

HOUSE BILL 995

F5, O4

2lr1452
CF SB 920

By: ~~Delegate Solomon~~ **Delegates Solomon and Palakovich Carr**

Introduced and read first time: February 10, 2022

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2022

CHAPTER _____

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~~ notify the Comptroller within a certain period of time after
9 receiving a certain invoice; requiring the Comptroller to pay a certain child care
10 provider within a certain amount of time; requiring the Department to establish and
11 publish on its website a certain form, process, and instructions on or before a certain
12 date; requiring the Department to consult with certain experts to establish a certain
13 form and begin using a certain form in a certain process on or before a certain date;
14 and generally relating to the Child Care Scholarship Program.

15 BY repealing and reenacting, with amendments,
16 Article – Education
17 Section 9.5–113
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

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

22 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9.5-113.

2 (a) In this section, "Program" means the Child Care Scholarship Program.

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

4 (c) (1) **THE DEPARTMENT SHALL ESTABLISH A PROCESS THAT MEETS**
5 **THE REQUIREMENTS OF THIS SUBSECTION FOR GRANTING PRESUMPTIVE**
6 **ELIGIBILITY FOR A SUBSIDY UNDER THE PROGRAM.**

7 (2) **AN INDIVIDUAL SHALL CERTIFY THAT THE INDIVIDUAL MEETS**
8 **THE ELIGIBILITY REQUIREMENTS FOR A SUBSIDY UNDER THE PROGRAM BY**
9 **COMPLETING AND ELECTRONICALLY SUBMITTING A FORM TO THE DEPARTMENT**
10 **THAT CERTIFIES:**

11 (i) **THE INDIVIDUAL'S ESTIMATED ANNUAL HOUSEHOLD**
12 **INCOME; AND**

13 (ii) **THAT THE INDIVIDUAL MEETS THE ELIGIBILITY**
14 **REQUIREMENTS FOR A PROGRAM SUBSIDY.**

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

17 (i) **BEGINNING ON THE DAY ON WHICH THE INDIVIDUAL**
18 **SUBMITS THE FORM; AND**

19 (ii) **ENDING:**

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

24 2. **IF THE DEPARTMENT DETERMINES THAT THE**
25 **INDIVIDUAL DOES NOT QUALIFY FOR A SUBSIDY UNDER THE PROGRAM AFTER**
26 **REVIEWING THE INDIVIDUAL'S APPLICATION SUBMITTED IN ACCORDANCE WITH**
27 **PARAGRAPH (4) OF THIS SUBSECTION, THE DATE ON WHICH THE DEPARTMENT**
28 **MAKES THE DETERMINATION.**

29 (4) **TO CONTINUE TO RECEIVE A SUBSIDY UNDER THE PROGRAM, AN**
30 **INDIVIDUAL WHO SUBMITS A FORM UNDER PARAGRAPH (2) OF THIS SUBSECTION**
31 **SHALL SUBMIT AN APPLICATION FOR A SUBSIDY UNDER THE PROGRAM WITHIN 15**

1 DAYS AFTER THE DATE ON WHICH THE INDIVIDUAL SUBMITS THE FORM UNDER
2 PARAGRAPH (2) OF THIS SUBSECTION.

3 (5) THE DEPARTMENT SHALL CONTINUE TO PROVIDE A SUBSIDY
4 UNDER THE PROGRAM TO AN INDIVIDUAL WHO SUBMITS A FORM UNDER
5 PARAGRAPH (2) OF THIS SUBSECTION AND WHO SUBMITS AN APPLICATION IN
6 ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION UNTIL THE DEPARTMENT
7 MAKES A DETERMINATION REGARDING THE INDIVIDUAL'S ELIGIBILITY TO RECEIVE
8 A SUBSIDY.

9 (D) (1) THE DEPARTMENT SHALL AWARD A SUBSIDY UNDER THE
10 PROGRAM IN AN AMOUNT SUFFICIENT TO ENSURE THAT AN INDIVIDUAL WILL NOT
11 BE REQUIRED TO PAY A COPAY FOR CHILD CARE IF THE INDIVIDUAL PROVIDES
12 PROOF, AS DETERMINED BY THE DEPARTMENT, OF:

13 ~~(I)~~ (I) PARTICIPATION IN ONE OF THE FOLLOWING PROGRAMS:

14 ~~(I)~~ 1. FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM
15 FOR WOMEN, INFANTS, AND CHILDREN;

16 ~~(II)~~ 2. FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE
17 PROGRAM;

18 ~~(III)~~ 3. FEDERAL HOUSING ACT HOUSING CHOICE
19 VOUCHER PROGRAM;

20 ~~(IV)~~ ~~GUARANTEED ACCESS GRANT UNDER § 18-303 OF THIS~~
21 ~~ARTICLE;~~

22 ~~(V)~~ 4. SUPPLEMENTAL SECURITY INCOME BENEFITS; OR

23 ~~(VI)~~ 5. TEMPORARY CASH ASSISTANCE; AND

24 ~~(2)~~ (II) EMPLOYMENT OR ENROLLMENT IN AN EDUCATION OR
25 CAREER TRAINING PROGRAM.

26 (2) IF AN INDIVIDUAL DESCRIBED UNDER PARAGRAPH (1) OF THIS
27 SUBSECTION DOES NOT QUALIFY FOR A FULL SUBSIDY WITHOUT A COPAY, UNDER
28 FEDERAL LAW, A CHILD CARE PROVIDER MAY NOT BE REQUIRED TO PAY ANY
29 DIFFERENCE IN THE AMOUNT OF FEDERAL FUNDING AND THE COST OF THE
30 INDIVIDUAL'S PARTICIPATION IN THE PROGRAM.

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

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

3 (2) If the individual meets any other eligibility criteria determined by the
4 Department.

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

8 **(G) (1) THE DEPARTMENT SHALL ~~PAY A CHILD CARE PROVIDER WITHIN~~**
9 **10 NOTIFY THE COMPTROLLER WITHIN 9 DAYS AFTER THE DATE ON WHICH THE**
10 **DEPARTMENT RECEIVES AN INVOICE FROM A CHILD CARE PROVIDER.**

11 **(2) THE COMPTROLLER SHALL PAY A CHILD CARE PROVIDER WITHIN**
12 **6 DAYS AFTER THE DATE ON WHICH THE COMPTROLLER RECEIVES A NOTICE UNDER**
13 **PARAGRAPH (1) OF THIS SUBSECTION.**

14 **[(d)] (H)** The Department shall adopt regulations to implement the provisions of
15 this section.

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

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

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

25 (i) determine a family's eligibility for a subsidy under the Program;

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

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

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

31 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2022.