

# SENATE BILL 920

F5, O4

2lr3114  
CF HB 995

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By: ~~Senator King~~ **Senators King, Ellis, Hester, and Washington**

Introduced and read first time: February 11, 2022

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 21, 2022

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 9, 2022

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## 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 or the Comptroller  
7 from seeking reimbursement or repayment of a certain subsidy from certain  
8 individuals under certain circumstances subject to a certain exception; prohibiting  
9 the Department from requiring an individual to take certain actions to be eligible for  
10 a certain subsidy; requiring the ~~Department~~ Comptroller to pay a certain child care  
11 provider within a certain amount of time; requiring the Department to establish and  
12 publish on its website a certain form, process, and instructions on or before a certain  
13 date; requiring the Department to consult with certain experts to establish a certain  
14 form and begin using a certain form in a certain process on or before a certain date;  
15 and generally relating to the Child Care Scholarship Program.

16 BY repealing and reenacting, with amendments,

17 Article – Education

18 Section 9.5–113

19 Annotated Code of Maryland

20 (2018 Replacement Volume and 2021 Supplement)

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

22 That the Laws of Maryland read as follows:

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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.



## Article – Education

1  
2 9.5–113.

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

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

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

8 (2) **AN INDIVIDUAL SHALL ~~CERTIFY~~ ATTEST THAT THE INDIVIDUAL**  
9 **MEETS THE ELIGIBILITY REQUIREMENTS FOR A SUBSIDY UNDER THE PROGRAM BY**  
10 **COMPLETING AND ELECTRONICALLY SUBMITTING ~~A FORM TO~~ THE FORM PROVIDED**  
11 **BY THE DEPARTMENT, INCLUDING A STATEMENT OF THE INDIVIDUAL’S ESTIMATED**  
12 **ANNUAL HOUSEHOLD INCOME.**

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

15 (i) **BEGINNING ON THE DAY ON WHICH THE INDIVIDUAL**  
16 **SUBMITS THE FORM; AND**

17 (ii) **ENDING:**

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

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

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

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

7           **(6) THE DEPARTMENT OR THE COMPTROLLER MAY NOT SEEK**  
8 **REIMBURSEMENT OR REPAYMENT OF A SUBSIDY PROVIDED TO AN INDIVIDUAL**  
9 **UNDER PARAGRAPHS (3) AND (5) OF THIS SUBSECTION IF THE DEPARTMENT**  
10 **DETERMINES THE INDIVIDUAL DOES NOT QUALIFY FOR A SUBSIDY UNDER THE**  
11 **PROGRAM UNDER PARAGRAPH (3)(II)2 OF THIS SUBSECTION, EXCEPT FOR**  
12 **SUSPECTED FRAUD.**

13           **(D) THE DEPARTMENT SHALL AWARD A SUBSIDY UNDER THE PROGRAM IN**  
14 **AN AMOUNT SUFFICIENT TO ENSURE THAT AN INDIVIDUAL WILL NOT BE REQUIRED**  
15 **TO PAY A COPAY FOR CHILD CARE IF THE INDIVIDUAL PROVIDES PROOF, AS**  
16 **DETERMINED BY THE DEPARTMENT, OF:**

17           **(1) PARTICIPATION IN ONE OF THE FOLLOWING PROGRAMS:**

18                   **(I) FEDERAL SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR**  
19 **WOMEN, INFANTS, AND CHILDREN;**

20                   **(II) FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE**  
21 **PROGRAM;**

22                   **(III) FEDERAL HOUSING ACT HOUSING CHOICE VOUCHER**  
23 **PROGRAM;**

24                   ~~**(IV) GUARANTEED ACCESS GRANT UNDER § 18-303 OF THIS**~~  
25 ~~**ARTICLE;**~~

26                   ~~**(v) (IV)**~~ **SUPPLEMENTAL SECURITY INCOME BENEFITS; OR**

27                   ~~**(vi) (V)**~~ **TEMPORARY CASH ASSISTANCE; AND**

28           **(2) EMPLOYMENT OR ENROLLMENT IN AN EDUCATION OR CAREER**  
29 **TRAINING PROGRAM.**

30           **[(c)] (E) An individual is eligible to continue to receive a subsidy under the**  
31 **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~~ NOTIFY  
9 THE COMPTROLLER WITHIN ~~10~~ 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:

18 (1) establish and publish on its website the electronic form and a process  
19 and instructions for submitting the form required under § 9.5–113(c)(2) of the Education  
20 Article, as enacted by Section 1 of this Act; and

21 (2) ensure that the form and information published under item (1) of this  
22 section are available to individuals for whom English is not their primary spoken language.

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

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

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

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.