A BILL ENTITLED

AN ACT concerning

Children – Therapeutic Child Care Program – Funding

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

BY adding to
Article – Education
Section 8–420
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

8–420.

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

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

(1) A SIGNIFICANT DEVELOPMENTAL DELAY OR ATYPICAL DEVELOPMENT, AS IDENTIFIED BY A HEALTH PROFESSIONAL, IN:
1. COGNITIVE DEVELOPMENT;
2. PHYSICAL DEVELOPMENT;
3. LANGUAGE AND SPEECH DEVELOPMENT;
4. PSYCHOSOCIAL DEVELOPMENT; OR
5. SELF-HELP SKILLS;

(II) PSYCHOLOGICAL TRAUMA, AS IDENTIFIED THROUGH AN EVALUATION BY A MENTAL HEALTH PROFESSIONAL; OR

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

(3) “Program” means the Therapeutic Child Care Program.

(B) THERE IS A THERAPEUTIC CHILD CARE PROGRAM IN THE STATE.

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

(1) DEVELOPMENTAL DELAYS;

(2) PHYSICAL DISABILITIES; OR

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

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

(2) (I) FOR FISCAL YEAR 2024, FOR PROVIDERS IN THE PROGRAM THAT BEGAN PROVIDING CARE TO CHILDREN ON OR BEFORE MARCH 5, 2020, THE PER PUPIL FUNDING AMOUNT SHALL BE CALCULATED USING THE HIGHER OF:
1. THE JANUARY 1, 2019, ENROLLMENT; OR

2. THE JANUARY 1, 2023, ENROLLMENT.

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

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

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

   (II) 1.5%.

(4) THE PROGRAM MAY BE FUNDED FROM:

   (I) THE GENERAL FUND OF THE STATE; AND

   (II) ANY OTHER SOURCES.

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