

# HOUSE BILL 725

O4, F5

2lr1345  
CF SB 506

---

By: **Delegates Luedtke, Ebersole, Griffith, Guyton, and Solomon**

Introduced and read first time: February 3, 2022

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Children – Therapeutic Child Care Program – Funding**

3 FOR the purpose of establishing the Therapeutic Child Care Program to provide specialized  
4 child care and early childhood education by educators, early intervention providers,  
5 mental health providers, and health care providers to children under a certain age  
6 who have delays in development, physical disabilities, or delays in social, emotional,  
7 or behavioral functioning; and generally relating to the Therapeutic Child Care  
8 Program.

9 BY adding to

10 Article – Education

11 Section 8–420

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2021 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Education**

17 **8–420.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
19 INDICATED.

20 (2) “DEVELOPMENTAL DELAYS, PHYSICAL DISABILITIES, OR DELAYS  
21 IN SOCIAL, EMOTIONAL, OR BEHAVIORAL FUNCTIONING” MEANS:

22 (I) A SIGNIFICANT DEVELOPMENTAL DELAY OR ATYPICAL  
23 DEVELOPMENT, AS IDENTIFIED BY A HEALTH PROFESSIONAL, IN:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                   1.     **COGNITIVE DEVELOPMENT;**
- 2                   2.     **PHYSICAL DEVELOPMENT;**
- 3                   3.     **LANGUAGE AND SPEECH DEVELOPMENT;**
- 4                   4.     **PSYCHOSOCIAL DEVELOPMENT; OR**
- 5                   5.     **SELF-HELP SKILLS;**

6                   (ii)   **PSYCHOLOGICAL TRAUMA, AS IDENTIFIED THROUGH AN**  
7 **EVALUATION BY A MENTAL HEALTH PROFESSIONAL; OR**

8                   (iii)  **A DIAGNOSED PHYSICAL, DEVELOPMENTAL, OR MENTAL**  
9 **HEALTH CONDITION THAT IMPACTS DAILY LIVING AND LIMITS PARTICIPATION IN**  
10 **TYPICAL EARLY CHILDHOOD EDUCATION OR CHILD CARE SETTINGS.**

11                (3)   **“PROGRAM” MEANS THE THERAPEUTIC CHILD CARE PROGRAM.**

12                (b)   **THERE IS A THERAPEUTIC CHILD CARE PROGRAM IN THE STATE.**

13                (c)   **THE PURPOSE OF THE PROGRAM IS TO PROVIDE SPECIALIZED CHILD**  
14 **CARE AND EARLY CHILDHOOD EDUCATION BY EDUCATORS, EARLY INTERVENTION**  
15 **PROVIDERS, MENTAL HEALTH PROVIDERS, AND HEALTH CARE PROVIDERS TO**  
16 **CHILDREN UNDER THE AGE OF 6 YEARS WHO HAVE:**

17                   (1)   **DEVELOPMENTAL DELAYS;**

18                   (2)   **PHYSICAL DISABILITIES; OR**

19                   (3)   **DELAYS IN SOCIAL, EMOTIONAL, OR BEHAVIORAL FUNCTIONING.**

20                (d)   (1)   **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR FISCAL**  
21 **YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN**  
22 **APPROPRIATION TO THE PROGRAM IN AN AMOUNT NOT LESS THAN THE PER PUPIL**  
23 **FUNDING AMOUNT OF \$45,000 FOR EACH CHILD SERVED WHO HAS DEVELOPMENTAL**  
24 **DELAYS, PHYSICAL DISABILITIES, OR DELAYS IN SOCIAL, EMOTIONAL, OR**  
25 **BEHAVIORAL FUNCTIONING.**

26                   (2)   (i)   **FOR FISCAL YEAR 2024, FOR PROVIDERS IN THE PROGRAM**  
27 **THAT BEGAN PROVIDING CARE TO CHILDREN ON OR BEFORE MARCH 5, 2020, THE**  
28 **PER PUPIL FUNDING AMOUNT SHALL BE CALCULATED USING THE HIGHER OF:**

- 1                           1.     **THE JANUARY 1, 2019, ENROLLMENT; OR**
- 2                           2.     **THE JANUARY 1, 2023, ENROLLMENT.**

3                           **(II) FOR FISCAL YEAR 2024, FOR PROVIDERS IN THE PROGRAM**  
4 **THAT BEGAN PROVIDING CARE TO CHILDREN AFTER MARCH 5, 2020, THE PER PUPIL**  
5 **FUNDING AMOUNT SHALL BE CALCULATED USING THE JANUARY 1, 2023,**  
6 **ENROLLMENT.**

7                           **(3) BEGINNING IN FISCAL YEAR 2025 AND EACH FISCAL YEAR**  
8 **THEREAFTER, THE GOVERNOR SHALL INCREASE THE PER PUPIL FUNDING AMOUNT**  
9 **UNDER PARAGRAPH (1) OF THIS SUBSECTION BY THE LESSER OF:**

10                           **(I) THE CONSUMER PRICE INDEX FOR ALL URBAN**  
11 **CONSUMERS FOR THE WASHINGTON METROPOLITAN AREA, OR ANY SUCCESSOR**  
12 **INDEX; OR**

13                           **(II) 1.5%.**

14                           **(4) THE PROGRAM MAY BE FUNDED FROM:**

15                           **(I) THE GENERAL FUND OF THE STATE; AND**

16                           **(II) ANY OTHER SOURCES.**

17                           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2022.