

HOUSE BILL 995

F5, O4

2lr1452
CF 2lr3114

By: **Delegate Solomon**

Introduced and read first time: February 10, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Early Childhood Development – Child Care Scholarship Program – Alterations**

3 FOR the purpose of requiring the State Department of Education to establish a certain
4 process for granting presumptive eligibility for a subsidy under the Child Care
5 Scholarship Program; requiring the Department to award a certain subsidy to an
6 individual who submits certain proof; prohibiting the Department from requiring an
7 individual to take certain actions to be eligible for a certain subsidy; requiring the
8 Department to pay a certain child care provider within a certain amount of time;
9 requiring the Department to establish and publish on its website a certain form,
10 process, and instructions on or before a certain date; requiring the Department to
11 consult with certain experts to establish a certain form and begin using a certain
12 form in a certain process on or before a certain date; and generally relating to the
13 Child Care Scholarship Program.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 9.5–113
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2021 Supplement)

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

21 **Article – Education**

22 9.5–113.

23 (a) In this section, “Program” means the Child Care Scholarship Program.

24 (b) The Department shall administer the Program in accordance with federal law.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) (1) THE DEPARTMENT SHALL ESTABLISH A PROCESS THAT MEETS**
2 **THE REQUIREMENTS OF THIS SUBSECTION FOR GRANTING PRESUMPTIVE**
3 **ELIGIBILITY FOR A SUBSIDY UNDER THE PROGRAM.**

4 **(2) AN INDIVIDUAL SHALL CERTIFY THAT THE INDIVIDUAL MEETS**
5 **THE ELIGIBILITY REQUIREMENTS FOR A SUBSIDY UNDER THE PROGRAM BY**
6 **COMPLETING AND ELECTRONICALLY SUBMITTING A FORM TO THE DEPARTMENT.**

7 **(3) AN INDIVIDUAL WHO SUBMITS A FORM UNDER PARAGRAPH (2) OF**
8 **THIS SUBSECTION SHALL RECEIVE A SUBSIDY UNDER THE PROGRAM FOR A PERIOD:**

9 **(I) BEGINNING ON THE DAY ON WHICH THE INDIVIDUAL**
10 **SUBMITS THE FORM; AND**

11 **(II) ENDING:**

12 **1. IF THE INDIVIDUAL DOES NOT FILL OUT AN**
13 **APPLICATION IN ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION, 15 DAYS**
14 **AFTER THE DATE ON WHICH THE INDIVIDUAL SUBMITS THE FORM UNDER**
15 **PARAGRAPH (2) OF THIS SUBSECTION; OR**

16 **2. IF THE DEPARTMENT DETERMINES THAT THE**
17 **INDIVIDUAL DOES NOT QUALIFY FOR A SUBSIDY UNDER THE PROGRAM AFTER**
18 **REVIEWING THE INDIVIDUAL'S APPLICATION SUBMITTED IN ACCORDANCE WITH**
19 **PARAGRAPH (4) OF THIS SUBSECTION, THE DATE ON WHICH THE DEPARTMENT**
20 **MAKES THE DETERMINATION.**

21 **(4) TO CONTINUE TO RECEIVE A SUBSIDY UNDER THE PROGRAM, AN**
22 **INDIVIDUAL WHO SUBMITS A FORM UNDER PARAGRAPH (2) OF THIS SUBSECTION**
23 **SHALL SUBMIT AN APPLICATION FOR A SUBSIDY UNDER THE PROGRAM WITHIN 15**
24 **DAYS AFTER THE DATE ON WHICH THE INDIVIDUAL SUBMITS THE FORM UNDER**
25 **PARAGRAPH (2) OF THIS SUBSECTION.**

26 **(5) THE DEPARTMENT SHALL CONTINUE TO PROVIDE A SUBSIDY**
27 **UNDER THE PROGRAM TO AN INDIVIDUAL WHO SUBMITS A FORM UNDER**
28 **PARAGRAPH (2) OF THIS SUBSECTION AND WHO SUBMITS AN APPLICATION IN**
29 **ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION UNTIL THE DEPARTMENT**
30 **MAKES A DETERMINATION REGARDING THE INDIVIDUAL'S ELIGIBILITY TO RECEIVE**
31 **A SUBSIDY.**

32 **(D) THE DEPARTMENT SHALL AWARD A SUBSIDY UNDER THE PROGRAM IN**
33 **AN AMOUNT SUFFICIENT TO ENSURE THAT AN INDIVIDUAL WILL NOT BE REQUIRED**

1 TO PAY A COPAY FOR CHILD CARE IF THE INDIVIDUAL PROVIDES PROOF, AS
2 DETERMINED BY THE DEPARTMENT, OF:

3 (1) PARTICIPATION IN ONE OF THE FOLLOWING PROGRAMS:

4 (I) FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR
5 WOMEN, INFANTS, AND CHILDREN;

6 (II) FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE
7 PROGRAM;

8 (III) FEDERAL HOUSING ACT HOUSING CHOICE VOUCHER
9 PROGRAM;

10 (IV) GUARANTEED ACCESS GRANT UNDER § 18-303 OF THIS
11 ARTICLE;

12 (V) SUPPLEMENTAL SECURITY INCOME BENEFITS; OR

13 (VI) TEMPORARY CASH ASSISTANCE; AND

14 (2) EMPLOYMENT OR ENROLLMENT IN AN EDUCATION OR CAREER
15 TRAINING PROGRAM.

16 [(c)] (E) An individual is eligible to continue to receive a subsidy under the
17 Program:

18 (1) For at least 90 days in a year if the individual is unemployed and
19 seeking employment; and

20 (2) If the individual meets any other eligibility criteria determined by the
21 Department.

22 (F) THE DEPARTMENT MAY NOT REQUIRE AN INDIVIDUAL TO PURSUE OR
23 RECEIVE CHILD SUPPORT PAYMENTS OR APPLY FOR SERVICES FROM A CHILD
24 SUPPORT AGENCY TO BE ELIGIBLE FOR A SUBSIDY UNDER THE PROGRAM.

25 (G) THE DEPARTMENT SHALL PAY A CHILD CARE PROVIDER WITHIN 10
26 DAYS AFTER THE DATE ON WHICH THE DEPARTMENT RECEIVES AN INVOICE FROM A
27 CHILD CARE PROVIDER.

28 [(d)] (H) The Department shall adopt regulations to implement the provisions of
29 this section.

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1 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2022,
2 the State Department of Education shall establish and publish on its website the electronic
3 form and a process and instructions for submitting the form required under § 9.5–113(c)(2)
4 of the Education Article, as enacted by Section 1 of this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2023, the
6 State Department of Education shall:

7 (1) consult with national experts to establish a simplified form for an
8 individual to apply for a Child Care Scholarship under the Child Care Scholarship Program
9 that enables the Department to:

10 (i) determine a family’s eligibility for a subsidy under the Program;

11 (ii) determine an appropriate copay for the family; and

12 (iii) comply with all necessary federal data reporting requirements
13 for the Program; and

14 (2) begin using the simplified application form established under item (1)
15 of this section in the application process for a subsidy under the Program.

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2022.