theft Prevention Council

***Vehicle Theft Prevention Fund:** The Vehicle Theft Prevention Council oversees the Vehicle Theft Prevention Fund (VTPF) from which it awards grants to prevent and deter vehicle theft and related crimes. The budget committees request that, no later than December 31, 2021, the Vehicle Theft Prevention Council and the Department of State Police (DSP) provide performance metrics for each VTPF grant awarded during the fiscal 2021 funding cycle, specifically identifying those programs that have yielded the greatest reduction in vehicle theft and other such related crimes over the past three years.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>VTPF grants and performance metrics</i>	<i>DSP</i>	<i>December 31, 2021</i>

Sections

Budget Amendments

Add the following section:

Section 21 Chesapeake Bay Restoration Spending

SECTION 21. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of Planning, \$200,000 of the general fund appropriation in the Department of Natural Resources, \$200,000 of the general fund appropriation in the Maryland Department of Agriculture, \$200,000 of the general fund appropriation in the Maryland Department of the Environment, and \$200,000 of the general fund appropriation in the Department of Budget and Management made for the purpose of general operating expenses may not be expended unless the agencies provide a report to the budget committees on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The report shall include:

- (1) fiscal 2021 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (2) projected fiscal 2022 to 2025 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (3) an overall framework discussing the needed regulations, revenues, laws, and administrative actions and their impacts on individuals, organizations, governments, and businesses by year from fiscal 2021 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay, to be both written in narrative form and tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;
- (4) an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states’ efforts toward Chesapeake Bay restoration;

Sections

- (5) an analysis on how cost effective the existing State funding sources, such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, and Water Quality Revolving Loan Fund among others, are for Chesapeake Bay restoration purposes; and
- (6) updated information on the Phase III Watershed Implementation Plan implementation and how the loads associated with the Conowingo Dam infill, growth of people and animals, and climate change will be addressed.

The report shall be submitted by December 1, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funding in the Maryland Department of Planning (MDP), the Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA), the Maryland Department of the Environment (MDE), and the Department of Budget and Management (DBM) unless the agencies provide a report by December 1, 2021, on recent and projected Chesapeake Bay restoration spending and associated impacts and the overall framework to meet the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay. In addition, the language expresses the intent that the report include information on policy innovations that improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; an analysis of how cost effective the State funding sources are that are being used; updated information on the Phase III Watershed Implementation Plan implementation; and how Conowingo Dam infill, people and animal growth, and climate change will be addressed.

Information Request	Authors	Due Date
Historical and projected Chesapeake Bay restoration spending	MDP DNR MDA MDE DBM	December 1, 2021

Sections

Add the following section:

Section 22 Out-of-home Placements Report

SECTION 22. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administrative expenses in D21A02.01 Governor's Office of Crime Prevention, Youth, and Victim Services' Children and Youth Division (CYD), \$100,000 of the general fund appropriation of the Department of Human Services Social Services Administration, \$100,000 of the general fund appropriation of the Department of Juvenile Services, \$100,000 of the general fund appropriation of the Maryland Department of Health Developmental Disabilities Administration, and \$100,000 of the general fund appropriation of the Maryland State Department of Education may not be expended until CYD submits a report on behalf of the Children's Cabinet to the budget committees on out-of-home placements containing:

- (1) the total number and one-day counts (as of January 1) of out-of-home placements and entries by jurisdiction, by agency, and by placement type for fiscal 2019, 2020, and 2021;
- (2) the total number and one-day counts (as of January 1) of out-of-state placements, including the number of family home, community-based, and non-community-based out-of-state placements for fiscal 2019, 2020, and 2021 categorized by state and by age category;
- (3) the costs associated with out-of-home placements;
- (4) an explanation of recent placement trends;
- (5) findings of child abuse and neglect occurring while families are receiving family preservation services or within 1 year of each case closure; and
- (6) areas of concern related to trends in out-of-home and/or out-of-state placements and potential corrective actions that the Children's Cabinet and local management boards can take to address these concerns.

Further provided that each agency or administration that funds or places children and youth in out-of-home placements shall assist CYD and comply with any data requests necessary for the timely production of the report. The report shall be submitted to the budget committees by January 1, 2022, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose. Should the report not be submitted by the requested date, the restricted funds shall revert to the General Fund.

Sections

Explanation: The out-of-home placement report is a report mandated by Human Services Article, Section 8-703(e). It is also annually requested to be submitted to the budget committees. This report is a useful evaluative tool to assess the well-being of Maryland's youth and families and to identify areas of concern related to youth placed out of home. The 2020 submission of this report deviated significantly from prior submissions. This language restricts funds in each of the data reporting agencies and specifies the data of interest to the General Assembly, including agency-specific data for out-of-home and out-of-state placements.

Information Request	Authors	Due Date
Out-of-home placements report	Governor's Office of Crime Prevention, Youth, and Victim Services Department of Human Services Department of Juvenile Services Maryland Department of Health Maryland State Department of Education	January 1, 2022

Add the following section:

Section 23 2020 Uniform Crime Report

SECTION 23. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2020 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Further provided that, if DSP encounters difficulty obtaining, or validating the accuracy of, the necessary crime data by November 1, 2021, from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, the office shall withhold a portion, totaling at least 15% but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2022 upon receipt of notification from DSP. GOCPYVS shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP, and DSP verifies the accuracy of that data. DSP and GOCPYVS shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2021, and the amount of SAPP funding withheld from each jurisdiction.

Sections

Explanation: The annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. The 2017 UCR was not submitted until March 2019, and the 2018 UCR was not submitted until March 2020. The 2019 UCR was the first report submitted on time in several years.

This language withholds a portion of the general fund appropriation until the budget committees receive the 2020 UCR. The language also specifies that GOCPYVS, upon receipt of notification from DSP, must withhold a portion of a delinquent jurisdiction's SAPP grant until certain crime data is received by DSP. Finally, DSP and GOCPYVS must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2021, and the amount of SAPP funding that was withheld from each jurisdiction.

Information Request	Author	Due Date
2020 UCR data verification	DSP	November 1, 2021
2020 UCR	DSP	45 days prior to expenditure of funds

Add the following section:

Section 39 Maryland Transportation Authority Fiscal Stress Report

SECTION 39. AND BE IT FURTHER ENACTED, That \$500,000 of the special fund appropriation in the Maryland Port Administration (MPA) and \$500,000 of the special fund appropriation in the Maryland Aviation Administration may not be expended for Maryland Transportation Authority (MDTA) police reimbursement until MDTA submits a report that allays concerns about future fiscal stress resulting from reduced revenues, engaging in multiple major capital projects, and continuing to fund non-MDTA projects. Based on the current Consolidated Transportation Program and other known planned project costs, the report should specifically forecast bond issuance until 2031, projected total debt held through 2031, and projected toll increases through fiscal 2031. To the extent that the forecasted data provided in the report breaches or comes near to violating coverage ratios and other administrative fiscal policies, MDTA should discuss mechanisms for alleviating that fiscal stress. The report shall be submitted by November 15, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The committees are concerned about the ongoing fiscal stress that MDTA is under and its ability to continue to respond to the State's need for transportation projects. This language restricts funds until a report is provided outlining forecasted bond issuance until fiscal 2031, projected total debt held through 2031, and projected toll increases through 2031.

Public Safety, Transportation, and Environment Subcommittee – Operating Budget, March 2021

Sections

Information Request	Author	Due Date
MDTA fiscal stress report	MDTA	November 15, 2021

Amend the following section:

Section 41 Review of Workers' Compensation Agency Structure

SECTION 41. AND BE IT FURTHER ENACTED, That ~~\$50,000~~*\$100,000* of the special fund appropriation in the Uninsured Employers' Fund (UEF), ~~\$50,000~~*\$100,000* of the special fund appropriation in the Subsequent Injury Fund (SIF), ~~\$50,000~~*\$100,000* of the special fund appropriation in the Workers' Compensation Commission (WCC), and ~~\$50,000~~*\$100,000* of the general fund appropriation in the Department of Budget and Management made for the purpose of general operation expenses may not be expended unless the agencies provide a report to the budget committees analyzing the existing structure of *the State agencies that are involved in workers' compensation issues, including the UEF, SIF, the Chesapeake Employers Insurance Company (CEIC) and WCC.* The report shall include:

- (1) an evaluation of the current structure of the UEF, SIF, CEIC and WCC, including but not limited to areas of overlapping responsibilities;
- (2) a recommendation of whether the agencies should be restructured, including but not limited to resource sharing and merging; and
- (3) if the recommendation does not call for restructuring, a thorough evaluation of the UEF's personnel needs.

The report shall be submitted by September 1, 2021, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall *be canceled or* revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funding in several agencies and requires the agencies to analyze the personnel needs of UEF and the structure of ~~three~~ State workers' compensation related agencies.

Sections

Information Request	Authors	Due Date
Report on UEF personnel needs and potential restructuring	UEF CEIC Department of Budget and Management WCC SIF	September 1, 2021

Amendment No. _____

Add the following section:

Section 45 Enforcement and Inspection Position Strength Assessment and Vacant Position Filling

SECTION 45. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and \$200,000 of the general fund appropriation in the Maryland Department of Agriculture (MDA) made for the purpose of general operating expenses may be expended only for the purpose of filling vacant compliance and enforcement positions, provided, however, that no funds may be expended until MDE and MDA jointly prepare and submit quarterly reports on July 1, 2021; October 1, 2021; January 1, 2022; and April 1, 2022, which shall include:

- (1) an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:
 - (a) provide information on the delegation of authority to other entities; and
 - (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, and responsibilities of the departments' compliance and enforcement positions to neighboring or similar states;
- (3) a list of all inspection activities conducted by the MDE Water and Science Administration, the Land and Materials Administration, the Air and Radiation Administration, and the MDA Office of Resource Conservation;

Sections

- (4) the number of:
- (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2021 actuals; and
 - (b) fiscal 2022 current and fiscal 2023 estimated appropriations;
- (5) PINs and titles for all positions filled with restricted funding and how the positions are being used; and
- (6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.

Further provided that funding restricted for this purpose may be released quarterly in \$50,000 installments for each agency upon receipt of the required quarterly reports by the budget committees. The budget committees shall have 45 days from the date the reports are received to review and comment. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees and the released funding is not used to fill vacant compliance and enforcement positions.

Explanation: This language restricts funding until the submission of quarterly reports from MDE and MDA to the budget committees on compliance and enforcement inspections and positions and then further restricts the funding for filling vacant compliance and enforcement positions. The 2020 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

Information Request	Authors	Due Date
Enforcement and inspection	MDA	July 1, 2021
position strength assessment and	MDE	October 1, 2021
vacant position filling		January 1, 2022
		April 1, 2022

Add the following section:

Section 47 Restrict funds for Maryland Transit Administration Operations

SECTION 47. AND BE IT FURTHER ENACTED, That contingent on the failure of at least \$67,116,000 being added to the Maryland Transit Administration's (MTA) fiscal 2022 operating budget through a supplemental budget during the 2021 legislative session:

Sections

- (1) \$6,516,000 of the appropriation in program J00A01.08 Major Information Technology made for the purpose of funding the MDOT AdPICS Refactoring Project may not be expended for that purpose but instead may be transferred by budget amendment to programs J00H01.01 Transit Administration, J00H01.02 Bus Operations, and J00H01.04 Rail Operations to be used only for operations of MTA; and
- (2) \$60,600,000 of the appropriation in program J00B01.01 State System Construction and Equipment made for the purpose of system preservation and minor projects may not be expended for that purpose but instead may be transferred by budget amendment to programs J00H01.01 Transit Administration, J00H01.02 Bus Operations, and J00H01.04 Rail Operations to be used only for operations of MTA.

Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: The fiscal 2022 budget as introduced fails to meet the mandated operating appropriation level for MTA by \$67,116,000. Since the capital program is the last call on Transportation Trust Fund revenues, if additional funding sufficient to satisfy the mandate is not provided through a supplemental budget, the necessary funding is restricted in the capital programs of the Secretary's Office and the State Highway Administration and may only be transferred to the MTA operating budget.

Add the following section:

SECTION XX. AND BE IT FURTHER ENACTED, That since three agencies have had repeat findings for cybersecurity in the calendar 2020 compliance audit reports issued by the Office of Legislative Audits (OLA), \$100,000 of each of the general fund appropriations made for the purpose of administration in Program E00A04.01 Revenue Administration and Program E00A10.02 Information Technology Division in the Office of the Comptroller and \$100,000 of the general fund appropriation for administration in Program R30B26.07 University System of Maryland – Frostburg State University, may not be expended until:

- (1) representatives from each identified entity with repeat personally identifiable information (PII) audit findings in calendar 2019 have met with the State Chief Information Security Officer (SCISO) to identify and document a path for resolution of any outstanding issues, and the agency has taken corrective action with respect to PII protection, including articulating any ongoing associated costs and a timeline for resolution if the corrective action is not complete;
- (2) SCISO submits a report to OLA by February 1, 2022, addressing corrective actions taken to protect PII, a path and timeline for resolution of any outstanding issues, and any ongoing costs associated with corrective actions; and

Sections

(3) a report is submitted to the budget committees and the Joint Audit and Evaluation Committee by OLA, no later than May 1, 2022, listing each repeat audit finding in accordance with (1) above that demonstrates the agencies' commitment to correct each repeat audit finding.

Further provided that it is the intent of the General Assembly that the Baltimore County local school system, having had several repeat audit findings in the calendar 2020 compliance audit reports for cybersecurity, shall also be required to complete items (1), (2), and (3) of this section.

Further provided that the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise and shall revert to the General Fund if the report is not submitted.

Explanation: Commonly accepted cybersecurity standards are guided by CIA, which stands for confidentiality, integrity, and availability. Protecting PII is a key element of confidentiality. Not all State agencies are properly protecting PII. Audit reports from calendar 2019 identified repeat PII findings in the Office of the Comptroller, Frostburg State University, and Baltimore County local school system. This language requires that these agencies report their plans to correct outstanding PII issues to SCISO. SCISO should review these plans and report to OLA about these agencies' plans. OLA should review SCISO's findings and report on the commitment to resolving these repeat findings to the budget committees and the Joint Audit and Evaluation Committee.

Information Request	Authors	Due Date
Report on repeat PII findings	SCISO OLA	February 1, 2022 May 1, 2022

Budget Reconciliation and Financing Act of 2021
Senate Public Safety, Transportation, and Environment Subcommittee

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
PST	1	5-6	Alters the mandate to provide funding for the Office of the Attorney General financial consumer protection to special funds rather than general funds.	The fiscal 2022 budget includes a general fund contingent reduction of \$700,000 related to this item.	Reject.	Reject in part. Alters mandate so that it is \$350,000 from general funds and \$350,000 from special funds.	
PST	11	23	Repeals, for fiscal 2022 only, the mandate for the Department of Natural Resources Fisheries Research and Development Fund.	The fiscal 2022 budget includes a general fund contingent reduction of \$1,794,000 related to this item.	Adopt.	Concur with First House.	
PST	31	42	Requires the Comptroller to transfer \$10 million of Consumer Protection Recoveries to the General Fund if the Office of the Attorney General does not transfer this amount on or before May 1, 2022.		Reject.	Concur with First House.	
PST	34	42	Requires employees in Department of Public Safety and Correctional Services facilities that are closed effective June 30, 2021, (two pre-release units) to be transferred to vacant positions in comparable classifications in other facilities without the loss of compensation, status, or benefits. The transfers are required to be effective no later than July 1, 2021.		Reject.	Reject First House. Adopt original provision.	
PST	102-DLS add'l	43	Authorizes a transfer in fiscal 2021 of \$5 million from the Rate Stabilization Fund to the General Fund that were identified in the fiscal 2020 Statewide Closeout Audit as being improperly retained.		Adopt.	Concur with First House.	
PST	105-DLS add'l	43	Authorizes a transfer of \$1 million from the Charlotte Hall Veterans Home Fund to the General Fund in fiscal 2022.		Adopt.	Reject First House. Reject provision	
PST	107-DLS add'l		Repeals the requirement that the fiscal 2022 operating budget of the Maryland Transit Administration increase by at least 4.4% over the fiscal 2021 appropriation.		Reject.	Concur with First House.	
PST	303-APP add'l	43-44	Requires the Maryland-National Capital Park and Planning Commission to transfer up to \$5.0 million from its park taxes balance to the State General Fund on or before October 1, 2021.		Adopt.	Concur with First House.	



Report of the
Education, Business, and
Administration Subcommittee
To the Senate Budget and Taxation Committee

2021 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 588

General Assembly of Maryland

Senate Budget and Taxation Committee
Education, Business, and Administration Subcommittee

2021 Session Membership Roster

Senator Craig J. Zucker, Chairman

Senator Paul D. Corderman
Senator Sara K. Elfreth
Senator Nancy J. King

Committee Staff

Erika S. Schissler

Subcommittee Coordinator

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Education, Business, and Administration Subcommittee – Recommended Reductions

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2022 Budget Request						
Maryland State Department of Education Early Childhood Development	\$0	\$0	\$3,000,000	\$0	\$3,000,000	
<i>Subtotal Fiscal 2022 Regular Budget</i>	<i>\$0</i>	<i>\$0</i>	<i>\$3,000,000</i>	<i>\$0</i>	<i>\$3,000,000</i>	
Fiscal 2022 Total Budget	\$0	\$0	\$3,000,000	\$0	\$3,000,000	
Fiscal 2021 Deficiency Budget						
Maryland Technology Development Corporation	\$250,000	\$0	\$0	\$0	\$250,000	
<i>Subtotal Fiscal 2021 Deficiency Budget</i>	<i>\$250,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$250,000</i>	
Total Fiscal 2021 Deficiency Budget	\$250,000	\$0	\$0	\$0	\$250,000	
Grand Total Budget Bill	\$250,000	\$0	\$3,000,000	\$0	\$3,250,000	

D05E01
Board of Public Works

Committee Narrative

Maryland Zoo Operational Reporting: In continuance of the practice that began in July 2008, the committees request that the Maryland Zoological Society submit audited financial statements for fiscal 2021 and year-to-date monthly attendance figures for the zoo for fiscal 2022 by visitor group. This should include a breakdown of the kinds of passes allocated.

Information Request	Author	Due Date
Audited financials	Maryland Zoological Society	November 1, 2021
Monthly attendance	Maryland Zoological Society	Quarterly report by July 15, 2021 October 15, 2021 January 15, 2022 April 15, 2022

D28A03
Maryland Stadium Authority

Committee Narrative

***Hagerstown Multi-Use Sports and Event Facility:** The City of Hagerstown has been studying constructing a Multi-Use Sports and Event Facility. The committees have approved the Maryland Stadium Authority (MSA) studies for a new facility, specifically, a phase I feasibility study that was released in May 2019 and a phase II study that includes a parking analysis, an environmental study, site planning, and a construction cost estimate. This facility is a priority for the city and the committees encourage MSA to work collaboratively with the Hagerstown – Washington County Industrial Foundation in continuing MSA’s design and financing options of the Hagerstown Multi-Use Sports and Event Facility. The committees request MSA provide an update to the committees on this status of this facility.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Update on Hagerstown Multi-Use Sports and Event Facility</i>	<i>MSA</i>	<i>December 1, 2021</i>

F50
Department of Information Technology

Budget Amendments

OFFICE OF INFORMATION TECHNOLOGY

F50B04.01 State Chief of Information Technology

Add the following language to the general fund appropriation:

, provided that it is the intent of the General Assembly that each department of the State government publish prominently on its website the name and title of the Secretary and any deputy secretaries of the department along with photographs of these individuals. Further provided that \$100,000 of this appropriation made for the purpose of administration in the State Chief of Information Technology may not be expended until the Department of Information Technology submits a report to the budget committees on the status of the departmental website of each principal department of the Executive Branch of State government specifically noting which agencies are publishing this information. The report shall be submitted by July 30, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language requires that \$100,000 in general funds cannot be expended until the Department of Information Technology (DoIT) submits a report to the budget committees on the status of the website of each department in State government and which websites include the name and picture of each Secretary and deputy secretary. The report should identify which departments are publishing names and pictures and which departments are not.

Information Request	Author	Due Date
Report on website of each principal department	DoIT	July 30, 2021

Amendment No. _____

Committee Narrative

Review of State Cybersecurity: The committees are concerned about cybersecurity risks to State networks and systems. Maintaining the integrity, confidentiality, and accessibility of State networks is a challenge. The State has a decentralized information technology network that is commonly viewed as complicating cybersecurity defenses. The Office of Legislative Audits identified 33 cybersecurity findings in calendar 2020. These cybersecurity findings include

F50

vulnerable personally identifiable information, inadequate personnel controls, and inadequate technical controls. Adding to this challenge is an increased number of remote workers, which increased from less than 1% in January 2020 to almost 50% in January 2021. There are concerns that threats from cybercriminals are evolving to target remote workers. The Department of Information Technology (DoIT) should report to the committees on cybersecurity risks and the State's response to those risks. The report should include (1) recent audit findings, how the State has responded to these findings, and what needs to be done to reduce findings in future audits; (2) the role of the State Chief Information Security Officer (SCISO) and Maryland Cybersecurity Coordinating Council (MCCC) in addressing cybersecurity risks, including what has been achieved since the 2019 executive order creating SCISO and MCCC; (3) how remote work has increased risks and what the State's response is to those risks; and (4) how cybersecurity risks are evolving and how the State response will need to evolve to address those risks.

Information Request	Author	Due Date
Review of State cybersecurity	DoIT	November 19, 2021

Information Technology (IT) Debt and Enterprise Share Services IT Support Study: *The committees are concerned about the State's IT debt that the support agencies are receiving from the Department of Information Technology (DoIT). IT debt is defined as cost of clearing the backlog of IT maintenance to bring the application portfolio up to date. By December 1, 2021, DoIT should report to the committees on IT debt and its enterprise shared services IT support. This report should address the following:*

- *the number of agencies that are currently in the Enterprise IT System and how many more will join in the next three years;*
- *what is the average cost per employee for managed services offered by DoIT;*
- *is there a self-consumption and cost model for DoIT services offered to agencies and if so, what is it;*
- *are there service-level agreements (SLA) associated with the DoIT service catalog and how do the SLAs compare to private industry benchmarks;*
- *are State agencies looking outside of DoIT for shared services available in the open market and if so how;*
- *as today's infrastructure is being built how much attention is paid to ensure that it will adapt to future IT developments without significant changes;*
- *discuss the State's business continuity and disaster recovery strategy;*

F50

- *discuss how quickly applications and services can be restored during recovery from a disaster;*
- *what is the State's security framework and what is the average time to detect a security issue, and what is the average time for remediation;*
- *for infrastructure managed by DoIT, what is the current mean time to recovery;*
- *describe efforts to streamline IT processes to increase operational efficiencies; and what the State is doing to drive citizen services online.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>IT debt and enterprise share services IT support study</i>	<i>DoIT</i>	<i>December 1, 2021</i>

H00
Department of General Services

Committee Narrative

Report on Remote Work at Maryland State Agencies: The COVID-19 pandemic has forced many State agencies to have their employees work remotely. The Department of Budget and Management advises that the number of Executive Branch employees working remotely increased from 266 (0.8% of the workforce) in January 2020 to 15,449 employees (46.3% of the workforce) in January 2021. While many employees will be returning to the office after the pandemic is over, it is likely that the experience of working remotely for over a year has given many organizations the confidence and ability to increase the share of their workforce that works remotely. At this time, too little is known about the lasting effects of remote work during the pandemic. The Department of General Services (DGS) is responsible for providing office space for State agencies. The department should begin evaluating how State agency office space needs will be affected by the pandemic. DGS should report to the budget committees on State office space needs and how these needs have changed. The report should include (1) surveys of State agency needs; (2) an examination of different kinds of office space needs for different agencies; (3) estimates of the number and share of State employees that will be working remotely, working both remotely and in the office, and working solely in the office; (4) strategies for reducing office space needs; and (5) the costs and benefits associated with reducing office space if the need for office space is less after the pandemic than before the pandemic. The cost benefit analysis should be over a five-year period to capture savings against the costs such as prematurely breaking leases.

Information Request	Author	Due Date
Report on remote work at Maryland State agencies	DGS	December 15, 2021

Greenhouse Gas Reduction Goal Report: *Department of General Services (DGS) is required to submit an annual report on its progress in reducing consumption in State-owned buildings. DGS should also report to the committees on its actions regarding its procurements and Maryland Consolidated Capital Budget Loan authorizations to achieve Maryland’s greenhouse reduction gas goals.*

Information Request	Author	Due Date
<i>Greenhouse gas reduction goal report</i>	DGS	<i>December 1, 2021</i>

Personal Protective Equipment Stockpiles and Readiness: *The committees are concerned if State employees have sufficient personal protective equipment (PPE) in case of another surge in COVID-19 infections. The Department of General Services (DGS), the Maryland Department*

H00

of Health (MDH), the Department of Juvenile Services (DJS), and the Department of Public Safety and Correctional Services (DPSCS) should update the committees on available PPE stockpiles and the State's readiness to equip State employees and facilities with necessary PPE in case there is another surge in infections. This should include an inventory of PPE (disaggregated by type of supplies, such as nitrile gloves, N95 masks, and isolation gowns, among other types); a list of the types of PPE that continue to see widespread shortages; and strategies to obtain more PPE in case of a surge.

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Update on PPE stockpiles and readiness</i>	<i>DGS MDH DJS DPSCS</i>	<i>July 1, 2021</i>

P00
Maryland Department of Labor

Committee Narrative

P00A01.01 Executive Direction

Unemployment Insurance Implementation and Staffing: *The committees request a report providing a staffing assessment of the Division of Unemployment Insurance, including strategies for employee recruitment and retention. The report should also include a status update on how the department is implementing any State or federal legislation related to unemployment insurance.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on unemployment insurance implementation and staffing</i>	<i>Maryland Department of Labor</i>	<i>August 1, 2021</i>

Providing Our Workers Education and Readiness (POWER) Apprenticeship Act: *The committees request a report on the capital projects that met the standards outlined in the POWER Apprenticeship Act (Chapter 782 of 2017), the location of those projects, the number of apprentices that worked on those projects, and the number of contractors or subcontractors that worked on those projects and paid into the Maryland Apprenticeship Training Fund, covering all available data following implementation of the data collection system.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on projects affected by POWER Apprenticeship Act</i>	<i>Maryland Department of Labor</i>	<i>November 1, 2021</i>

Supplemental Budget No. 2 – Fiscal 2021 Deficiency

P00H01.01 Office of Unemployment Insurance

Amend the following language to the general fund appropriation:

, provided that \$1,000,000–\$3,000,000 of this appropriation made for the purpose of interest payments on unemployment insurance borrowing may not be expended for that purpose but instead may only be transferred by budget amendment to the Maryland Technology Development Corporation program T50T01.03 Maryland Stem Cell Research Fund to be used to support stem cell research and development. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. *appropriations for the following grants in the specified amounts:*

P00

- (1) \$1,000,000 to the Maryland Technology Development Corporation program T50T01.03 Maryland Stem Cell Research Fund to be used to support stem cell research and development; and
- (2) \$2,000,000 to the Maryland State Department of Education Aid to Education program R00A02.07 Students With Disabilities to be used for the Autism Waiver Program to fund additional program slots.

Funds not expended for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts ~~\$1,000,000~~ \$3,000,000 in the fiscal 2021 deficiency appropriation for interest payments in the ~~Office of Unemployment Insurance for the Maryland Stem Cell Research Fund in the Maryland Technology Development Corporation.~~ Office of Unemployment Insurance for the Maryland Stem Cell Research Fund in the Maryland Technology Development Corporation and for the Autism Waiver Program in the Maryland State Department of Education Aid to Education program.

Amendment No. _____

R00A01
State Department of Education
Headquarters

Budget Amendments

R00A01.01 Office of the State Superintendent

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation for the Maryland State Department of Education, Office of the State Superintendent may not be expended until the agency submits a report to the budget committees on how it monitors and reviews the Maryland School for the Deaf as required by Section 8-3A-08 of the Education Article and provides an update on agency actions to support the school in its current review of documentation and facilities. This report should have three parts. The first part should focus on the agency's statutory responsibilities for the school, including:

- (1) review of the school's budget;
- (2) review of the school's enhanced services, including criteria for admission;
- (3) consultation on issues related to deaf education;
- (4) assistance in developing agreements between the school and local school systems for providing services to deaf students; and
- (5) monitoring and assistance of other aspects of the school's educational program and services as required by federal or State law.

The second part of the report should provide an update on the agency's progress to support the school and its current review of documentation and facilities as outlined in the school's December 2020 letter to the Maryland General Assembly's Education, Health, and Environmental Affairs Committee, and the Education and Business Administration Subcommittee. This part of the report should include actions taken by the agency to assist the school in the following areas:

- (1) special education policies and procedures;
- (2) current and historic eligibility determination and placement data;
- (3) current and historic discipline data, including seclusion and restraint; and
- (4) spaces used for sensory regulation and/or seclusion.

R00A01

The third part of the report should provide information on fiscal resources dedicated to meet statutory requirements and support the current review. This information should document the agency's annual expenditures on the school from fiscal 2020 to 2022, and include, but not be limited to the amount of full-time equivalent personnel assigned to oversight, assistance, and support of the school by department and office; budget expenditures by object; and any other expenses incurred as a result of the current review of the school's documentation and facilities.

This report shall be submitted by August 1, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Section 8-3A-08 of the Education Article states that the Maryland State Department of Education (MSDE) is responsible for monitoring and review of the Maryland School for the Deaf (MSD). In addition to this responsibility, MSD has recently engaged in a self-study that involves MSDE support and assistance. This language directs MSDE to submit a report to the budget committees that specifies how the agency implements this statute, documents actions taken as part of the MSD self-study, and provides details on expenditures related to these actions and the agency's statutory requirements.

Information Request	Author	Due Date
Report on MSD	MSDE	August 1, 2021

Amendment No. _____

Committee Narrative

Status Report on Maryland Comprehensive Assessment Program: In 2018, the Maryland State Department of Education (MSDE) announced the transition from the Partnership for Assessment of Readiness for College and Careers to the Maryland Comprehensive Assessment Program (MCAP). However due to COVID-19 school closures, the State could not give required assessments in spring 2020. To reflect this absence, July 2020 Board of Public Works cuts reduced MSDE's budget for MCAP assessments by \$4.7 million to \$28.5 million. In the fiscal 2022 budget, MSDE again receives a total of \$33.2 million for this program, including the restoration of the \$4.7 million reduced as part of the fiscal 2021 cuts. The budget committees request that by November 1, 2021, MSDE report on:

- MCAP administration for the 2020-2021 and 2021-2022 school year;
- anticipated additional costs or savings from fiscal 2021 through 2024;

R00A01

- updated timetable for statewide test administration for all MCAP tests; and
- plans, if any, to modify tests to accommodate student learning loss and missed test administration.

Information Request	Author	Due Date
Status report on MCAP	MSDE	November 1, 2021

Report on Accounting Practices: Due to a high amount of reversions identified in a 2019 audit, in calendar 2020, the budget committees requested that Maryland State Department of Education (MSDE) submit a closeout report documenting reversions and encumbrances that did not equal zero. MSDE submitted this report in 2020, which had valuable information on budget actions. The budget committees again request that MSDE submit a closeout report for fiscal 2021 by October 1, 2021. This report should include an explanation for encumbrances and reversions for all general, special, federal, and reimbursable funds for any amount that did not equal zero.

Information Request	Author	Due Date
Report on accounting practices	MSDE	October 1, 2021

Report on Remote Learning: In May 2020, Maryland State Department of Education (MSDE) issued Maryland Together: Maryland's Recovery Plan for Education, which contained suggestions on how local school systems (LSS) might best facilitate remote learning, reopen schools safely, and facilitate hybrid (a mix of remote and in-person) learning at the local level. In addition to this guidance, the Digital Learning Stakeholders Committee met several times under the direction of the Deputy State Superintendent for Teaching and Learning to provide LSS information and guidance on this emergent and important topic, including discussion of a State learning management system, a regional learning consortium, remote courses for students, and increased offerings for virtual educator professional development. The budget committees request that MSDE report by December 1, 2021, on actions taken in calendar 2020 and 2021 to address remote learning challenges and remedies for teachers and students, including but not limited to:

- meeting schedule and updated list of committee members;
- development of, and access to, virtual professional development courses, particularly on best practices for remote learning;
- State learning management system budget, procurement, and deployment;

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- regional learning consortiums; and
- future plans and budget, if any, for a State virtual school or other coordinated curriculum leading to a high school certificate or diploma.

Information Request	Author	Due Date
Report on virtual learning	MSDE	December 1, 2021

Report on Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds: Due to school closures prompted by the COVID-19 pandemic, the Maryland State Department of Education (MSDE) received over \$400 million in federal funds through the CARES Act. Although some of these funds were distributed directly to local school systems (LSS), other programs were administrated by MSDE or address MSDE administrative costs. With this in mind, the budget committees request that MSDE report by September 1, 2021, on the following CARES Act fund distributions:

- \$10.8 million in discretionary funds for MSDE administrative costs from the Elementary and Secondary School Emergency Relief (ESSER) Fund;
- \$10.0 million distributed to LSS, the SEED School, the Maryland School for the Deaf, and the Maryland School for the Blind, for costs related to school reopening from the ESSER Fund; and
- \$10.0 million in Competitive Innovative Grants for educational institutions with innovative approaches to addressing the COVID-19 pandemic from the Governor's Emergency Education Relief Fund.

Information Request	Author	Due Date
Report on CARES Act funds	MSDE	September 1, 2021

R00A01.10 Division of Early Childhood Development

Early Childhood Expansion Funding: The fiscal 2022 allowance allocates \$108.4 million in special funds from the Blueprint for Maryland's Future Grant Program to expand early childhood services through prekindergarten supplemental grants, prekindergarten expansion grants, workforce development programs, the Maryland Infants and Toddlers program, and supportive services offered at Judy Centers and Family Support Centers. By December 1, 2021, the Maryland State Department of Education (MSDE) should submit a report to the budget committees that provides year-to-date spending of these special funds by purpose and the

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number of Judy Centers and Family Support Centers created in fiscal 2022. MSDE should provide information on how the \$6.1 million grant to Johns Hopkins University for technical assistance and outreach was used under the Maryland EXCELS program, including the grantee's research, evaluation, and recommendations regarding the Maryland EXCELS program overall. The report should also provide the fiscal 2022 prekindergarten supplemental and expansion grant awards by jurisdiction and the number of slots created or improved with the additional funds.

Information Request	Author	Due Date
Report on early childhood expansion spending	MSDE	December 1, 2021

Child Care Scholarship Program Data Analysis: The Maryland State Department of Education (MSDE) had previously contracted with the Regional Economic Studies Initiative (RESI) at Towson University to conduct advanced research and data analysis to project Child Care Scholarship (CCS) program participation and costs. After more than two years without successfully procuring a competitive bid contract, MSDE has entered a new memorandum of understanding with RESI for the same services. By October 1, 2021, MSDE should submit a report with RESI's program participation forecast by income bracket. The report should also provide an analysis of how increased income eligibility, increased provider reimbursement rates, and the COVID-19 pandemic (including child care and K-12 school closures) have impacted CCS program participation and expenditures. Finally, the report should discuss any changes to MSDE's procurement process that would create efficiencies and expand the use of competitive bid procurements over interagency agreements in the future.

Information Request	Author	Due Date
Report on CCS program data analysis	MSDE	October 1, 2021

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State Department of Education
Aid to Education

Budget Amendments

R00A02.06 Maryland Prekindergarten Expansion Program Financing Fund

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete federal funds under the Prekindergarten Expansion Fund as a technical correction for a grant that expired in calendar 2019.	3,000,000	FF
 Total Reductions	 3,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Special Fund	26,644,000	26,644,000	0	
Federal Fund	3,000,000	0	3,000,000	
Total Funds	29,644,000	26,644,000	3,000,000	

R00A02.07 Students With Disabilities

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of the Nonpublic Placement Program may not be expended for that purpose, but instead may only be spent for the purpose of providing a grant to the Chesapeake Bay Foundation for educational programming. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise and shall revert to the General Fund.

Explanation: This action restricts a portion of funds provided for the Nonpublic Placement Program to provide a grant to the Chesapeake Bay Foundation for educational programming.

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of the Nonpublic Placements Program may only be used as a grant to an Adult High School Pilot Program in accordance with SB 630, contingent on the enactment of SB 630. Funds not expended for this restricted purpose shall revert to the General Fund.

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Explanation: *This action restricts a portion of funds provided for the Nonpublic Placement Program to implement SB 630, which establishes a State grant for the Adult High School Pilot Program starting in fiscal 2022.*

Amendment No. _____

Committee Narrative

Closeout Report on Students with Disabilities, Nonpublic Placement Program: The budget committees are concerned about a recent report from the Maryland Department of Education (MSDE) on the Students with Disabilities, Nonpublic Placements program, which reported a \$40 million discrepancy in the disbursement amounts in fiscal 2020. MSDE reports that this discrepancy is due to final reconciliation delays caused by the pandemic as well as delays in mail service. The budget committees request that MSDE submit a closeout report on this program by August 1, 2021. This report should provide information by provider on enrollment, annual reimbursement cost, documentation on this discrepancy, and reasons for the reconciliation delay.

Information Request	Author	Due Date
Closeout report on the Nonpublic Placement program	MSDE	August 1, 2021

Report on the Autism Waiver: *The autism waiver program and registry are administrated by the Maryland State Department of Education (MSDE), the Maryland Department of Health (MDH), and a third-party contractor. The budget committees are concerned that certain information in the 2020 Joint Chairmen’s Report on the autism waiver is not clearly stated and that additional stakeholders should be involved in developing this report. The committees request that MSDE and MDH, in consultation with relevant stakeholders and the autism waiver advisory committee, review the autism waiver program and registry, which is offered through the home and community-based services waiver for children with autism spectrum disorder. This report should be submitted by November 1, 2021; focus on actions taken in calendar and fiscal 2021; and contain the following information:*

- *the process by which agencies and contractors verify that individuals on the autism waiver registry reside in the State of Maryland, including steps in the verification process, how often this information is updated, and how, if at all, this process was modified or altered due to the coronavirus pandemic;*
- *the process by which individuals are added or removed from the autism waiver registry, including guidelines, criteria, frequency of removal, and recommendations, if any, to*

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changes to the process of registry additions or removals;

- *timelines for updating the autism waiver registry, including how often the list is refreshed for all stakeholders and shared with the autism waiver advisory committee; and*
- *formal documentation of procedures for this registry that are shared with stakeholders and individuals on the registry.*

This report should also update the committees on the budget for the autism waiver program in fiscal 2021 and 2022. This part of the report should include:

- *a closeout statement by object for fiscal 2021, including reversions and encumbrances;*
- *a budget by object for fiscal 2022;*
- *number of individuals served in fiscal 2021 and anticipated number of individuals served in fiscal 2022;*
- *number of individuals on the registry as of September 30, 2021;*
- *reasons for continued capacity challenges and how MSDE and MDH are working to increase provider capacity;*
- *provider rates for fiscal 2021 and 2022; and*
- *modifications, if any, to fiscal 2021 expenditures and the fiscal 2022 budget that occurred due to the coronavirus pandemic.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on the autism waiver</i>	<i>MSDE MDH</i>	<i>November 1, 2021</i>

Compensation Framework for Nonpublic Special Education Teachers: *The budget committees are concerned that the Maryland State Department of Education (MSDE) and local education agencies (LEA) have a shared joint responsibility to:*

- *educate students with special needs;*
- *retain and recruit qualified special education teachers;*

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- *deliver the highest educational standards for the most vulnerable student populations; and*
- *provide equitable support to special education teachers employed in nonpublic schools approved under COMAR 13A.09.10 who deserve the same compensation as special education teachers employed in public schools.*

The 2020 Joint Chairmen’s Report response on compensation disparities between nonpublic and public school special education teachers noted that these compensation disparities do exist. Therefore, the budget committees request that by December 1, 2021, MSDE, in conjunction with nonpublic special education schools, create a budget framework that would create a path to ensure that salaries of special education teachers in nonpublic schools are on par with LEA public school teacher salaries. This framework should adjust teacher salaries exclusive of the current rate-setting methodology and the outcome should also be independent of corresponding fiscal actions that could negatively impact the budget process of special education schools. This framework should also incorporate information on teacher benefits, including, but not limited to, health insurance, retirement, professional development, and tuition reimbursement benefits.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on nonpublic special education teacher compensation</i>	<i>MSDE</i>	<i>December 1, 2021</i>

R00A02.13 Innovative Programs

Report on Federal Grants Allocated to Local School Systems (LSS) for COVID-19 Expenditures: Maryland schools received a considerable amount of federal aid in responding to the coronavirus pandemic. The budget committees are concerned with the tracking and reporting of funds allocated in response to the COVID-19 pandemic and, therefore, request that the Maryland State Department of Education (MSDE) submit a report by August 1, 2021, on the expenditures of federal Coronavirus Aid, Relief, and Economic Security Act and Coronavirus Response and Relief Supplemental Appropriations Act funds to LSS. This report should include details of LSS expenditures on COVID-19 expenditures by program and object; information on how funds were distributed; funds remaining, if any; and details on COVID-19 relief actions taken by LSS. This report should include information on the following federal fund grants:

- Elementary and Secondary School Emergency Relief Fund I and II grants allocated to LSS and the School for Education Evolution and Development school;
- Coronavirus relief funds for K-12 technology and tutoring;

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- Governor’s Emergency Education Relief (GEER) I for K-12 Technology and Competitive Innovation Grants; and
- GEER II funds for Innovative Approaches to Connecting with Students.

Information Request	Author	Due Date
Report on federal grants to LSS	MSDE	August 1, 2021

Report on Pathways to Technology Early College High School (P-TECH) Program Enrollment and Costs: The budget committees are concerned that since the inception of the P-TECH program, predicting costs for this program have proven to be very difficult. To help in continuing to evaluate this program, the budget committees direct the Maryland State Department of Education (MSDE) to report on P-TECH by August 1, 2021, including the following program information:

- current enrollment in all P-TECH programs by high school, community college, cohort, and entry year;
- projected enrollment in all P-TECH programs in school year 2021-2022 and 2022-2023;
- the total number of students who left the program in any given year and reasons for departure;
- the total number of students who have graduated by program and percentage completion rate;
- actual cost per student per program in fiscal 2020 and 2021; and
- projected costs per student per program in fiscal 2022 and 2023, including supplemental school and college grants by institution and local school system.

Information Request	Author	Due Date
Program enrollment and costs for P-TECH	MSDE	August 1, 2021

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Medicaid Claims for School-based Health Services: A 2020 Joint Chairmen’s Report response found that the State and local education agencies (LEA) would need to take several steps to initiate Medicaid claiming for school-based health services. Specifically, this report noted that the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH) are waiting on federal guidance to be updated so that these agencies can initiate this administrative claiming program. The committees are concerned that, due to the complexity of this process, MSDE and MDH will not continue to pursue steps to help LEAs implement this type of claiming system, which would potentially provide significant savings. The committees request that starting on September 1, 2021, MSDE and MDH provide quarterly updates on the progress of federal guidance and agency progress to implement Medicaid claims for school-based health services. Each report should include an updated timeline and approximate costs and savings for the State and LEAs if such a program were to be implemented.

Information Request	Authors	Due Date
Report on Medicaid claims for school-based health services	MDSE MDH	Quarterly starting on September 1, 2021

R00A02.27 Food Services Program

Report on Community Eligibility Provision Data: *The budget committees request that the Maryland State Department of Education (MSDE) submit a report on the Community Eligibility Provision (CEP), which was established as part of the federal Healthy, Hunger-Free Kids Act of 2010. This report should be completed by November 30, 2021, and examine data from the free and reduced-price meal program, the Supplemental Nutrition Assistance Program, and Temporary Assistance for Needy Families for, at a minimum, school years 2019-2020 and 2020-2021 and fiscal 2020 and 2021. This report should use these data to identify, assess the feasibility of, and determine the eligibility for, all schools in a local education agency (LEA) (including a group of schools or a single school) that may be subject to the CEP in the next two school years, 2021-2022 and 2022-2023. This report shall include, but not be limited to:*

- *updated information on how this provision will be implemented by LEA in the next two school years;*
- *cost-benefit analysis of that implementation by LEA;*
- *documentation of equitable implementation of the CEP provision in Title I eligible schools; and*
- *impact, if any, on federal Title I funding allocations, or any other State education funding, on CEP participation, including how these schools might benefit financially both from CEP participation and regular Title I funding.*

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<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on CEP</i>	<i>MSDE</i>	<i>November 30, 2021</i>

R00A02.59 Child Care Subsidy Program

Child Care Scholarship Program Quarterly Reports: Recent changes to the Child Care Scholarship (CCS) program, specifically expanding income eligibility and increasing provider reimbursement rates, have substantially increased program participation and expenditures. General fund support for the CCS program increased in the fiscal 2022 allowance for the first time since fiscal 2018. The rapid increase in program expenditures is especially concerning as the Maryland State Department of Education (MSDE) has implemented enrollment freezes in the past due to limited funding availability.

MSDE should report quarterly on CCS expenditures, including the amount from the Child Care and Development Fund (CCDF) being spent that was carried over from prior fiscal years, the amount of newly authorized federal funds, the amount of CCDF funding awarded for COVID-19-related uses, and the amount of general funds. These reports should disaggregate CCDF funding used directly for scholarships and funding used by MSDE Headquarters in support of the CCS program specified by purpose. MSDE should also report quarterly on the provider reimbursement rate as a percentile of the statewide market rate, by region. The reports should include the total number of children and families receiving CCS per month and the number of children and families receiving CCS who are newly eligible as a result of the emergency regulation effective August 1, 2018. MSDE should also provide quarterly updates on the number of family child care programs and child care centers that have reopened and the number of programs that have not reopened. This data should include the number of available child care slots and the number of slots that are unavailable due to programs remaining closed. Finally, MSDE should provide quarterly updates on whether it is maintaining a CCS waiting list and, if so, which income categories are impacted and how many children are on the waiting list.

In its August 1, 2021 report, MSDE should provide an update on how the CCDF supplemental award allocated through the Consolidated Appropriation Act of 2021 has been spent, how much funding remains, and how the remaining funds will be used. MSDE should provide information regarding the Child Care Pandemic Relief Grant program, including the number of child care providers receiving grants and grant allocations by jurisdiction and by child care provider type. This report should also include actual data as it relates to the CCS program in the final quarter of fiscal 2021 and fiscal 2022 overall.

Information Request	Author	Due Date
CCS quarterly expenditure reports	MSDE	August 1, 2021 November 1, 2021 February 1, 2022 May 1, 2022

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R00A02.60 Blueprint for Maryland's Future Program

Closeout Report on Blueprint for Maryland's Future Programs: As part of the implementation of Chapter 771 of 2019, local school systems (LSS) are required to report to the General Assembly on the use of the funds allocated in fiscal 2020 and 2021. The budget committees are concerned that, based on data collected in the Department of Legislative Services survey of LSS in fiscal 2020 and 2021 Blueprint spending, that LSS may have amounts remaining in three programs. The budget committees request that the Maryland State Department of Education (MSDE) submit closeout reports on grants by October 1, 2021, for funds allocated for Transitional Supplemental Instruction, Special Education, and Concentration of Poverty Schools. This closeout report should provide details as to how LSS spent these funds as well as remaining fund balances.

Information Request	Author	Due Date
Closeout report on Blueprint for Maryland's Future programs	MSDE	October 1, 2021

Committee Narrative

Report on Copyrighted Materials for Supplemental Reading and Tutoring Programs: The committees are concerned that when local education agencies (LEA) need to purchase materials for supplemental reading and tutoring programs, these materials are often copyrighted. The purchase of copyrighted materials is not only expensive for LEAs, but the use of copyrighted materials may involve limited access to these materials for students and parents. The committees request that by October 1, 2021, the Maryland State Department of Education (MSDE) report on the feasibility, current provision, or purchase of unrestricted or "open source" materials for supplemental reading and tutoring programs for LEAs. This report should include information on copyrighted and unrestricted materials for supplemental reading and tutoring programs including, but not limited to:

- availability of high-quality unrestricted materials that meet current State curriculum requirements;
- current LEA use of copyrighted materials versus unrestricted materials for supplemental reading and tutoring programs by program, grade level, and intended skill;
- expenditures by LEA on copyrighted materials versus unrestricted materials; and
- the opportunity or feasibility of partnerships between LEA and Maryland higher education institutions or community colleges that use or work with unrestricted reading materials.

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Information Request	Author	Due Date
Report on copyrighted materials for supplemental reading and tutoring programs	MSDE	October 1, 2021

R00A03
State Department of Education
Funding for Educational Organizations

Budget Amendments

R00A03.04 Aid to Non-Public Schools

Amend the following language:

, provided that this appropriation shall be for the purchase of textbooks or computer hardware and software and other electronically delivered learning materials ~~as permitted under Title II, Section 2416(b)(4), (6), and (7) of the No Child Left Behind Act~~ for loan to students in eligible nonpublic schools with a maximum distribution of \$65 per eligible nonpublic school student for participating schools, except that at schools where ~~at least 20%~~ from 20% to 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$95 per student, and at schools where more than 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$155 per student.

Explanation: This action amends language modifying the distribution of funding for the Aid to Non-Public Schools Program so that schools where more than 40% of the students are eligible for the free or reduced-price lunch program receive \$155 per student. Similar language has been included in the budget since fiscal 2017. It also strikes language regarding the No Child Left Behind Act due to technical differences with the reauthorized Elementary and Secondary Education Act.

Add the following language:

Further provided that a nonpublic school participating in the Aid to Non-Public Schools Program R00A03.04 shall certify compliance with Title 20, Subtitle 6 of the State Government Article. A nonpublic school participating in the program may not discriminate in student admissions, retention, or expulsion, or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Any school found to be in violation of the requirements to not discriminate shall be required to return to the Maryland State Department of Education all textbooks or computer hardware and software and other electronically delivered learning materials acquired through the fiscal 2022 allocation. The only other legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program. Any school that is found in violation of the nondiscrimination requirements in fiscal 2021 or 2022 may not participate in the program in fiscal 2022. It is the intent of the General Assembly that a school that violates the nondiscrimination requirements is ineligible to participate in the Aid to Non-Public Schools

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Program, the Broadening Options and Opportunities for Students Today Program, the James E. “Ed” DeGrange Nonpublic Aging Schools Program, and the Nonpublic School Security Improvements Program in the year of the violation and the following two years.

Explanation: This action requires a nonpublic school participating in the Aid to Non-Public Schools Program to certify compliance with Title 20, Subtitle 6 of the State Government Article (Discrimination in Employment). It also specifies that a participating school may not discriminate in student admissions, retention, or expulsion, or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Violation of these provisions means that a school will be ineligible for the program. Similar language has been included in the budget since fiscal 2017. This action also specifies that schools that violate the provisions must return all textbooks and technology received through the program to the Maryland State Department of Education. It also states that a school that violates the nondiscrimination requirements in fiscal 2021 or 2022 is not eligible to participate in the program in fiscal 2022 and states legislative intent that any school that violates the nondiscrimination requirements is ineligible to participate in any program that provides funding to nonpublic schools for a total of three years.

Amend the following language:

- (2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department; ~~and~~
- (3) Comply with Title VI of the Civil Rights Act of 1964, as amended; and
- (4) Submit its student handbook or other written policy related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

Explanation: This action requires schools that participate in the Aid to Non-Public Schools Program to submit a student handbook or policy on student admissions to the Maryland State Department of Education in order to ensure compliance with program eligibility requirements.

Committee Narrative

Report on the Governor’s Emergency Education Relief (GEER) II Funding for Nonpublic Schools: In January 2021, the Governor announced \$35.8 million for Maryland nonpublic schools as part of the Coronavirus Response and Relief Supplemental Appropriation Act of 2021. This act provides \$2.75 billion in national assistance for the Emergency Assistance for Non-Public Schools program, which is offered as part of the second round of funding through

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the GEER II Fund. The Governor also recently announced that the Maryland School for the Blind will receive \$253,354 in GEER II funding. The budget committees request that the Maryland State Department of Education (MSDE) report by July 1, 2021, on the distribution of the nonpublic schools GEER II grant. This report should include the number of eligible nonpublic schools that applied and were selected for this grant program, amount distributed to each nonpublic school, intended grant expenses, and any remaining fund balance.

Information Request	Author	Due Date
Report on GEER II funding for nonpublic schools	MSDE	July 1, 2021

Report on Participation of Nonpublic School Students in Dual Enrollment Programs: *The budget committees are concerned about the lack of available data on nonpublic school students in the Aid to Nonpublic Schools Program who participate in dual enrollment programs. The committees request that the Maryland State Department of Education, in collaboration with the Maryland Longitudinal Data System Center (MLDSC), submit a report by October 1, 2021, with the following information regarding schools and students in the Aid to Nonpublic Schools Program for the school year 2020-2021:*

- (1) dual enrollment programs offered by local jurisdiction, participating nonpublic school, and higher education institution;*
- (2) number of students enrolled in dual enrollment programs by nonpublic school and institution;*
- (3) courses offered; and*
- (4) dual degree programs offered, if any, that allow students to graduate from high school in four years with an associate's degree.*

Explanation: *MLDSC reports annually on the number of public school students in dual enrollment programs and the courses in which they are enrolled. However, this report does not include students that participate in dual enrollment who are enrolled at schools in the Aid to Nonpublic Schools Program. This report aims to provide that information for the committees for students enrolled in these programs in the 2020-2021 school year.*

<i>Information Request</i>	<i>Authors</i>	<i>Due Date</i>
<i>Report on Aid to Nonpublic Schools Program students in dual enrollment programs</i>	<i>MDSE in collaboration with MLDSC</i>	<i>October 1, 2021</i>

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Budget Amendments

R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language:

- (a) ~~participate~~ have participated in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE; during the 2020-2021 school year;

Explanation: This language specifies that in order to participate in the Broadening Options and Opportunities for Students Today (BOOST) Program during the 2021-2022 school year, a nonpublic school must have already participated in the Aid to Non-Public Schools Program during the 2020-2021 school year. This language eliminates ambiguity for the Maryland State Department of Education, specifying that nonpublic schools are eligible for BOOST for the 2021-2022 school year by participating in the Aid to Non-Public Schools Program in the previous school year.

Amend the following language:

- (c) ~~administer assessments to all students in accordance with federal and State law; and~~ administer national, norm-referenced standardized assessments chosen from the list of assessments published by the U.S. Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:
- (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
- (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
- (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student based on race, color, national origin, ~~or~~

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orientation, or gender identity or expression. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program for the 2021-2022 school year and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.

- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year.
- (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.
- (4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.
- (5) There is a BOOST Advisory Board that shall be appointed as follows: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.
- (6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts. The BOOST Advisory Board shall take into account the needs of students with disabilities on an Individualized Education Plan or 504 Plan when determining scholarship award amounts.
- (7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.
- (8) The Unless the student has special needs due to a disability, the amount of a scholarship award may not exceed the lesser of:
 - (a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or
 - (b) the tuition of the nonpublic school.
- (9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.

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- (10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2021, for the 2021-2022 school year to eligible individuals. Any unexpended funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2022 and available for scholarships in the 2022-2023 school year.

Further provided that \$700,000 of this appropriation shall be used only to provide an additional award for each student with special needs that is at least equal in amount to the BOOST Program scholarship award that student is awarded in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2022, that includes the following:

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded:
 - (a) the nonpublic school and grade level attended by the student;
 - (b) the school attended in the 2020-2021 school year by the student; and
 - (c) if the student attended the same nonpublic school in the 2020-2021 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2020-2021 school year and will receive in the 2021-2022 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;

R00A03

- (8) the number of students designated as English language learners receiving BOOST Program scholarships;
- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;
- (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;
- (12) the number of students who received BOOST Program scholarships for the 2020-2021 school year who are attending public school for the 2021-2022 school year as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2020-2021 school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.

Explanation: This language specifies priorities for BOOST scholarship awards and makes nonpublic schools that do not provide required information to MSDE by a certain date ineligible for participating in the BOOST Program. The language also provides that for the 2021-2022 school year, the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2021, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. This language also requires MSDE to report by January 15, 2022, on the distribution of the BOOST scholarships, information on the students receiving BOOST scholarships, teacher certifications for nonpublic schools participating in the BOOST Program, and assessments being administered in nonpublic schools participating in the BOOST Program, including student performance. The language also requires that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so, and information on students receiving scholarships for the 2020-2021 school year who withdrew or were expelled from the nonpublic schools that they were attending. Finally, the language requires that the BOOST Advisory Board shall take into account the special needs of students with disabilities as it is determining scholarship award amounts and that \$700,000 of the BOOST appropriation shall be used to provide higher awards for these students.

Information Request	Author	Due Date
BOOST program participation	MSDE	January 15, 2022

R00A05
State Department of Education
Maryland Longitudinal Data Systems Center

Committee Narrative

R00A05.01 Maryland Longitudinal Data System Center

***Feasibility Study of Dual Enrollment Data and Report:** The budget committees are concerned that the annual report on dual enrollment required by Section 24-703.1 of the Education Article, as well as data collected for that report, does not adequately address secondary and postsecondary outcomes for dual enrollment students. The committees request that the Maryland Longitudinal Data System Center (MLDSC) provide information on the feasibility of collecting the following data on dual enrollment students by local education agency and partner institution:*

- (1) student cost (if any) for program enrollment;*
- (2) financial support from partner institutions, such as cost sharing or grants for early college access;*
- (3) estimated program costs for local education agencies;*
- (4) high school graduation rates;*
- (5) credit transfer data, including acceptance or denial of credit; and*
- (6) postsecondary completion rates.*

Additionally, this report should examine the feasibility of determining program impact on secondary and postsecondary student outcomes and recommendations for policy changes or identify policy barriers that might exist in collecting these data, and reporting on these outcomes.

***Explanation:** Section 24-703.1 of the Education Article requires that MLDSC collect data and issue an annual report on dual enrollment. Although this report provides valuable information, it does not adequately cover the scope of questions about dual enrollment and student outcomes. This report asks MLDSC to conduct a feasibility study to determine how additional data might be collected and used for annual reporting requirements.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Feasibility study of dual enrollment data and report</i>	<i>MLDSC</i>	<i>October 1, 2021</i>

R00A07
State Department of Education
Interagency Commission on School Construction

Budget Amendments

R00A07.01 Interagency Commission on School Construction

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation may not be expended until the Interagency Commission on School Construction submits to the budget committees a draft of the final report on the Statewide Facilities Assessment. This report shall incorporate the contractor’s preliminary report and provide the following information:

- (1) data from the assessment pilot and a copy of the final assessment rubric;
- (2) facilities condition index data on all school facilities assessed; and
- (3) detail of project expenditures by object and subobject.

The report shall be submitted by September 1, 2021, and the budget committees shall have 45 days from the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Chapter 14 of 2018 requires the Interagency Commission on School Construction (IAC) to conduct the Statewide Facilities Assessment (SFA) so that data on the condition of State school facilities are not more than four years old. The SFA started in October 2020; assessments are expected to be completed by July 2021 and a final report issued in January 2022. This language directs IAC to submit a draft of the final report following the collection of the facilities condition index data in order to provide the budget committees with timely information on the condition of school facilities.

Information Request	Author	Due Date
Draft of final report on SFA	IAC	September 1, 2021

Add the following language to the general fund appropriation:

Further provided that \$190,035 of this appropriation made for the purpose of funding salary and fringe benefit expenses for 3 currently vacant positions shall be restricted for that purpose only and may only be expended if those positions are filled by October 1, 2021. The Interagency Commission on School Construction (IAC) shall submit a report to the budget committees by

R00A07

October 15, 2021, on the status of filling 3 of the 6 vacancies. The budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report shall not be transferred by budget amendment or otherwise for any other purpose and shall revert to the General Fund if the requirements of this restriction are not met.

Further provided that IAC and the Maryland State Department of Education (MSDE) shall submit a status report by December 15, 2021, to the budget committees on IAC hires and vacancies in calendar 2021. This report shall include:

- (1) current salary data and classification for all IAC personnel;
- (2) an updated organizational chart with current vacancies and additional personnel needed to meet Chapter 14 of 2018 requirements;
- (3) pending reclassifications and funds remaining for new hires; and
- (4) MSDE's future plans to request funds for additional personnel to meet its enhanced responsibilities.

Explanation: Chapter 14 required MSDE to hire additional IAC staff to manage additional responsibilities with school facilities assessment, data collection and reporting, and serving local school system needs. Currently, the commission has 6 unfilled positions – 2 positions have remained vacant since fiscal 2019, and 4 positions have been recently vacated. This budget language directs MSDE to begin hiring IAC staff to fill prior obligations and current needs and submit a status report by December 15, 2021, assessing its current and future staffing requirements.

Information Request	Authors	Due Date
Certification of 3 new hires	IAC	October 15, 2021
Status report on IAC staffing	MSDE IAC	December 15, 2021

Committee Narrative

Status Update on Integrated Master Facilities Asset Library: Chapter 14 of 2018 required the Interagency Commission on School Construction (IAC) to build a cloud-based, asset library that would integrate preventive maintenance and facilities assessment data and allow local school systems (LSS) to access this data electronically. The budget committees are concerned with the delays in procuring a contract to create the integrated master facilities asset library (IMFAL). Although a new timeline has been developed estimating the project to be resolicited in February 2021 with a delivery date of September 2022, the committees recognize the importance of establishing this tool for LSS and are interested in continuing to monitor this issue.

R00A07

As such, the budget committees request that IAC submit a status report on the IMFAL procurement and implementation by August 1, 2021, in order to provide an update on the agency's progress in meeting Chapter 14 requirements.

Information Request	Author	Due Date
Status report on IMFAL	IAC	August 1, 2021

R13M00
Morgan State University

Budget Amendments

R13M00.00 Morgan State University

Add the following language to the unrestricted fund appropriation:

, provided that \$3,000,000 of this appropriation made for the purpose of launching the Center for Urban Health Equity may not be expended until Morgan State University submits a report to the budget committees documenting the strategic goals of the Center and how additional funding streams will be leveraged to fund the Center. The report shall be submitted by July 1, 2021, and the committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The fiscal 2022 budget provides \$3.0 million specifically designated for the creation of the Center for Urban Health Equity. This language withholds the expenditure of these funds until Morgan State University (MSU) submits a report documenting the goals of, and funding streams for, the Center.

Information Request	Author	Due Date
Report on the Center for Urban Health Equity	MSU	July 1, 2021

R30B23
University System of Maryland
Bowie State University

Budget Amendments

R30B23.00 Bowie State University

Add the following language to the unrestricted fund appropriation:

, provided that \$500,000 of this appropriation for Bowie State University (BSU) may be expended only for the purpose of the BSU Center for Law, Social Justice, and Civic Engagement. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: *The language restricts \$500,000 of the fiscal 2022 unrestricted fund appropriation for BSU for the BSU Center for Law, Social Justice, and Civic Engagement.*

Amendment No. _____

R30B36
University System of Maryland
University System of Maryland Office

Committee Narrative

Status of Implementing Universities at Shady Grove Financial Viability Report Recommendations: In 2019, concerns about the financial sustainability and continuing enrollment decline at the Universities at Shady Grove (USG) prompted the budget committees to ask the University System of Maryland Office (USMO) to submit a plan to ensure the fiscal viability of USG. USMO submitted a report that contained 33 recommendations that focused on leadership; governance; USG’s funding model; expansion of USG’s mission; and the transportation needs of USG students, faculty, and staff. Of the 33 recommendations, 2 have been completed, significant progress has been made on 24, and 7 have yet to be initiated. The committees request USMO to submit quarterly reports on the status of implementing the recommendations.

Information Request	Author	Due Date
Status of implementing USG financial viability report recommendations	USMO	September 1, 2021 December 1, 2021 March 1, 2022 June 1, 2022

Report on Contracting Services: *The budget committees request the University System of Maryland Office (USMO) to submit a report on the process for contracting out services and how the process and any subsequent changes to it are communicated to the appropriate bargaining units.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on contracting services</i>	<i>USMO</i>	<i>September 15, 2021</i>

R62I00
Maryland Higher Education Commission

Committee Narrative

R62I00.01 General Administration

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: The budget committees understand that, in order to meet the State’s goal to have at least 55% of Maryland’s residents age 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The budget committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution’s progress toward the State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions’ programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.

Information Request	Author	Due Date
Report on best practices and annual progress toward 55% completion goal	MHEC	December 15, 2021

Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution (EFC) Category: In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by EFC, the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2020 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

R62I00

Information Request	Author	Due Date
Institutional aid, Pell grants, and loan data by EFC	MHEC	June 30, 2021

Report on Impact of Credit Completion Requirement on Financial Aid Awards: Beginning in the 2018-2019 academic year and in a student's third academic year, students receiving the Educational Excellence Award (EEA) must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 credit hours but less than 30 credit hours will have their awards prorated, and those who do not complete at least 24 credit hours will lose their award. The committees are interested in the impact the 30-credit-hour requirement had on students in the 2020-2021 academic year and the 2021-2022 awarding year, specifically if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report should also identify how the Maryland Higher Education Commission (MHEC) alerts community college EEA recipients that they are in danger of losing their award as this group was the most severely impacted by the credit completion requirement. The report should identify the updated funding disbursement, by EEA award type and by total credit attainment grouping, for the students from the most recent review cycle, as well as what the total funding amount was, by EEA award type, prior to those students having their award funding amounts revised.

Information Request	Author	Due Date
Report on impact of credit completion requirement on financial aid awards	MHEC	December 15, 2021

Report on the Next Generation Scholars Postsecondary Outcomes: The 2020-2021 academic year is the first academic year with a cohort of grade 12 students in the Next Generation Scholars (NGS) program. These seniors, should they meet certain eligibility requirements, are automatically prioritized to prequalify for a Guaranteed Access grant. The committees are interested in determining how many NGS seniors met the eligibility requirements and later enrolled in a postsecondary institution. The report should identify the number of NGS seniors for the 2020-2021 academic year, the number of NGS seniors who successfully met all of the eligibility requirements, and the number of seniors who later enrolled in a postsecondary institution of higher education in either the summer 2021 session or the fall 2021 semester and identify to which higher education segment those students enrolled.

R62I00

Information Request	Author	Due Date
Report on postsecondary outcomes for NGS senior students	MHEC	December 1, 2021

Report on Workforce Shortage Student Assistance Grants: The budget committees request that the Maryland Higher Education Commission (MHEC) provide a report on the Workforce Shortage Student Assistance Grant program. The report should include information on the characteristics of the individuals who apply for the grant; the grant funding provided in each of the respective workforce shortage fields: (1) school teachers; (2) social workers; (3) nurses; (4) child care providers; (5) developmental disability; mental health; child welfare; and juvenile justice; (6) physical and occupational therapists and assistants; and (7) public servants; the total number of awardees by respective workforce shortage field; how the grants are allocated; how the areas where shortages exist are determined; the average award by workforce area; and waitlist total (if any) by workforce area. The report should be submitted by December 1, 2021.

Information Request	Author	Due Date
Report on Workforce Shortage Student Assistance Grant program	MHEC	December 1, 2021

Report on Transition to Student Aid Index: The budget committees request the Maryland Higher Education Commission (MHEC) provide quarterly reports on the transition of the State's financial aid and loan system away from the Expected Family Contribution to the Student Aid Index, as a result of changes to the Free Application for Federal Student Aid found in the Consolidated Appropriations Act of 2021. The report should include information on any needed upgrades to MHEC's computer system required for the changes to go into effect. The first report should be submitted by September 1, 2021.

Information Request	Author	Due Date
Report on transition to student aid index	MHEC	September 1, 2021 January 1, 2022 May 1, 2022 September 1, 2022

Maryland Loan Assistance Repayment Program (MLARP) for Foster Care Recipients: The committees request the Maryland Higher Education Commission (MHEC) provide a report on how LARP for Foster Care Recipients is advertised. This report should identify if any marketing plan exists for MLARP for Foster Care Recipients, and if so, how potential applicants are made

R62I00

aware that they may qualify for the program. The report should also provide, for the past three years, the number of applicants, the number of awards, and the reasons that applicants were not eligible for an award.

Information Request	Author	Due Date
<i>MLARP for Foster Care Recipients</i>	<i>MHEC</i>	<i>July 1, 2021</i>

Report on Assessment Tools: The budget committees are concerned that the tests used to assess a student’s need for remedial coursework may not provide an accurate indication of the student’s ability to succeed in credit bearing courses. The committees request that the Maryland Higher Education Commission (MHEC) collect internal validity studies from institutions to identify the most effective assessment tools used to identify students needing remediation. The report should summarize the information from the institutions that can be used as a basis for a more in-depth study on assessment tools.

Information Request	Author	Due Date
Report on assessment tools	MHEC	December 15, 2021

Report on Students with Chronic Health Conditions: The budget committees request that the Maryland Higher Education Commission (MHEC) and the Maryland Department of Health (MDH) establish a workgroup to examine the data available on students with chronic health conditions attending institutions of higher education in the State. The data examined should include demographics of students with chronic health conditions and the type of conditions, challenges faced by these students, existing policies at higher education institutions regarding the rights and needs of these students, and resources and programs available to these students. The report should include recommendations on enhancing and continuing data collection on students with chronic health conditions; eliminating challenges faced by these students; and accommodating needs of these students, including resources and programs. The report should be submitted by September 30, 2021.

Information Request	Authors	Due Date
Report on students with chronic health conditions	MHEC MDH	September 30, 2021

The Collegium: *The committees request that the Maryland Higher Education Commission (MHEC) work with The Collegium, a small independent college located in Hagerstown, in obtaining approval to operate as a degree-granting institution in the State. MHEC should work directly with the President and the Board to assist in any challenges that may arise as they seek*

R62I00

approval. Furthermore, the budget committees request MHEC to submit a report on the status of the approval of The Collegium as a degree-granting institution.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>The Collegium</i>	<i>MHEC</i>	<i>September 1, 2021</i>

R75T0001
Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

. provided that \$3,000,000 of this appropriation made for the purpose of launching the Center for Urban Health Equity may not be expended until Morgan State University submits a report to the budget committees documenting the strategic goals of the Center and how additional funding streams will be leveraged to fund the Center. The report shall be submitted by July 1, 2021, and the committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be reverted if the report is not submitted.

Explanation: The fiscal 2022 budget provides \$3.0 million specifically designated for the creation of the Center for Urban Health Equity. This language withholds the expenditure of these funds until Morgan State University (MSU) submits a report documenting the goals of, and funding streams for, the Center.

Information Request	Author	Due Date
Report on the Center for Urban Health Equity	MSU	July 1, 2021

Add the following language to the general fund appropriation:

. Further provided that \$500,000 of this appropriation for Bowie State University (BSU) may be expended only for the purpose of the BSU Center for Law, Social Justice, and Civic Engagement. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts \$500,000 of the fiscal 2022 general fund appropriation for BSU for the BSU Center for Law, Social Justice, and Civic Engagement.

Amendment No. _____

R75T0001

Committee Narrative

Instructional Faculty Workload Report: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions, such as full- and part-time nontenured/nontenure-track faculty, including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. Furthermore, the USM report should include the percentage of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.

Information Request	Authors	Due Date
Annual report on faculty workload	USM MSU SMCM	December 8, 2021

Report on Standardized Tests and Alternatives: The budget committees are concerned about racial bias in standardized tests and request that the University System of Maryland Office (USMO) and St. Mary's College of Maryland (SMCM) submit a report on how the institutions account for the racial bias in standardized tests used to determine admissions and alternatives to these tests.

Information Request	Authors	Due Date
Standardized tests and alternatives	USMO SMCM	August 30, 2021

R95C00
Baltimore City Community College

Committee Narrative

R95C00.00 Baltimore City Community College

Realignment Plan Status Update: Baltimore City Community College (BCCC) has begun implementing realignment tasks as a result of the required institutional realignment. A status report was provided October 8, 2020, that identified the progress that BCCC has achieved in meeting the 12 required realignment tasks. The budget committees request a report on the institutional realignment plan that further documents progress toward completion of the realignment plan’s objectives.

Information Request	Author	Due Date
Realignment plan update	BCCC	October 1, 2021

Enrollment and the Mayor’s Scholars Program: Baltimore City Community College (BCCC) had seen decreases in enrollment for full-time equivalent students (FTES) from the 2011-2012 through 2017-2018 academic years. FTES enrollment marginally increased in the 2018-2019 academic year as a result of multiple enrollment strategies and the initiation of the Mayor’s Scholars Program (MSP). However, enrollment once again declined in the 2019-2020 academic year. The committees request two reports on MSP: a June 2021 report that includes updated information on MSP for the 2020-2021 academic year; and a November 2021 report that identifies what actions are being taken to increase enrollment per FTES. Additionally, the November 2021 report should provide the following information on MSP: (1) the number of applications received for the first, second, third, and fourth cohort; the number of students who enrolled each semester; and the number of first-year students who enrolled in the second, third, and fourth year (where applicable); (2) the number of students who participated in the Summer Bridge program for the first, second, third, and fourth cohort; (3) the number of students in the first, second, and third cohort who have successfully completed at least 15 credits each semester or a total of 30 credits in their first academic year; and (4) the amount of financial aid provided to scholars in year one, two, three, and four by cohort, including the total amount each year and the average student award.

Information Request	Author	Due Date
Enrollment and MSP	BCCC	June 18, 2021 November 30, 2021

R95C00

Information Technology Infrastructure Renovations: Baltimore City Community College (BCCC) has faced numerous difficulties in updating its information technology (IT) infrastructure. This has resulted in many IT shortcomings for BCCC, including but not limited to, being unable to procure a new Enterprise Resource Planning (ERP) system, being unable to properly safeguard student data, and not adequately providing malware protection for its computers. In November 2020, BCCC received approval from the Board of Public Works to proceed with the acquisition and implementation of its identified ERP system, Banner by Ellucian. The committees request a report that documents the status of the implementation of the IT infrastructure renovation, including if internal timelines were met and if cost estimates were correct, as well as any additional findings that occurred as a result of the upgrade process.

Information Request	Author	Due Date
IT infrastructure plan update	BCCC	July 16, 2021

T00
Department of Commerce

Budget Amendments

OFFICE OF THE SECRETARY

T00A00.01 Office of the Secretary

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of the Office of the Secretary may not be expended until the Department of Commerce submits a report to the budget committees on the amount of funding provided by the department to Lockheed Martin since fiscal 2010, including any funding for the company's Middle River manufacturing plant. The report shall be submitted by August 1, 2021, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: *The language restricts \$100,000 pending the receipt of a report on funding provided by the Department of Commerce (Commerce) to Lockheed Martin since fiscal 2010.*

Information Request	Author	Due Date
<i>Report on funding provided to Lockheed Martin</i>	<i>Commerce</i>	<i>August 1, 2021</i>

Amendment No. _____

Committee Narrative

Employee Stock Ownership Plans: The committees are interested in the potential of Employee Stock Ownership Plans (ESOP) to encourage economic growth and improve business performance and, therefore, are interested in the feasibility of following the practice of other states and establishing an Office of Employee Ownership. The Department of Commerce (Commerce) should submit a report, in consultation with the University System of Maryland (USM), detailing the potential benefits and funding sources for establishing such an office to encourage companies to develop ESOPs that give workers shares in the companies at which they work. Commerce and USM should consider the practices of other states in reporting on the structure and placement of such offices; potential sources of funding for an office and any programs in the office; and any incentives or other programs to support the creation of ESOPs.

T00

Information Request	Author	Due Date
Report on encouraging the development of ESOPs	Commerce, in consultation with USM	November 1, 2021

DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT

T00F00.23 Maryland Economic Development Assistance Authority and Fund

Restaurant and Hotel Relief Programs: The committees request a report detailing the use of restaurant and hotel relief funding by local jurisdictions, including the number of grants made by each jurisdiction under each program, details on the uses of grant funds, any demographic information collected, and the amount of any unused funds. The report should include information on grants made using initial program funding as well as grants made using funding from the RELIEF Act.

Information Request	Author	Due Date
Report on restaurant and hotel relief programs	Department of Commerce	August 1, 2021

Child Care Special Loans: The committees are interested in the support provided to child care providers through the Maryland Economic Development Assistance Authority and Fund (MEDAAF). The Department of Commerce (Commerce) should submit a report detailing how many child care providers have applied for assistance in the form of a child care special loan through the MEDAAF program and a list of any loans made to child care providers under the program in the past 10 years, including the award amount, jurisdiction, and project description.

Information Request	Author	Due Date
Report on child care special loans	Commerce	September 1, 2021

T00A99
Maryland Economic Development Corporation

Committee Narrative

***Student Housing Leases:** The committees are concerned about students and families still seeking resolution from the cancellation of leases at student housing owned by the Maryland Economic Development Corporation (MEDCO) at University System of Maryland (USM) institutions due to the pandemic. The committees request that MEDCO, in collaboration with USM, submit a report on the number of students and families who have sought relief, the number with issues still outstanding, and the reasons for any remaining outstanding issues.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on resolution of student housing lease cancellations</i>	<i>MEDCO, in consultation with USM</i>	<i>August 1, 2021</i>

T50T01
Maryland Technology Development Corporation

Fiscal 2021 Deficiency

T50T01.09 Maryland Technology Infrastructure Fund

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. The Maryland Technology Development Corporation (TEDCO) unintentionally received restricted funds in fiscal 2020 that were not reverted. This action increases TEDCO's fiscal 2021 negative general fund deficiency appropriation by the same amount.	250,000	GF
 Total Reductions	 250,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	-10,000,000	-10,250,000	250,000	
Total Funds	-10,000,000	-10,250,000	250,000	

Sections

Budget Amendments

Add the following section:

Section 42 Verification of Universities at Shady Grove Budget Code

SECTION 42. AND BE IT FURTHER ENACTED, That \$100,000 of the appropriation made for administration in the Department of Budget and Management (DBM) Office of the Secretary Executive Direction F10A01.01 and \$100,000 of the general fund appropriation made for administration in the University System of Maryland Office R75T00.01 may not be expended until DBM submits a report verifying the creation of a separate budget code for the Universities at Shady Grove. The report shall be submitted prior to the expenditure of the funds, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert back to the General Fund if the report is not received.

Explanation: The language restricts \$100,000 each in the budgets of DBM and the University System of Maryland Office until DBM submits a report verifying that a separate budget code has been created for the Universities at Shady Grove (USG).

Information Request	Author	Due Date
Verification of a budget code for USG	DBM	45 days prior to expenditure of funds

Budget Reconciliation and Financing Act of 2021

Senate Education, Business, and Administration Subcommittee

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
EBA	2	8-10	Alters the allowable uses of the Blueprint for Maryland's Future Fund to include early childhood, primary, and secondary education costs associated with the COVID-19 pandemic, including one-time grants to address enrollment declines related to the pandemic and to ensure that all jurisdictions receive an increase over fiscal 2021 (hold harmless grants).	The fiscal 2022 budget includes \$213.7 million of special funds from The Blueprint for Maryland's Future Fund for declining enrollment and special education transportation hold harmless grants.	Adopt	Concur with First House	
EBA	2-DLS alt	8-10	Alters the allowable uses of the Blueprint for Maryland's Future Fund to also include summer school and other activities to address learning loss, identify and support students dealing with trauma and behavioral health issues as a result of COVID-19, and grants to allow schools to safely reopen.	Supplemental Budget No. 1 allocates \$150 million from the Blueprint for Maryland's Future Funds for these items in fiscal 2021 and 2022.	Adopt	Concur with First House	
EBA	3	10-14	Rebases the John A. Cade Funding Formula to \$263,481,740 in fiscal 2022, specifies the distribution of that amount, and alters the future formula increases to the level of projected general fund revenue growth.	The fiscal 2022 budget includes a general fund contingent reduction of \$26,615,554 related to this item. Supplemental Budget No. 4 includes an amendment that strikes the contingent reduction.	Reject	Concur with First House	
EBA	4	14-17	Rebases the Joseph A. Sellinger Formula to \$59,024,905 in fiscal 2022, specifies the distribution of that amount, and alters the future increases to 1 percentage point lower than the level of projected general fund revenue growth.	The fiscal 2022 budget includes a general fund contingent reduction of \$29,785,160 related to this item.	Reject	Concur with First House	
EBA	5	17	Requires funds not used by a student within two years in the Senatorial/Delegate Scholarship Program to be deposited into the Need-Based Student Financial Assistance Fund.		Reject	Concur with First House	
EBA	6	18	Repeals the mandate for the Maryland Loan Assistance Repayment Program for Foster Care Recipients and requires the other Loan Assistance Repayment Programs to serve foster care recipients.	The fiscal 2022 budget includes a general fund contingent reduction of \$100,000 related to this item.	Adopt	Reject First House - Reject original provision.	
EBA	7	18-19	Repeals the mandate for the Maryland Public Broadcasting Commission.	The fiscal 2022 budget includes a general fund contingent reduction of \$775,994 related to this item.	Reject	Concur with First House	
EBA	12	23-24	Reduces the mandate for services provided to the State by the City of Annapolis from \$750,000 to \$367,000 and eliminates the inflationary increase that was set to begin in fiscal 2022.	The fiscal 2022 budget includes a general fund contingent reduction of \$383,000 related to this item.	Reject	Concur with First House	
EBA	16	29	Level funds the mandate for the Maryland State Arts Council in fiscal 2022 and alters the rate of increase in fiscal 2023 and beyond to 1 percentage point below the level of projected general fund revenue growth.	The fiscal 2022 budget includes a general fund contingent reduction of \$2,907,484 related to this item.	Reject	Concur with First House	
EBA	18	30-31	Requires a 50% local cost share for settlements to individuals erroneously convicted entered into beginning in fiscal 2021.		Reject	Concur with First House	
EBA	19	31-32	Authorizes the transfer of Marketplace Facilitator Revenues, otherwise distributed to the Blueprint for Maryland's Future Fund, to the Education Trust Fund in fiscal 2021 only to replace current and prior year revenue shortfalls.	The fiscal 2022 budget includes special fund contingent appropriations totaling \$174,845,017 in fiscal 2021 related to this item.	Adopt	Concur with First House	

Budget Reconciliation and Financing Act of 2021
Senate Education, Business, and Administration Subcommittee

Education, Business and Administration Subcommittee – Operating Budget, March 2021

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
EBA	32	42	Requires local funding for education in fiscal 2022 to exceed the fiscal 2021 level for the jurisdiction to be eligible for one-time education grants in fiscal 2022.		Adopt	Concur with First House	
EBA	103-DLS add'l	43	Requires a reversion in the Maryland State Department of Education Headquarters of \$235,000 in general funds due to an improper encumbrance from July 2017 identified in the fiscal 2020 Statewide Closeout Audit.		Adopt	Concur with First House	
EBA	111-DLS add'l	43	Reduces fiscal 2020 spending in the Maryland State Department of Education Aid to Education by \$7.5 million due to unneeded accruals for nonpublic placements.		Adopt	Concur with First House	
EBA	301-APP add'l	7-8	Waives the requirement that the Maryland Stadium Authority submit economic impact reports for the Baltimore City Convention Center, Ocean City Convention Center, Hippodrome theater, and Montgomery County Conference Center for fiscal 2021.		Adopt	Concur with First House	
EBA	302-APP add'l	6-7	Provides that revenues from certain raffles are deposited into the Michael Erin Busch Sports Fund.		Adopt	Concur with First House	



Report of the
Capital Budget Subcommittee
To the Senate Budget and Taxation Committee

2021 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 588

General Assembly of Maryland
Senate Budget and Taxation Committee
Capital Budget Subcommittee
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K00A
Department of Natural Resources

Budget Amendments

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan

Add the following language to the special fund appropriation:

Further provided that \$5,000,000 of this appropriation made for the purpose of providing funding to the Maryland-National Capital Park and Planning Commission (M-NCPPC) on behalf of Prince George's County from the local share of Program Open Space shall be restricted until a confirmatory letter is sent jointly from M-NCPPC, Prince George's County, and Green Branch Management Group Corporation to the budget committees indicating closure of the loan agreement, signing of the ground lease, and issuance of permits for clearing and/or construction of the capital project known as Liberty Sports Park. The confirmatory letter shall be submitted within 30 days following the closure of the loan agreement, signing of the ground lease, and issuance of permits for clearing and/or construction. The budget committees shall have 45 days to review and comment upon receipt of the confirmatory letter. Funds restricted pending the receipt of the confirmatory letter may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the confirmatory letter is not received.

Explanation: This action restricts \$5,000,000 of Program Open Space – Local funding provided to M-NCPPC on behalf of Prince George's County until confirmation has been provided indicating closure of the loan agreement, signing of the ground lease, and issuance of permits for clearing and/or construction of the capital project known as Liberty Sports Park by M-NCPPC, Prince George's County, and Green Branch Management Group Corporation.

Information Request	Authors	Due Date
<i>Confirmation of the closure of the loan agreement, signing of the ground lease, and issuance of permits for clearing and/or construction of the capital project known as Liberty Sports Park</i>	<i>M-NCPPC Prince George's County Green Branch Management Group Corporation</i>	<i>30 days following the closure of the loan agreement, signing of the ground lease, and issuance of permits for clearing and/or construction of the capital project known as Liberty Sports Park</i>

Amendment No. _____

U00A
Department of the Environment

Budget Amendments

OFFICE OF THE SECRETARY

U00A01.11 Capital Appropriation – Bay Restoration Fund – Wastewater

Add the following language to the special fund appropriation:

, provided that no more than \$7,675,000 of this Special Fund appropriation may be used to provide a grant for the Valley Proteins Wastewater Treatment Plant System Enhanced Nutrient Removal Upgrade project.

Explanation: *This action reduces the Bay Restoration Fund – Wastewater program fiscal 2022 pay-as-you-go funding for the Valley Proteins Wastewater Treatment Plant System Enhanced Nutrient Removal Upgrade project to half the total project cost estimate. The project originally was budgeted \$12,786,550 for planning and construction in fiscal 2022, reflecting 83.3% of the estimated \$15,350,000 total project cost.*

Amendment No. _____

Budget Reconciliation and Financing Act of 2021
Senate Capital Budget Subcommittee

<u>B&T Sub</u>	<u>Item #</u>	<u>BRFA Page(s)</u>	<u>Description</u>	<u>Related Budgetary Action and Comments</u>	<u>APP Action</u>	<u>B&T Action</u>	<u>CC Action</u>
CAP	21	36-37	Diverts Transfer Tax revenue to the General Fund in fiscal 2022 only.	The fiscal 2022 budget includes special fund contingent reductions of \$69,567,000 in the Department of Natural Resources Outdoor Recreation Land Loan program and \$31,000,000 in the Maryland Department of Agriculture Capital Appropriation program related to this item. Equivalent authorizations are included in the Maryland Consolidated Capital Bond Loan for these activities. The Administration budget plan assumes \$100,567,000 in revenue related to this item.	Reject	Concur with First House	
CAP	21-Admin alt		Strikes this provision.	Supplemental Budget No. 2 strikes the language reducing \$69,567,000 of the funding for Program Open Space and \$31,000,000 for the Maryland Agricultural Land Preservation Program contingent on this provision. This action allows a reduction of \$100,567,000 in general obligation bonds in the Maryland Consolidated Capital Bond Loan. Supplemental Budget No. 2 reduces the general fund revenue assumption by \$100,567,000 due to this proposed amendment.	Adopt	Concur with First House	
CAP	22	37-40	Alters the repayment of transfer tax revenue to eliminate the fiscal 2022 repayment and extend the repayment schedule by one year.	The fiscal 2022 budget includes a general fund contingent reduction of \$43,860,950 in the Dedicated Purpose Account related to this item.	Reject	Concur with First House	
CAP	22-APP alt	37-40	Maintains the current transfer tax repayment schedule, but for fiscal 2022 only, redirects half of the repayment to critical maintenance.		Adopt	Concur with First House	
CAP	22-DLS alt	37-40	Repeals the repayment requirement for prior year transfers of transfer tax revenue to the General Fund.		Reject	Concur with First House	