

SB0696/693725/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 696
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Patients**” insert “**and Workgroup on Children in Unlicensed Settings and Pediatric Overstays**”; in line 6, strike “, in coordination with” and substitute “and”; in the same line, after “Services,” insert “under certain circumstances,”; in line 7, after “setting” insert “when clinically indicated and when”; in line 9, strike “establishing the” and substitute “requiring the Maryland Department of Health and the Department of Human Services to establish a”; strike beginning with “the Governor’s” in line 10 down through “rates;” in line 12 and substitute “each department; establishing the Workgroup on Children in Unlicensed Settings and Pediatric Overstays in the State;”; and in line 13, after “patients” insert “and children in unlicensed settings”.

On pages 1 and 2, strike beginning with line 25 on page 1 through line 6 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, in line 4, before “**IN**” insert “**(A)**”; in the same line, strike beginning with the comma through “**HOSPITAL**” and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(B) “COORDINATORS” MEANS THE PEDIATRIC OVERSTAY COORDINATOR IN THE DEPARTMENT AND THE PEDIATRIC OVERSTAY COORDINATOR IN THE DEPARTMENT OF HUMAN SERVICES.

(C) “PEDIATRIC HOSPITAL”;

in line 6, strike “24” and substitute “48”; in line 9, after “(A)” insert “(1)”; strike beginning with “THE” in line 9 down through “SERVICES,” in line 10 and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT”; after line 12 insert:

“(2) THE DEPARTMENT OF HUMAN SERVICES, IN COORDINATION WITH THE DEPARTMENT, SHALL ENSURE THAT A PEDIATRIC HOSPITAL OVERSTAY PATIENT WHO IS A CHILD COMMITTED TO THE CARE AND CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES IS TRANSFERRED TO AND TREATED IN THE LEAST RESTRICTIVE SETTING WHEN CLINICALLY INDICATED AND WHEN POSSIBLE.”;

in line 11, after “SETTING” insert “WHEN CLINICALLY INDICATED AND WHEN”; in line 13, after “(B)” insert “IF A PEDIATRIC HOSPITAL OVERSTAY PATIENT REMAINS IN THE HOSPITAL FOR MORE THAN 48 HOURS AND THE REGISTRY ESTABLISHED UNDER § 7.5-802 OF THIS ARTICLE INDICATES THAT AN APPROPRIATE INPATIENT BED IS AVAILABLE, THE HOSPITAL SHALL SEEK THE TRANSFER TO MAINTAIN THE CLINICAL STABILITY OF THE PATIENT.

(C)”;

after line 17, insert:

“(A) THE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES SHALL ESTABLISH A PEDIATRIC HOSPITAL OVERSTAY COORDINATOR WITHIN EACH DEPARTMENT.

(B) THE COORDINATORS SHALL ACT IN THE BEST INTEREST OF A PEDIATRIC OVERSTAY PATIENT BY COORDINATING BETWEEN HOSPITALS,

RELEVANT STATE AGENCIES AND PROGRAMS, AND PROVIDERS OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.

(C) THE COORDINATORS SHALL:

(1) ADVOCATE ON BEHALF OF PEDIATRIC HOSPITAL OVERSTAY PATIENTS WHILE MAINTAINING APPROPRIATE PATIENT CONFIDENTIALITY;

(2) REVIEW POLICIES AND PROCEDURES OF RELEVANT STATE AGENCIES AND MAKE RECOMMENDATIONS FOR NECESSARY CHANGES TO THE POLICIES AND PROCEDURES TO BETTER SERVE PEDIATRIC HOSPITAL OVERSTAY PATIENTS;

(3) MAINTAIN DATA ON EACH PEDIATRIC HOSPITAL OVERSTAY PATIENT, INCLUDING:

(I) PATIENT'S LENGTH OF STAY;

(II) THE RESPONSIBLE STATE AGENCY, IF APPLICABLE;

(III) SERVICES NEEDED;

(IV) PLACEMENT OPTIONS BEING SOUGHT BY THE PATIENT;

(V) INFORMATION REGARDING PREVIOUS HOSPITAL ADMISSIONS FOR A BEHAVIORAL HEALTH DIAGNOSIS; AND

(VI) ANY OTHER RELEVANT DATA; AND

(Over)

(4) REPORT ON THE DATA COLLECTED UNDER THIS SUBSECTION TO THE SECRETARY AND THE SECRETARY OF HUMAN SERVICES.”;

and strike in their entirety lines 18 through 28, inclusive.

On pages 3 through 6, strike in their entirety the lines beginning with line 29 on page 3 through line 14 on page 6, inclusive.

On page 6, after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) In this section, “child in an unlicensed setting” means an individual under the age of 21 years in an out-of-home placement who is residing in a hotel, an office building, a shelter, or any other unlicensed setting.

(2) “Child in an unlicensed setting” does not include an individual under the age of 21 years who is receiving a self-independent living stipend, living with kin awaiting approval for a placement, or on aftercare with a parent.

(b) (1) There is a Workgroup on Children in Unlicensed Settings and Pediatric Hospital Overstays in the State.

(2) The Workgroup shall consist of representatives who have experience and knowledge of working with children with behavioral health challenges, adverse childhood experiences, and developmental disabilities, including:

(i) the Secretary of Health, or the Secretary’s designee;

(ii) the Secretary of Human Services, or the Secretary’s designee;

(iii) the Secretary of Juvenile Services, or the Secretary's designee;

(iv) the State Public Defender, or the State Public Defender's designee; and

(v) the following members, appointed by the Governor:

1. one representative of the Maryland Association of Resources for Families and Youth;

2. one representative of Disability Rights Maryland;

3. one representative of the Community Behavioral Health Association of Maryland;

4. one representative of Maryland Legal Aid;

5. one representative of the Court Appointed Special Advocates of Maryland;

6. one representative of the National Association of Social Workers – Maryland who is a hospital-based clinical social worker;

7. one representative of the Maryland Chapter of the American Academy of Pediatrics;

8. one representative of the Maryland Hospital Association;

9. one representative of a specialty psychiatric hospital;

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10. one representative of a residential treatment provider in the State; and

11. one representative of a family of a child in foster care, as defined in § 8–101(h) of the Human Services Article.

(3) The members of the Workgroup shall elect the chair and vice chair of the Workgroup.

(4) The Workgroup shall meet before August 1, 2025, and at least once every 30 days thereafter.

(5) The State Council on Child Abuse and Neglect shall provide staff for the Workgroup.

(6) A member of the Workgroup:

(i) may not receive compensation as a member of the Workgroup;
but

(ii) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(c) (1) The Workgroup shall:

(i) complete an assessment of the number, type, and cost of the additional beds and supportive services needed to place all children in pediatric overstays and other unlicensed settings in the least restrictive settings;

(ii) develop a comprehensive and sustainable resource development plan designed to increase the number of licensed settings and end the use of pediatric overstays and unlicensed settings;

(iii) develop an implementation plan with comprehensive data to inform the plan; and

(iv) determine the anticipated timeline for when the practice of placing children in unlicensed settings will cease.

(2) On or before October 1, 2025, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal year 2026, the Governor may include in the annual budget bill an appropriation necessary to staff five additional beds at the John L. Gilner Regional Institute for Children and Adolescents in the State.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect June 1, 2025.”;

in line 15, strike “3.” and substitute “5.”; and in the same line, after “That” insert “, except as provided in Section 4 of this Act.”.