



Report of the
**Health and Social
Services Subcommittee**
To the House Appropriations Committee

2020 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 190

General Assembly of Maryland

House Appropriations Committee
Health and Social Services Subcommittee

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**Recommended Reductions
Health and Social Services Subcommittee**

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2021 Budget Request						
Department of Aging	\$600,000	\$0	\$0	\$0	\$600,000	
Maryland Health Benefit Exchange	0	210,000	0	0	210,000	
Maryland Department of Health (MDH) – Administration	1,000,000	0	0	0	1,000,000	
MDH – Public Health Administration	1,000,000	0	0	0	1,000,000	
MDH – Prevention and Health Promotion Administration	0	0	9,851,721	0	9,851,721	
MDH – Developmental Disabilities Administration	461,354	0	0	0	461,354	
MDH – Medical Care Programs Administration	12,357,000	0	5,414,000	0	17,771,000	
Department of Human Services (DHS) – Administration	0	0	7,500,000	0	7,500,000	
DHS – Social Services Administration	0	1,000,000	0	0	1,000,000	
DHS – Child Support Administration	0	0	842,805	0	842,805	
DHS – Family Investment Administration	28,905	2,689	50,035,628	0	50,067,222	1.0
Subtotal Fiscal 2021 Regular Budget	\$15,447,259	\$1,212,689	\$73,644,154	\$0	\$90,304,102	1.0
Fiscal 2021 Total Budget	\$15,447,259	\$1,212,689	\$73,644,154	\$0	\$90,304,102	1.0
Fiscal 2020 Deficiency Budget						
MDH – Medical Care Programs Administration	15,000,000	0	0	0	15,000,000	
Subtotal Fiscal 2020 Deficiency Budget	\$15,000,000	\$0	\$0	\$0	\$15,000,000	
Total Fiscal 2020 Deficiency Budget	\$15,000,000	\$0	\$0	\$0	\$15,000,000	
Grand Total Budget Bill	\$30,447,259	\$1,212,689	\$73,644,154	\$0	\$105,304,102	1.0

II.A

D11A0401
Office of the Deaf and Hard of Hearing

Committee Narrative

D11A04.01 Executive Direction

Ways to Protect and Serve Users of Sign Language Interpreting Services: A recent report from the Office of the Deaf and Hard of Hearing (ODHH) recommended the credentialing of interpreters. However, deferring to a nonprofit’s standards may not be the most effective way to protect deaf and hard of hearing Maryland constituents from unskilled, fraudulent, and unethical interpreters. This approach also does not actively plan for continued and adequate interpreting service provision in the State. Given the importance of quality interpreters to the deaf and hard of hearing community and the importance of the deaf and hard of hearing community to the State the committees request that ODHH submit a report describing:

- policy options that the State could implement to protect its deaf and hard of hearing residents from unskilled, fraudulent, or unethical interpreters; and
- a strategic plan that does not rest solely on Registry of Interpreters for the Deaf, Inc. certifications to ensure an adequate pool of competent interpreters in the State.

Information Request	Author	Due Date
Report on ways to protect and serve users of sign language interpreting services	ODHH	September 1, 2020

D12A02
Department of Disabilities

Committee Narrative

D12A02.01 General Administration

Information Technology Accessibility Initiative Update: In the 2019 session, the budget committees requested that the Maryland Department of Disabilities (MDOD) submit a report on the status of the State’s website information technology (IT) accessibility. Although MDOD was unable to provide the requested information at the time, MDOD informed the budget committees that it was beginning its statewide IT accessibility initiative and outlined its plans going forward. In light of this timeline and the fact that the budget committees have not yet received the information they requested, the committees again request that MDOD submit a report including:

- an assessment of the current nonvisual accessibility of State websites and documents;
- national best practices and innovative techniques to achieve better access;
- recommendations to improve accessibility that would be appropriate for State agencies;
- cost estimates for any recommendations made by MDOD; and
- a plan describing how the IT Accessibility Initiative will be implemented.

In addition, the budget committees request that MDOD, in consultation with the Department of Information Technology and the Department of General Services, develop and submit a guideline document that can be distributed to all State agencies to be used when developing Requests for Proposals that are compliant with IT accessibility standards.

Information Request	Author	Due Date
IT Accessibility Initiative update	MDOD	November 15, 2020

D26A07
Department of Aging

Budget Amendments

D26A07.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Maryland Department of Aging submits two reports to the budget committees. The first report should describe its method of waitlist data collection and each Area Agency on Aging’s (AAA) approach to waitlist management. The second report should provide the waitlist data from each AAA, by program, as of January 1, 2021. This second report shall be submitted by January 15, 2021, and the budget committees shall have 45 days to review and comment. Funds restricted pending receipt of these reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if both reports are not submitted.

Explanation: As consideration of waitlist data is essential to determining the effectiveness of service, this language restricts funds until the Maryland Department of Aging (MDOA) creates a method for collecting waitlist data from local AAAs for each program’s waitlist and a description of each AAA’s approach to managing waitlists.

Information Request	Author	Due Date
Methodology for collecting waitlist data for each program	MDOA	September 1, 2020
The number of individuals in each jurisdiction that are on the waitlist for each program	MDOA	January 15, 2021

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation for general operating expenditures may not be expended until the Maryland Department of Aging (MDOA) submits a report to the budget committees analyzing the current administration and utilization of the Community for Life (CFL) program. The report shall include the following: (1) data about each grantee of the program since its inception, including the membership capacity of each CFL, the amount of funding each CFL was originally granted, the amount each CFL has expended, the amount of the State grant that the CFL intends to encumber, and the amount of funding, by source, that each grantee receives from other sources to support operating expenses of the CFL program; (2) fiscal 2020 actual data about members’ utilization of the core CFL services, which include transportation, service navigator assistance, and home repair and maintenance; (3) membership totals for each

D26A07

CFL as of July 1, 2020; (4) the number of members that benefit from a scholarship as of July 1, 2020; and (5) a list of engagement events, informational publications, and other outreach efforts hosted by CFLs and MDOA throughout fiscal 2020 to increase awareness of the program throughout the State, and outreach efforts planned for fiscal 2021. The report shall be submitted by September 1, 2020, and the committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The committees are concerned that only 123 Marylanders are currently benefitting from the \$1 million previously appropriated to the CFL program. According to a Joint Chairmen's Report response, grantees are also taking longer than anticipated to become financially self-sustaining. This language restricts funds pending receipt of a report describing the administration of the CFL program and current utilization of CFL services.

Information Request	Author	Due Date
CFL administration and utilization	MDOA	September 1, 2020

Amendment No. _____

D26A07.03 Community Services

Add the following language to the general fund appropriation:

, provided that \$470,000 of this appropriation for community services may be expended only to increase funding for the State Nutrition Program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The Maryland Department of Aging's allowance includes a \$2,000,000 general fund increase to support Area Agencies on Aging administration of community services. A recently implemented population-based formula to allocate State Nutrition Program funds resulted in a reduction of funding levels to certain jurisdictions from previous funding levels that were not based on a formula. This language restricts \$470,000 of the increased funding for the purpose of the State Nutrition program to hold harmless those jurisdictions set to lose funding from prior year levels in fiscal 2021.

D26A07

Add the following language to the general fund appropriation:

Further provided that \$1,530,000 of this appropriation made for the purpose of community services may not be expended until the Maryland Department of Aging submits a report to the budget committees describing how the funds will be used and, to the extent applicable, distributed among the Area Agencies on Aging. The report shall be submitted prior to the expenditure of the funds, and the budget committees shall have 30 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not received.

Explanation: The Maryland Department of Aging's (MDOA) allowance includes \$2,000,000 in new general funds to support administration of community services. This language restricts a portion of these funds pending a report on how the funds will be used and, to the extent applicable, distributed among the Area Agencies on Aging.

Information Request	Author	Due Date
Use of new general funds in MDOA	MDOA	Prior to the expenditure of the funds

Strike the following language:

~~Further provided that \$600,000 of this appropriation for Community for Life (CFL) may be expended only to establish new CFLs in jurisdictions that have not yet received funding under this program. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.~~

~~**Explanation:** The Maryland Department of Aging's allowance includes \$600,000 to establish new CFLs throughout the State. This language restricts these funds for the purpose of establishing new CFLs in jurisdictions not previously served by the program.~~

Amendment No. _____

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Delete funds to expand Community for Life (CFL) pilot program. No previous grantee has established financial self-sufficiency, though that was the original intent. This reduction removes funding for additional CFL grantees.</i>	600,000	GF
<i>Total Reductions</i>	600,000	

D26A07

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	25,635,025	25,035,025	600,000	
Federal Fund	31,876,191	31,876,191	0	
Total Funds	57,511,216	56,911,216	600,000	

Amendment No. _____

Committee Narrative

Timeline for Community For Life Self-sufficiency: The committees direct that the Maryland Department of Aging (MDOA) submit a report describing expected timelines for when each Community for Life (CFL) grantee will achieve self-sufficiency, a plan for how each CFL will achieve self-sufficiency, and current participation for each grantee.

Information Request	Author	Due Date
Timeline for CFL self-sufficiency	MDOA	September 1, 2020

Grant Allocations to the Local Area Agencies on Aging: *The committees want to ensure that grant allocations to the local Area Agencies on Aging (AAA) are made in a timely, predictable manner so that AAAs may effectively provide services to Maryland’s elderly population and adequately prepare their local government budgets with accurate expectations of State support. It is the intent of the committees that all allocations to AAAs are made no later than October 1, 2020; that funding levels will not change after January 1, 2021; and that AAAs are adequately informed of potential fiscal 2022 funding changes anticipated by the Maryland Department of Aging (MDOA). The committees request that MDOA submit two reports. The first shall be submitted no later than October 2, 2020, and certify that all allocations of Community Services funds were made to AAAs by October 1, 2020. The second report shall be submitted no later than January 1, 2021, and identify potential changes to fiscal 2022 funding levels for each AAA.*

Information Request	Author	Due Date
<i>Report on certification of grant allocations to AAAs</i>	MDOA	<i>October 2, 2020</i>
<i>Report on potential funding level changes for each AAAs</i>	MDOA	<i>January 1, 2021</i>

D26A07

Public Guardianship Administration: *The committees are interested in the current administration of public guardianship for older Marylanders. The committees request that the Maryland Department of Aging (MDOA) provide a report that does the following:*

- *evaluates the efficacy of the current public guardianship program;*
- *describes the types of cases that the public guardianship program currently does and does not serve;*
- *provides the distribution of funding for public guardianship among the Area Agencies on Aging;*
- *identifies evidence-based practices that are currently included in the State's administration of public guardianship in the State; and*
- *explores opportunities to improve public guardianship administration in the State.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on public guardianship administration</i>	<i>MDOA</i>	<i>October 1, 2020</i>

D78Y01
Maryland Health Benefit Exchange

Budget Amendments

D78Y01.01 Maryland Health Benefit Exchange

Amend the following language to the special fund appropriation:

, provided that ~~\$3,000,000~~\$3,500,000 of this appropriation shall be reduced contingent upon the enactment of legislation altering the mandate for the Maryland Health Benefit Exchange.

***Explanation:** This action modifies the special fund reduction contingent on the Budget Reconciliation and Financing Act of 2020 reducing the mandate for the Maryland Health Benefit Exchange to reflect the lowering of the mandate to \$31.5 million beginning in fiscal 2021. The reduced mandate better aligns with recent spending, which was less than \$29 million in fiscal 2018 and 2019.*

Amendment No. _____

Ad the following language to the special fund appropriation:

Further provided that \$1,160,000~~\$450,000~~ of this appropriation made for the purpose of operating the Maryland Health Benefit Exchange (MHBE) may not be expended until MHBE submits a report that evaluates the appropriate future State funding level of MHBE, taking into account the available federal funding to support activities of the agency, for fiscal 2022 and beyond. The report should take into account the current required activities of the agency and any activities related to legislation enacted in 2020. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The General Assembly is interested in a new evaluation of the funding needs for MHBE as the current mandated level has not been reevaluated in the time that MHBE has been a mature organization. This language restricts funds until MHBE submits a report evaluating the appropriate future funding level of the agency that takes into account current activities and available federal funding.

Information Request	Author	Due Date
Report on future funding needs of MHBE	MHBE	December 1, 2020

Amendment No. _____

D78Y01

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce funding for the development of a reinsurance claims system that is not needed. The Maryland Health Benefit Exchange (MHBE) was notified in January 2020 that the Edge Server (the federal system for claims) would continue to be available, after it was initially expected to end after 2020. This reduction leaves \$40,000, which is the level of funding that MHBE anticipates requiring for the annual fee for the Edge Server.</i>	210,000	SF
<i>Total Reductions</i>	210,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	67.00	67.00		0.00
<i>Special Fund</i>	23,430,140	23,220,140	210,000	
<i>Federal Fund</i>	22,541,402	22,541,402	0	
<i>Total Funds</i>	45,971,542	45,761,542	210,000	

Amendment No. _____

Committee Narrative

Maryland Easy Enrollment Health Insurance Program: Chapters 423 and 424 of 2019 created the Maryland Easy Enrollment Health Insurance Program (MEEHP) to allow for the sharing of information between the Comptroller and the Maryland Health Benefit Exchange (MHBE) for the purpose of determining eligibility for Medicaid, the Maryland Children’s Health Program (MCHP), or Advanced Premium Tax Credits (APTC). For tax year 2019, individuals may authorize the sharing of information after indicating that they are interested in obtaining minimum essential coverage. MHBE will make a preliminary determination of eligibility and provide notice to the individual. The committees are interested in understanding the impact of this change on enrollment. The committees request that MHBE submit a report on Medicaid, MCHP, and enrollment in Qualified Health Plans with an APTC that result from MEEHP for tax year 2019 filings.

Information Request	Author	Due Date
Enrollment resulting from MEEHP	MHBE	July 15, 2020

D78Y01

Reinsurance Program Costs and the Provider Assessment: The State Reinsurance Program is in place for plan year 2019. However, due to claims run out and the need to know full year claims data, the actual cost of the program for that year remains uncertain. Estimates have differed substantially for both the first year and out-year costs. Given the uncertainty regarding the cost of the reinsurance program, including the first payments to be made in fiscal 2021, the committees request that the Maryland Health Benefit Exchange (MHBE) report on the payments made for the reinsurance program for plan year 2019 (including the amount by each fund source) and an updated forecast of spending and funding needs over the waiver period. In addition, to the extent that not all of the provider assessment funds included in the fiscal 2021 budget are needed for that purpose, MHBE should report on the planned use of those funds in fiscal 2021, including for an additional or new subsidy program or whether the funds will be canceled to be used in a later fiscal year.

Information Request	Author	Due Date
Reinsurance program costs and planned use of the provider assessment	MHBE	September 30, 2020

M00A01
Maryland Department of Health
Administration

Budget Amendments

M00A01.02 Operations

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete funding for Local Health Improvement Coalitions to be replaced with special funds from the Community Health Resource Commission.	1,000,000	GF
 Total Reductions	 1,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	217.00	217.00		0.00
General Fund	22,942,958	21,942,958	1,000,000	
Special Fund	10,834	10,834	0	
Federal Fund	9,284,514	9,284,514	0	
Total Funds	32,238,306	31,238,306	1,000,000	

M00A01

Committee Narrative

M00A01.07 MDH Hospital System

Apprenticeship Program at State Facilities: The budget committees are interested in the opportunity for apprenticeship programs at the State-run facilities, including those for developmentally disabled patients, psychiatric patients, and those with chronic care needs. The budget committees request that the Maryland Department of Health (MDH) submit a report detailing the opportunities for creating a pilot apprenticeship program at the State facilities. The report should give consideration to the following aspects of a potential apprenticeship program:

- combinations of facilities, colleges, and other training providers that would make the best partnerships for this program;
- occupations that would be best suited for apprenticeships;
- costs of operating the program and potential benefits gained through recruitment and retention of State employees; and
- obstacles to creating and scaling apprenticeships.

MDH's report should also address compensation plans, including participation in the State's employee pension system. The report should be submitted by October 1, 2020.

Information Request	Author	Due Date
Opportunities for creating apprenticeship programs in State facilities	MDH	October 1, 2020

M00F
Maryland Department of Health
Public Health Administration

Budget Amendments

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Strike the following language:

~~provided that \$800,000 of this appropriation made for the purpose of supporting the Maryland Primary Care Program Project Management Office shall be reduced contingent on the enactment of HB 152 or SB 192 authorizing the use of special fund balance from the Maryland Board of Physicians for this purpose.~~

~~**Explanation:** This language adds a contingent reduction of \$800,000 in general funds for the Maryland Primary Care Program Management Office. The reduction is contingent on HB 152 or SB 192 (the Budget Reconciliation and Financing Act of 2020) authorizing the use of special fund balance from the Maryland Board of Physicians for the Maryland Primary Care Program.~~

Amendment No. _____

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce general funds for administrative costs related to the Maryland Primary Care Program.</i>	1,000,000	GF
<i>Total Reductions</i>	1,000,000	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	93.50	93.50		0.00
<i>General Fund</i>	10,463,045	9,463,045	1,000,000	
<i>Special Fund</i>	408,570	408,570	0	
<i>Federal Fund</i>	8,478,607	8,478,607	0	
<i>Total Funds</i>	19,350,222	18,350,222	1,000,000	

Amendment No. _____

M00F

Committee Narrative

OFFICE OF POPULATION HEALTH IMPROVEMENT

M00F02.07 Core Public Health Services

Local Health Department Formula Funding: Section 2-302 of the Health – General Article mandates formula funding for Core Public Health Services (funding for local health departments (LHD)) with an annual adjustment factor set to inflation and population growth. The formula, as currently written in statute, does not account for ongoing expenditures related to annual general salary increases, salary increments, or health insurance costs. Further, the data required to calculate the formula increase is difficult to get on a timely basis during budget development.

Due to variations in how the base and adjustment factor have been calculated in prior fiscal years, the budget committees are concerned that the formula has been applied inconsistently. The budget committees request that the Maryland Department of Health (MDH), in consultation with LHDs and the Department of Budget and Management (DBM), submit a report by October 1, 2020, clarifying the prior year LHD funding that should be included in the base and how the annual adjustment factor compared to actual LHD expenditure change in fiscal 2018 through 2020, actual non-State LHD expenditures by jurisdiction and State funding outside of the mandated formula funding by jurisdiction allocated to LHDs in fiscal 2018 through 2020, and any recommendations to change the formula.

Information Request	Authors	Due Date
Report on LHD formula funding	MDH DBM	October 1, 2020

M00F03
Maryland Department of Health
Prevention and Health Promotion Administration

Budget Amendments

M00F03.04 Family Health and Chronic Disease Services

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete federal funds due to double budgeted expenditures under the Special Supplemental Nutrition Program for Women, Infants, and Children.	9,851,721	FF
 Total Reductions	 9,851,721	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	174.60	174.60		0.00
General Fund	43,843,449	43,843,449	0	
Special Fund	51,357,874	51,357,874	0	
Federal Fund	157,735,715	147,883,994	9,851,721	
Total Funds	252,937,038	243,085,317	9,851,721	

M00F05
Maryland Department of Health
Office of the Chief Medical Examiner

Committee Narrative

M00F05.01 Post Mortem Examining Services

Office of the Chief Medical Examiner Accreditation and Staffing: The Office of the Chief Medical Examiner (OCME) was placed on provisional accreditation status in May 2018 due to the cases examined per medical examiner exceeding accreditation limits. Although the office corrected this violation for the July 2019 inspection, the office was again put on provisional status due to a physical hazard caused by a leak in the roof of its facility. Recent vacancies, including the chief medical examiner position, also cause concern for the OCME accreditation status moving forward. The committees request that the Maryland Department of Health (MDH) provide:

- an update on OCME’s accreditation status following the expiration of its current provisional status in May 2020;
- an update on the roof repair project, including project costs, funding sources, and completion date;
- information on the use of per diem pathologists to assist in meeting caseload standards, including year-to-date expenditures;
- the status of filling vacant medical examiner positions; and
- information on new efforts to increase staffing to ensure that OCME can return to or maintain full accreditation in the future.

Information Request	Author	Due Date
Report on OCME accreditation and staffing	MDH	October 1, 2020

M00L
Maryland Department of Health
Behavioral Health Administration

Budget Amendments

OFFICE OF THE SECRETARY

M00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purposes of executive direction may not be expended until the Maryland Department of Health submits a report to the budget committees on the administrative services organization transition and estimated payments made during the transition. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The Maryland Department of Health (MDH) transition to a new Administrative Services Organization (ASO), effective January 1, 2020, found many providers unable to register, submit claims, or receive proper reimbursements. MDH’s short-term solution for providers is to issue estimated payments based on calendar 2019 services until April 20, 2020, when the new ASO will hopefully be ready to process claims. This language restricts funding from the MDH Secretary budget until a report is submitted detailing the full scope of the estimated payments issued during this period of transition. *This report should also address progress made on the ASO functionality and client-access issues that may have resulted from the ASO transition. Further, the report should include the process for reconciliation of estimated payments to providers, inconsistencies between provider claims records and MDH’s, and financial impacts experienced by providers during this transition period.*

Information Request	Author	Due Date
Report on estimated payments	MDH	July 1, 2020

M00L

DEPUTY SECRETARY FOR BEHAVIORAL HEALTH

M00K01.01 Executive Direction

Add the following language to the general fund appropriation:

. provided that \$250,000 of this appropriation made for the purposes of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees detailing quality measures available for the treatment of specialty behavioral health services in the public behavioral health system. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Growth trends in the Public Behavioral Health System (PBHS) in recent years have caused concerns regarding the appropriateness of the care settings and the quality of care being provided in PBHS. This language requests that the Behavioral Health Administration (BHA) compile a report on potential quality measures that would be available and useful to ensure that Marylanders in PBHS are receiving high-quality specialty behavioral health services in the most appropriate settings.

Information Request	Author	Due Date
Quality and performance measures in PBHS	BHA	October 1, 2020

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purposes of executive direction may not be expended until the Behavioral Health Administration submits a report to the budget committees detailing the increase in psychiatric rehabilitation program expenditures and utilization. The report shall also include reasons for the significant growth in psychiatric rehabilitation program expenditures, utilization, and providers. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Increases in psychiatric rehabilitation program (PRP) expenditures have caused the need for a deficiency appropriation in fiscal 2020. If the current growth trend continues, PRP spending could be the main cause of future budget shortfalls. This language requests that the Behavioral Health Administration (BHA) submit a report on the increases in PRP expenditures and utilization.

M00L

Information Request	Author	Due Date
Causes for the increase in PRP expenditures	BHA	December 1, 2020

M00L01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of program direction may not be expended until the Maryland Department of Health submits a report to the budget committees on Assertive Community Treatment. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The budget committees are interested in Assertive Community Treatment (ACT), an evidence-based practice designed to serve high-risk individuals and reduce unnecessary hospital utilization, and the evaluation of these programs. The Maryland Department of Health (MDH) has been planning to transition from the Dartmouth Assertive Community Treatment Scale (DACTS) to the Tool for Measurement of Assertive Community Treatment (TMACT). These scales are used for measuring ACT teams on fidelity to the ACT model. The budget committees request a timeline for moving from DACTS to TMACT. The report should also discuss any incentives, assistance, or other programs planned for providers to ensure compliance with new TMACT standards.

Information Request	Authors	Due Date
Report on ACT measurement standards	MDH	September 1, 2020

Amendment No. _____

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purposes of program direction may not be expended until the Maryland Department of Health submits a report to the budget committees on substance use residential treatment funding limitations. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

M00L

Explanation: *The Maryland Department of Health's (MDH) Medical Assistance program (Medicaid) limits substance use disorder (SUD) residential treatment reimbursement to two nonconsecutive 30-day stays within a calendar year. The ability to bill Medicaid for these services and receive federal fund reimbursement is through an 1115 waiver from the federal government. The budget committees are interested in aligning residential treatment reimbursements with clinic best practices and request that MDH submit a report on SUD residential treatment. This report should address medical findings for best practices in length and frequency of treatment as well as possible opportunities to seek waivers to expand treatment. Further, the report should include timelines for seeking adjustments or revisions to the Medicaid reimbursement policies for SUD residential treatment.*

Information Request	Author	Due Date
<i>Report on SUD treatment limitations in the Medicaid program</i>	<i>MDH</i>	<i>September 1, 2020</i>

Amendment No. _____

M00L01.02 Community Services

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for substance use disorder treatment, uninsured treatment, or other community service grants for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Fund Recipients or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

M00L

M00L01.03 Community Services for Medicaid State Fund Recipients

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for Medicaid State Funded Mental Health Services for that purpose or for provider reimbursements in M00L01.02 Community Services or M00Q01.10 Medicaid Behavioral Health Provider Reimbursements.

M00M
Maryland Department of Health
Developmental Disabilities Administration

Budget Amendments

M00M01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation may not be expended until the department submits a report to the budget committees including recommendations for expanded uses of the Waiting List Equity Fund, an estimate for the number of individuals on the waiting list for community services that would be served under the expanded uses, a timeline for when the agency plans to propose amendments to the statute establishing the fund, and a timeline for spending down the current balance in the fund. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if a report is not submitted.

Explanation: At the close of fiscal 2019, the Waiting List Equity Fund (WLEF) had a balance of over \$8.0 million. The committees are concerned that the growing fund balance can be used more effectively to provide services for more individuals on the waiting list for community services. The Maryland Department of Health (MDH) has indicated that it worked with stakeholders to develop specific recommendations for changes in the allowable use of the WLEF and planned to propose a change in the statutory and regulatory authority of the fund. However, the department has not provided concrete recommendations or any analysis for the number of individuals who would be served.

Information Request	Author	Due Date
Report on WLEF uses	MDH	October 1, 2020

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation may not be expended until the department submits two reports to the budget committees providing updates on the agency's implementation of the new functionalities on the Long Term Services and Supports (LTSS) system and community service provider rate structure. The first report shall be submitted by June 1, 2020, and shall include descriptions of the finalized rates, any phase-in decisions, any bridge funding availability, a provider impact analysis based on the final rates, a State budgetary impact based on the final rates, the findings of the LTSS pilot, the corrections applied to the LTSS system as a result of the pilot, and the timeline for meeting the federal electronic-visit verification requirement. The second report shall be submitted by October 1, 2020, and shall provide updates on the final operationalized rates; the number of providers, individuals, and service types

M00M

transitioned to the LTSS system; the number of providers, individuals, and service types that have not transitioned and a timeline for when they will switch systems; the initial impact of new rates on providers; the initial impact of new rates on community services spending; agency spending on bridge funding and the process the agency will use to recoup any overpayments; any defects or issues with the billing and reimbursement functionality of LTSS; any defects or issues with the service authorization functionality of LTSS and service authorization process overall; and the progress in meeting the electronic-visit verification requirement. The budget committees shall have 45 days from the date of receipt of the reports to review and comment. Funds restricted pending the receipt of both reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if both reports are not submitted.

Explanation: The Maryland Department of Health (MDH) is simultaneously transitioning community service program under the Developmental Disabilities Administration to new functionality on the State's LTSS system, a fee-for-service reimbursement model with new rates, and new community-based services. The department plans to begin implementation in July 2020 but has not announced a comprehensive implementation plan that outlines the final rates, how these rates will be applied, and how a phased-in approach may take place, among other considerations.

Information Request	Author	Due Date
New rate and LTSS transition report	MDH	June 1, 2020 October 1, 2020

M00M01.02 Community Services

Add the following language:

Provided that \$26,507,537 in general funds, \$140,261 in special funds, and \$23,651,144 in federal funds of this appropriation made for the purpose of a 4% community service provider rate increase may only be used to adjust the rates for all community services to a level 4% higher than the rates in effect as of March 1, 2020. Notwithstanding this requirement, the rates for community services provided to individuals in the Long Term Services and Supports pilot program may increase by more than 4%. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled.

Explanation: Chapters 10 and 11 of 2019 mandate an annual 4% provider rate increase beginning in fiscal 2021 across all community services funded by the Developmental Disabilities Administration (DDA). This language restricts funds for that purpose. However, the rates for community services provided to individuals in the Long Term Services and Supports pilot program may still receive a rate increase higher than 4% as deemed necessary by DDA.

M00M

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. <i>Reduce the general fund appropriation for the Quality Improvement Organization services contract in anticipation of an enhanced federal fund match.</i>	461,354	GF
<i>Total Reductions</i>	461,354	

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
<i>Position</i>	118.50	118.50		0.00
<i>General Fund</i>	722,395,870	721,934,516	461,354	
<i>Special Fund</i>	6,146,790	6,146,790	0	
<i>Federal Fund</i>	644,463,564	644,463,564	0	
<i>Total Funds</i>	1,373,006,224	1,372,544,870	461,354	

Amendment No. _____

Committee Narrative

Person-centered Planning Performance Measures: The Maryland Department of Health (MDH) is integrating the service authorization and person-centered planning process on the agency’s integrated care management system, known as Long Term Services and Supports (LTSS). These plans must be authorized at least once every 12 months, and more often if changes in an individuals’ services are necessary. Due to the workflow and multiple approvals needed at different stages to authorize a person-centered plan, it is possible that delays and backlogs in this process could cause issues in individuals receiving approval for services. The budget committees request that MDH include goals, objectives, and performance measures related to the processing and timing of person-centered plans in its fiscal 2022 Managing for Results submission.

Information Request	Author	Due Date
Performance measures related to person-centered planning	MDH	With the submission of the fiscal 2022 allowance

M00M

Transitioning Youth Placements: *The budget committees are concerned that individuals who are eligible for adult services funded by the Maryland Department of Health (MDH) Developmental Disabilities Administration (DDA) are not starting these services in a timely manner after aging out of youth services. The budget committees request that DDA submit a report by October 1, 2020, including:*

- *the number of transitioning youth referred to DDA who have exited the State educational system, have not received approval for DDA funding since exiting, and/or have not begun DDA-funded services (aggregated by fiscal year from fiscal 2018 to 2021 year to date);*
- *a list of reasons that transitioning youth who exited the State educational system and were referred to DDA in fiscal 2018 through 2021 year to date have not begun to receive DDA-funded services;*
- *barriers and delays that have prevented transitioning youth from receiving approval and placement into DDA-funded services;*
- *DDA’s plan to ensure that services for transitioning youth are approved and provided in a timely manner for individuals who exit the educational system in fiscal 2021; and*
- *a timeline and necessary steps to ensure that all transitioning youth who are deemed eligible for DDA-funded services throughout fiscal 2021 are able to begin services by July 1, 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on transitioning youth placements</i>	<i>MDH</i>	<i>October 1, 2020</i>

M00Q01
Maryland Department of Health
Medical Care Programs Administration

Budget Amendments

M00Q01.02 Office of Enterprise Technology – Medicaid

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Increase turnover to 9%. The budgeted turnover rate is 7.7%. The most recent vacancy rate in the Administration is 11.2%. The reduction is taken in the Office of Enterprise Technology but may be allocated across the Administration as appropriate.	207,000 GF	
	414,000 FF	
 Total Reductions	 621,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	90.00	90.00		0.00
General Fund	4,606,745	4,399,745	207,000	
Federal Fund	12,866,098	12,452,098	414,000	
Total Funds	17,472,843	16,851,843	621,000	

M00Q01.03 Medical Care Provider Reimbursements

Add the following language:

All appropriations provided for program M00Q01.03 Medical Care Provider Reimbursements are to be used for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: The annual budget bill language restricts Medicaid provider reimbursements to that purpose.

Amend the following language to the general fund appropriation:

Further provided that ~~\$10,000,000~~ \$20,000,000 of this appropriation shall be reduced contingent upon the enactment of legislation ~~reducing~~ increasing the Medicaid Deficit Assessment for fiscal 2021.

M00Q01

Explanation: The language increases the general fund reduction from \$10.0 million to \$20.0 million contingent on legislation increasing available funding from the Medicaid Deficit Assessment.

Amendment No. _____

Add the following language to the general fund appropriation:

Further provided that \$750,000 of this appropriation shall be reduced contingent upon the enactment of legislation authorizing the transfer of a like amount of special funds from the Board of Pharmacy Fund.

Explanation: The language makes a reduction to funding to support an increase in rural pharmacy dispensing fees contingent on legislation authorizing a transfer from the Board of Pharmacy Fund to backfill the reduction.

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds in the nonemergency transportation program to align with the most recent federal fund participation rate in that program.	3,900,000	GF
2. <i>Reduce general funds based on the availability of special funds from the Cigarette Restitution Fund.</i>	4,500,000	GF
3. Reduce funding based on expectations of revenues received as a result of improved auditing of hospital claim payments. This reduction is based on the Maryland Department of Health's response to a recent audit finding noting that few audits of hospital claims were done since 2007 to ensure that Medicaid was not paying for services that were not provided, medically necessary, or were not appropriately priced.	3,000,000	GF
Total Reductions	6,900,000 11,400,000	

M00Q01

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	3,178,930,546	3,172,030,546 3,167,530,546	6,900,000 11,400,000	
Special Fund	882,296,805	882,296,805	0	
Federal Fund	5,848,171,206	5,848,171,206	0	
Total Funds	9,909,398,557	9,902,498,557 9,897,998,557	6,900,000 11,400,000	

Amendment No. _____

Add the following language to the special fund appropriation:

. provided that authorization is hereby provided to process a special fund budget amendment of up to \$4,500,000 from the Cigarette Restitution Fund to support Medicaid provider reimbursements.

Explanation: *The language authorizes the transfer of up to \$4.5 million from the Cigarette Restitution Fund to support Medicaid reimbursements. This transfer is related to a reduction of a like amount of special funds for nonpublic schools.*

Amendment No. _____

Committee Narrative

Baltimore City Capitation Project: In the 2019 interim, the Maryland Department of Health (MDH) undertook a review of the Baltimore City Capitation Project, a program serving individuals with severe and persistent mental illness in Baltimore City. The review was done in the context of possible expansion of the program. The report noted the need for additional research prior to making such a decision. The committees remain interested in the potential to expand the program and request that MDH investigate service utilization changes by recent program enrollees; determine what group would most benefit from the program; assess whether more variation in capitated rates is needed; determine how many providers could assume the risk associated with a capitated program, even one with limits on risk such as the current program, including an analysis of how the program could expand geographically based on that risk assessment; and track State-only costs that were not part of the original analysis.

M00Q01

Information Request	Author	Due Date
Baltimore City Capitation Project	MDH	November 15, 2020

Hepatitis C Treatment in the HealthChoice Program: In January 2020, the Maryland Department of Health (MDH) removed fibrosis restrictions for accessing new Hepatitis C therapies. The committees are interested in the result of this change on the extent of Hepatitis C treatment, treatment adherence, and cost in the HealthChoice program. The information should provide detail by individual managed care organization.

Information Request	Author	Due Date
Hepatitis C treatment	MDH	January 15, 2021

Community First Choice Program Financial Data: Spending under the Community First Choice (CFC) program is expected to approach \$400 million in fiscal 2021. In order to better forecast future growth in the program, the committees request that the Maryland Department of Health (MDH) submit quarterly reports on spending in CFC. The reports should include monthly enrollment, utilization, and cost data that can be used to support actual budget expenditures under the program. The initial report should include data that reconciles to actual spending in fiscal 2018 through 2020.

Information Request	Author	Due Date
CFC financial data	MDH	Quarterly beginning August 1, 2020

Medicaid Business Processes and Organization Structure: In July 2018, Medicaid hired a consulting firm to review its existing business processes and organizational structure and to make recommendations for improvement. The resulting report released in December 2018 contained a wide-ranging set of options for improvement around eligibility decisions, internal organization, cost-saving and revenue enhancement proposals, and minority health and health disparities. The committees are interested in an updated timeline of the implementation of recommendations that the Maryland Department of Health (MDH) is pursuing.

Information Request	Author	Due Date
Medicaid business process and organization structure changes	MDH	October 1, 2020

M00Q01

Impact of Health Services Cost Review Commission-led Programs on Medicaid Dual Eligibles: Medicaid spending on dual-eligible enrollees (enrollees eligible for Medicaid and Medicare) is disproportionate to enrollment. The Maryland Department of Health (MDH) has investigated various efforts to substantially reform service delivery for these individuals but has not implemented them. Rather, MDH has adopted an approach of monitoring how programs utilized by the Health Services Cost Review Commission (HSCRC) under the Total Cost of Care model can benefit Medicaid spending on the duals. The committees are interested in a report on what programs are being utilized by the duals and the benefits accruing to Medicaid.

Information Request	Authors	Due Date
Medicaid dual-eligible enrollees	MDH HSCRC	November 15, 2020

Delivery of Medicaid Dental Services: Since 2009, a single statewide dental Administrative Services Organization (ASO) has overseen services for the Maryland Medicaid Healthy Smiles Dental Program. ASO is responsible for credentialing, billing, and dental provider issues. The current ASO contract is set to expire at the end of calendar 2020. The Maryland Department of Health (MDH) is currently working on a Request for Proposals for a new ASO contract.

Across the states, there are different models for delivering dental services, including dental services being carved into managed care (as they were in Maryland before 2009) or carved out; and, for carved out services, delivered using an ASO model or through an independent managed care organization.

Although it appears that MDH is committed to the ASO model for the immediate future, the budget committees are interested in learning about the advantages and disadvantages of the various service delivery models in place for dental services. The budget committees request that MDH, in coordination with interested stakeholders, review the different models used by states for dental services, in particular the use of an independent managed care organization. In that review, MDH should look specifically at performance in delivering quality dental care, cost versus the current ASO model in place in Maryland, and how states have been able to expand dental services with savings generated by changing service delivery models.

Information Request	Author	Due Date
Delivery of Medicaid dental services	MDH	December 1, 2020

M00Q01

Enteral Nutrition: The budget committees are concerned that the current reimbursement methodology for enteral nutrition (tube feeding) does not cover the costs associated with providing enteral nutrition services. The budget committees request that the Maryland Department of Health (MDH) develop a reimbursement methodology to cover the costs associated with enteral nutrition services. MDH is requested to submit a report detailing the revised methodology and the extent of funding that would be provided under the revised methodology compared to the existing reimbursement rate.

Information Request	Author	Due Date
Reimbursement methodology for enteral nutrition	MDH	July 1, 2020

Fiscal 2020 Deficiency

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce deficiency funding based on lower estimates of fiscal 2020 need.	15,000,000	GF
Total Reductions	15,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	37,295,041	22,295,041	15,000,000	
Special Fund	106,253,135	106,253,135	0	
Federal Fund	160,868,991	160,868,991	0	
Total Funds	304,417,167	289,417,167	15,000,000	

M00Q01

Budget Amendments

M00Q01.08 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce funding for the Medicaid Management Information System II replacement information technology development project based on expectations of program spending in fiscal 2020 and 2021. A general fund reduction of \$1.0 million is proposed in the Department of Information Technology budget.	5,000,000	FF
Total Reductions	5,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Federal Fund	78,301,291	73,301,291	5,000,000	
Total Funds	78,301,291	73,301,291	5,000,000	

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language:

Provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted or canceled.

Explanation: This language restricts the entire appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State Funded Recipients or M00L01.02 Community Services.

M00R01
Maryland Department of Health
Regulatory Commissions

Committee Narrative

M00R01.02 Health Services Cost Review Commission

Health Services Cost Review Commission Evaluation of the Maryland Primary Care Program: Given the role of the Maryland Primary Care Program (MDPCP) in transforming care in the State under the Total Cost of Care Model, the budget committees request information on the effectiveness of the program. In particular, this evaluation should focus on cost-savings from MDPCP reducing unnecessary utilization or hospitalization for patients participating in MDPCP over the increased expenditures from provider incentives.

Information Request	Author	Due Date
Evaluation of MDPCP	Health Services Cost Review Commission	October 1, 2020

Health Services Cost Review Commission Policy on and Management of Hospital Profits: Given the spending targets under the Total Cost of Care Model and Maryland’s regulation of hospitals under global budgets, the committees are interested in how the Health Services Cost Review Commission (HSCRC) intends to manage hospitals that are generating excessive operating profits under regulated rates. HSCRC should submit a report detailing its policy on the appropriate level of hospital profits, detail tools available to regulate hospital profits, and outline future plans to employ these strategies to contain regulated profits.

Information Request	Author	Due Date
Policy tools available to HSCRC to constrain excessive hospital profits	HSCRC	October 1, 2020

Budget Amendments

M00R01.03 Maryland Community Health Resources Commission

Add the following language to the special fund appropriation:

. provided that \$1,000,000 of this appropriation made for the purpose of community health grants may not be expended for that purpose and instead may be used only to support Local Health Improvement Coalitions. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

M00R01

Explanation: This budget language restricts \$1,000,000 of special funds in the Community Health Resource Commission (CHRC) budget to be used to support Local Health Improvement Coalitions. This action is related to the rejection of a Budget Financing and Reconciliation Act proposal that would reduce the special fund amount available to CHRC from \$8 million to \$4 million.

N00A01
Department of Human Services
Administration

Budget Amendments

N00A01.01 Office of the Secretary

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Human Services submits a report to the budget committees that identifies the factors affecting the low proportion of out-of-home placement cases that receive appropriate physical and mental health services and a strategic plan for improving the rate of appropriate services provided to children in out-of-home placements. The report shall be submitted by October 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: *The budget committees are concerned that just 41% of out-of-home placement cases reviewed were provided with appropriate physical and mental health services in fiscal 2019. This language restricts funds pending receipt of a report describing factors affecting the low proportion of out-of-home placement cases that receive appropriate physical and mental health services and a strategic plan for improving the rate of appropriate services provided to children in out-of-home placements.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on factors affecting services provided to children in out-of-home placements</i>	<i>Department of Human Services</i>	<i>October 1, 2020</i>

Amendment No. _____

Committee Narrative

Factors Affecting Low Social Worker Retention: The budget committees request that the Department of Human Services (DHS) investigate the factors at play affecting low social worker retention rates, including, but not limited, to compensation, work environment, workload, adequacy of staffing, and sufficient opportunities for employee growth. The budget committees also recommend that the department develop a strategic plan for improving social worker retention. The budget committees request that the findings regarding factors affecting low social worker retention and the plan to improve retention be reported to the budget committees on November 1, 2020.

N00A01

Information Request	Author	Due Date
Factors affecting low social worker retention	DHS	November 1, 2020

Budget Amendments

N00A01.04 Maryland Legal Services Program

Add the following language to the general fund appropriation:

, provided that this appropriation made for the purpose of the Maryland Legal Services Program may be expended only for that purpose. Funds not used for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: The language restricts the general fund appropriation of the Maryland Legal Services Program (MLSP) to that purpose and, if it is not needed for that purpose, requires that the funds revert to the General Fund. During the fiscal 2013 closeout process, the Department of Human Services recorded an unprovided for payable in the MLSP. That was the second consecutive year an unprovided for payable was recorded and the fourth since fiscal 2007. Given the important functions of the MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last six fiscal years.

N00B
Department of Human Services
Social Services Administration

Budget Amendments

N00B00.04 General Administration – State

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administrative expenses may not be expended until the Department of Human Services (DHS) submits a report to the budget committees on a planned new foster care rate structure including detail on how the provider rates will be calculated, whether the change will impact the availability of federal funds to support foster care payments, and the timeline for implementing the new rate structure. If DHS decides not to proceed with a new foster care rate structure, the report shall instead detail the reason why no change will be made and a planned timeline for consideration of any future changes. The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The fiscal 2020 budget of DHS Social Services Administration included funding to support a contract for the development of a new foster care rate structure. DHS reported that it was working with the University of Maryland School of Social Work Institute for Innovation and Implementation and the Hilltop Institute at the University of Maryland Baltimore County on this project. During the 2019 session, DHS indicated that the report would be completed in December 2019 with a plan to begin using this structure for fiscal 2021. Committee narrative in the 2019 Joint Chairmen’s Report requested that DHS provide a copy of this report with submission of the fiscal 2021 budget. DHS did not submit the report as requested with the budget submission, and the fiscal 2021 allowance does not reflect a change in the rate structure. This language restricts funds until DHS submits the report on planned changes to the foster care rate structure and requests that if the department chooses not to proceed with any changes in the rate structure, the report instead explain why it did not move forward with these changes.

Information Request	Author	Due Date
Report on planned new foster care rate structure or information on why no changes will be made	DHS	September 1, 2020

N00B

Add the following language to the general fund appropriation:

Further provided that \$1,000,000 of this appropriation made for the purpose of recognizing savings from expanded federal fund eligibility for subsidized adoptions may not be expended until the Department of Human Services submits a report detailing the planned use of the funds, including describing specific child welfare activities that will be completed or undertaken with the funds. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: The fiscal 2021 allowance of the Department of Human Services (DHS) Social Services Administration contains \$2.0 million of general funds in the General Administration – State program as part of a requirement to spend savings that result from expanded federal fund eligibility for subsidized adoptions for child welfare activities. While the department has adequately described the need to spend these savings in response to federal requirements, DHS did not describe the activities that these funds would support. This language restricts half of these funds until DHS submits a report describing what activities these funds will support.

Information Request	Author	Due Date
Planned use of adoption savings	DHS	July 1, 2020

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administrative expenses may not be expended unless the Department of Human Services includes in the fiscal 2022 budget subprogram detail for the fiscal 2020 actual, fiscal 2021 working, and fiscal 2022 allowance that separately identifies payments and anticipated payments by the department for youth in both medical hospitals and psychiatric hospitals that are not covered by Medicaid. The detail shall be submitted with the fiscal 2022 budget, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the detail is not provided.

Explanation: The Department of Human Services (DHS) does not separately identify in the budget placement costs associated with the youth in hospitals for periods in which Medicaid does not cover the placement. As these are costs incurred by DHS and the costs could be significant based on recent lengthy stays beyond medical necessity, the General Assembly is concerned that these costs are not identifiable in the department's budget. This language restricts funds pending inclusion of this information in the fiscal 2022 budget submission.

N00B

Information Request	Authors	Due Date
Placement costs for youth in hospital settings incurred by the department	DHS Department of Budget and Management	With the submission of the fiscal 2022 allowance

Committee Narrative

~~**Hospital Stays by Youth in Out-of-home Placements:** In an effort to monitor whether youth in out-of-home placements are remaining in hospitals beyond the length of time that is deemed medically necessary, the committees request that the Department of Human Services (DHS) provide for each month of the period December 2019 through November 2020:~~

- ~~• the number of youth in out-of-home placements served in hospitals separately by type of hospital;~~
- ~~• the average hospital length of stay for youth in out-of-home placements separately by type of hospital;~~
- ~~• the number of days that these youth were in the hospital longer than was deemed medically necessary by either the hospital or a juridical finding separately by type of hospital;~~
- ~~• the placement type after discharge separately by type of hospital (reunification with the family of origin, kinship placement, family foster home, treatment foster home, group home, residential treatment center, additional hospitalization, or other placements) including identifying the number of youth placed out-of-state after discharge; and~~
- ~~• the dollar amount of payments to hospitals for these youth by DHS and the number of youth for which payments were made separately by type of hospital.~~

~~The report should include information for all youth in the care of the department, regardless of whether the youth entered out-of-home care while in the hospital or prior to entering the hospital.~~

Information Request	Author	Due Date
Hospital stays and post-hospital stay placements	DHS	January 1, 2021

N00B

Protecting the Resources of Youth in State Custody Accounts: Chapters 815 and 816 of 2018 reduced the amount of federal benefits received on behalf of youth in foster care that the Department of Human Services (DHS) could use to support the cost of foster care beginning at age 14. The amounts not used for the cost of care were to be conserved. The chapters became effective October 2018. The amounts conserved do not appear in the State budget; however, the committees are interested in continuing to monitor the impact of this legislation on youth in State custody. The committees request that DHS provide information by jurisdiction and month for the period November 2019 through December 2020 on the number of accounts opened on behalf of youth as a result of Chapters 815 and 816 and the number of accounts for which subsequent deposits have been made. The committees also request that the report include information on the average amount conserved in each account by age group specified in the chapters and the total amount conserved in these accounts by age group specified in the chapters.

Information Request	Author	Due Date
Accounts/trusts opened and maintained as a result of Chapters 815 and 816	DHS	January 1, 2021

Impact of Vacancies on Child Welfare Outcomes: The budget committees are interested in better understating the impact of the current high vacancy rate on outcomes and other measures of performance related to child welfare. The budget committees are particularly concerned about the impact of social worker position and family services caseworker position vacancies in child welfare on outcomes related to recurrence of maltreatment, rate of victimization per 100,000 days of foster care, reentry into care within 12 months of an exit to reunification, reentry into care within 12 months of an exit to guardianship, and child deaths in which abuse or neglect is determined to be a factor. The budget committees request that the Department of Human Services (DHS) examine and report on the impact of high vacancy rates and low five-year retention rates of these positions on these child welfare outcomes. DHS should also report on how high child welfare caseloads impact the quality of in-home services provided to prevent entry or reentry into care.

Information Request	Author	Due Date
Impact of high vacancy rates on child welfare outcomes and quality of services	DHS	November 15, 2020

N00B

Child Placement Agency Provider Staffing Concerns: *The budget committees are concerned about the impact of regulatory requirements on the ability of Child Placement Agency providers that contract with the Department of Human Services (DHS) to recruit, hire, and retain staff. The committees request that DHS, in collaboration with the contracted Child Placement Agency providers, evaluate the causes of Child Placement Agency staffing shortages and identify options for addressing the shortage in qualified workers for these providers. The committees request that options considered include reviewing the regulations regarding Child Placement Agency worker qualifications to increase provider flexibility and the potential for implementing hiring incentives. The budget committees request that DHS submit a report describing the findings from the evaluation and recommendations to address the staffing shortages.*

Information Request	Author	Due Date
<i>Report on Child Placement Agency worker shortages and options for addressing the shortages</i>	<i>DHS</i>	<i>December 1, 2020</i>

Outcomes for Foster Youth Who Aged Out of Care: *The budget committees are concerned about whether youth who aged out of foster care are leaving care with appropriate supports in place to ensure a successful transition. The Department of Human Services (DHS) indicates that it will be able to report on data related to these outcomes after care with the implementation of the new information technology system. The committees request that DHS report on:*

- the number and share of youth aging out of care who have a stable place to live and who do not have a stable place to live in the first year after exit;*
- the number and share of youth aging out of care who are participating or have participated in employment and training programs, including the number who completed programs; and*
- the number and share of youth aging out of care who are attending colleges and universities, including both community colleges and four-year institutions, and who receive the Maryland Tuition Waiver for Foster Care Recipients.*

If possible, DHS should report this data by month for fiscal 2020 and year-to-date fiscal 2021. If monthly data is not reported, DHS should identify the period that the provided data covers.

Information Request	Author	Due Date
<i>Report on outcomes for foster youth aging out of care</i>	<i>DHS</i>	<i>December 31, 2020</i>

N00F
Department of Human Services
Office of Technology for Human Services

Budget Amendments

N00F00.02 Major Information Technology Development Projects

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce federal funds for Maryland Total Human Services Information NetworK (MD THINK). The available funding for MD THINK through fiscal 2021 is higher than needed to cover planned expenditures, and planned expenditure levels are unlikely to be realized. A companion general fund reduction is made in the Department of Information Technology budget.	7,500,000	FF
 Total Reductions	 7,500,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Federal Fund	94,771,080	87,271,080	7,500,000	
Total Funds	94,771,080	87,271,080	7,500,000	

N00F00.04 General Administration

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of general administration may not be expended until the Department of Human Services submits a report describing the timeline to completion, including detail for each system, for the Maryland Total Human-services Information NetworK development. The report should also include spending by source over the course of fiscal 2021 and 2022 with monthly milestones to be achieved. The report shall be submitted by July 1, 2020, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The fiscal 2021 allowance includes a \$66.1 million deficiency for the Maryland Total Human-services Information NetworK (MD THINK) expenditures in fiscal 2020. The total project cost has grown each year. To monitor the use of its appropriation the General Assembly is interested in further monitoring of project spending in addition to schedule and scope updates. This language restricts funding until the Department of Human Services (DHS) submits a timeline of development and spending over the remainder of the project's estimated funding timeline.

N00F

Information Request	Author	Due Date
MD THINK spending and development timeline	DHS	July 1, 2020

Committee Narrative

Bimonthly Maryland Total Human-services Information NetworK Development and Expenditure Updates: The committees request that the Department of Human Services (DHS) provide bimonthly updates including the following information:

- Maryland Total Human-services Information NetworK (MD THINK) encumbrances/expenditures by project component since the prior report, specifically identifying components supported by other agencies;
- the actual general/federal fund split for each category of expenditures;
- a description of the activities since the prior report;
- an update on the timeline for activities to be completed during the year; and
- a description of any schedule delays, scope changes, or cost increases, including the reason for the delay or changes.

Information Request	Author	Due Date
Bimonthly updates of MD THINK expenditures and development	DHS	July 15, 2020 September 15, 2020 November 15, 2020 January 15, 2021 March 15, 2021 May 15, 2021

N00G
Department of Human Services
Local Department Operations

Budget Amendments

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

Further provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for foster care payments to that use only. This restriction prevents a transfer of general funds to other programs that might create or increase a deficit in spending in the Foster Care Maintenance Payments program (N00G00.01).

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce funds budgeted from Cost of Care Reimbursement that will not be available to support foster care payments. Chapters 815 and 816 of 2018 required that beginning October 1, 2018, a portion of federal benefits received on behalf of youth 14 and older be conserved rather than used for the cost of care. The Department of Human Services has implemented the legislation. However, the fiscal 2021 allowance continues to reflect the level of spending from this source based on levels from prior to the implementation. This action reduces the special fund appropriation for the Cost of Care reimbursement to the level of funds expected to be available for the cost of care after the required funds are conserved.	1,000,000	SF
Total Reductions	1,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	209,320,229	209,320,229	0	
Special Fund	4,283,046	3,283,046	1,000,000	
Federal Fund	74,388,193	74,388,193	0	
Total Funds	287,991,468	286,991,468	1,000,000	

N00G

Budget Amendments

N00G00.03 Child Welfare Services

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose except that funds may be transferred to program N00G00.01 Foster Care Maintenance Payments. Funds not expended or transferred shall revert to the General Fund.

Explanation: This annual language restricts general funds appropriated for the Child Welfare Services program to that use only or for transfer to N00G00.01 Foster Care Maintenance Payments.

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administrative expenses in Child Welfare Services may not be expended until the Department of Human Services (DHS) submits a report that demonstrates that DHS has reallocated to Baltimore, Carroll, and Prince George's counties the number of caseworker and supervisor positions needed, in combination with existing filled and vacant positions in the jurisdiction, to meet the Child Welfare League of America (CWLA) caseload standards. The report should also include data on the number of cases and positions required based on the caseload to meet the CWLA caseload standards, by jurisdiction, for the following caseload types current within 70 days: intake screening; child protective investigation; consolidated in-home services; interagency family preservation services; services to families with children-intake; foster care; kinship care; family foster care; family foster homes – recruitment and new applications; family foster homes – ongoing and licensing; adoption; interstate compact for the placement of children; and caseworker supervision. The report shall be submitted by December 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.

Explanation: Maintaining an adequate child welfare workforce is essential to improving the outcomes for children entering the State's care. This language restricts funds until DHS submits a report that demonstrates that it has reallocated to Baltimore, Carroll, and Prince George's counties sufficient caseworker and supervisor positions needed to meet CWLA caseload standards and also includes in the report data necessary to determine whether the caseload ratios have been met by jurisdiction. The caseload reports submitted by the department in fiscal 2019 and 2020 have indicated that Baltimore, Carroll, and Prince George's counties did not have enough filled positions to meet these standards on the whole or enough vacant positions

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that could be filled to allow the jurisdiction to meet the standards.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on caseload data and filled positions assigned by jurisdiction for specified caseload types and reallocations of positions to certain jurisdictions</i>	<i>DHS</i>	<i>December 1, 2020</i>

Amendment No. _____

Committee Narrative

~~**Child Welfare Caseload Data:** The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS), on December 1, 2020, report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America (CWLA) caseload standards, by jurisdiction, for the following caseload types using data current within 70 days:~~

- ~~● intake screening;~~
- ~~● child protective investigation;~~
- ~~● consolidated in-home services;~~
- ~~● interagency family preservation services;~~
- ~~● services to families with children — intake;~~
- ~~● foster care;~~
- ~~● kinship care;~~
- ~~● family foster care;~~
- ~~● family foster homes — recruitment and new applications;~~
- ~~● family foster homes — ongoing and licensing;~~

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- ~~adoption;~~
- ~~interstate compact for the placement of children; and~~
- ~~casework supervision.~~

The committees also request that DHS discuss the specific actions taken by the department and local departments of social services to reallocate positions to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors. The report should note how many caseworker and supervisor positions were transferred to, transferred from, or reclassified within the jurisdiction or other areas of the department to assist in meeting the caseload standard. DHS should also provide any update on efforts by CWLA to revise or update the caseworker caseload ratio standards.

Information Request	Author	Due Date
Caseload data and filled positions assigned by jurisdiction for specified caseload types and how shortfalls are addressed	DHS	December 1, 2020

N00G

Budget Amendments

N00G00.08 Assistance Payments

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduced funding for the Supplemental Nutrition Assistance Program (SNAP) to better reflect anticipated spending. The fiscal 2021 allowance includes funding for SNAP at the level of the fiscal 2018 expenditures (\$931.5 million) despite caseload decreases of more than 5%. The fiscal 2019 expenditures in the program were \$885.8 million. This reduction still provides sufficient funding to support an increase in the caseload from the fiscal 2020 year-to-date spending levels. The agency is authorized to process a budget amendment if the spending for the program increases beyond the available remaining appropriation.	50,000,000	FF
Total Reductions	50,000,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	47,610,808	47,610,808	0	
Special Fund	6,445,657	6,445,657	0	
Federal Fund	1,044,449,048	994,449,048	50,000,000	
Total Funds	1,098,505,513	1,048,505,513	50,000,000	

Committee Narrative

Children Served in the Summer Supplemental Nutrition Assistance Program: Chapters 635 and 636 of 2019 created a supplemental benefit for children receiving Supplemental Nutrition Assistance Program (SNAP) in jurisdictions that chose to implement the program. The program was designed to provide \$100 in benefits (\$30 per month in June, July, and August and \$10 in December) per year. Jurisdictions are able to apply for State matching funds, which are based on the Public School Construction matching rate. The chapters mandated \$200,000 in State funds for the program. At this level of funding, only 2,000 children could be served; however, the required local matches will enable additional children to receive the benefit. The participating jurisdictions and the amount of local funds available for the program are unknown, as the approval process is not complete. In June 2019, there were 246,431 children

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receiving SNAP benefits across Maryland. Given the limited State funding for the program and the lack of information on the amount of local funding available to support the program, the committees request that the Department of Human Services (DHS) provide two reports with the following information:

- the number of children served by jurisdiction;
- the benefit level provided per child by jurisdiction;
- the total funding available for benefits in the program, including local funding by jurisdiction; and
- the number of children in participating jurisdictions that are not able to receive benefits due to insufficient funding by jurisdiction.

The first report should cover the summer portion of the program (June, July, and August), while the second report should cover the winter portion of the program (December).

Information Request	Author	Due Date
Children receiving benefits through the Summer SNAP for Children Act	DHS	September 1, 2020
Children receiving benefits through the Summer SNAP for Children Act	DHS	January 15, 2020

N00H00
Department of Human Services
Child Support Administration

Budget Amendments

N00H00.08 Child Support – State

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Reduce the federal funding for the Harford County State’s Attorneys cooperative reimbursement agreement. The fiscal 2021 budget includes positions and related funding to transfer duties of the State’s Attorneys office from Harford County to the State but also includes funding for the cooperative reimbursement agreement. This reduction removes the duplicative funding.	842,805	FF
 Total Reductions	 842,805	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	69.30	69.30		0.00
General Fund	3,164,139	3,164,139	0	
Special Fund	11,122,223	11,122,223	0	
Federal Fund	30,064,248	29,221,443	842,805	
Total Funds	44,350,610	43,507,805	842,805	

Committee Narrative

Baltimore City Office of Child Support Services Performance Report: Child support services in Baltimore City are administered by Veritas HHS, LLC (Veritas) through a privatization contract. In the most recent performance update submitted in response to the 2019 Joint Chairmen’s Report, the Department of Human Services (DHS) reported that Veritas was not meeting two of the minimum performance measure goals. The committees request that DHS submit reports on Veritas performance in federal fiscal 2020 and in the first two quarters of federal fiscal 2021. The reports should include:

- best practices and operational procedures being used or modified by Veritas to improve performance;

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- Baltimore City Office of Child Support Services (BCOCSS) performance measures set against the goals used to determine federal incentive payments;
- BCOCSS performance measures set against the goals set by DHS to determine incentives or liquidated damages;
- any incentives or liquidated damages assessed; and
- a discussion of any changes to the privatization contract and the method used to make the change.

Information Request	Author	Due Date
BCOCSS performance	DHS	October 1, 2020 January 1, 2021 April 1, 2021 June 30, 2021

Performance Measures for Temporary Cash Assistance-related Child Support Cases:

Since fiscal 2020, the Department of Human Services (DHS) has passed through a portion of the child support payments collected on behalf of Temporary Cash Assistance (TCA) recipients. The committees request that DHS include annually beginning with the fiscal 2022 Managing for Results submission the average monthly collections for TCA-related cases, the number of families that received passed through collections, the number of children that received passed through collections, the total collections on arrears for TCA-related cases, and the percent of TCA-related cases with a support order.

Information Request	Author	Due Date
Performance measures for TCA-related child support cases	DHS	Annually beginning with the submission of the fiscal 2022 allowance

Increased Legal Oversight for Baltimore City Office of Child Support Services: Baltimore City handles 27% of the State's child support cases. Child support services in Baltimore City are administered by Veritas HHS, LLC through a privatization contract. In addition, the State retains State positions in Baltimore City from prior to the privatization. The State positions perform legal/court work that supports enforcement actions. The committees are concerned that these State positions are not overseen by the contractor, which is involved in other enforcement duties. Instead, court workers are overseen by the Assistant Director of the Baltimore City Office of Child Support Services (BCOCSS) that reports to the director, who works in a different building. Generally, legal/court workers and those that oversee legal/court

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work are located in the same building in other jurisdictions. As at least two of the recent audit findings from the Office of Legislative Audits (OLA) May 15, 2019 fiscal compliance audit may be addressed by greater oversight of legal work, the committees request that the Department of Human Services (DHS) explore ways to reorganize its child support administration in Baltimore City so that positions that perform legal work will have the opportunity for greater coordination with the director. The committees request that DHS submit a report that includes the following:

- *best practices and operational procedures that would address audit findings in the OLA May 15, 2019 fiscal compliance audit;*
- *the feasibility of colocation of the State regular positions in Baltimore City that perform legal work with the director; and*
- *an assessment of the adequacy of oversight for positions that perform legal work statewide.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on increased legal oversight for BCOCSS</i>	<i>DHS</i>	<i>November 1, 2020</i>

N00I00
Department of Human Services
Family Investment Administration

Budget Amendments

N00I00.04 Director's Office

Add the following language to the general fund appropriation:

, provided that since the Department of Human Services (DHS) Family Investment Administration has had four or more repeat findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$100,000 of this agency's administrative appropriation may not be expended unless:

- (1) DHS has taken corrective action with respect to all repeat audit findings on or before November 1, 2020; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days to review and comment to allow for funds to be released prior to the end of fiscal 2021.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. Each agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

Information Request	Author	Due Date
Status of corrective actions related to the most recent fiscal compliance audit	OLA	45 days before the release of funds

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of the Director's Office in the Family Investment Administration may not be expended until the Department of Human Services submits a report to the budget committees detailing the impact of recent federal Supplemental Nutrition Assistance Program (SNAP) rule changes. The detail should include for the period January 2020 through November 2020:

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- (1) the number of able-bodied adults without dependents (ABAWD) separately by jurisdiction and month;
- (2) the number of ABAWDs determined ineligible for benefits due to ABAWD requirements separately by jurisdiction and month; and
- (3) the number of ABAWDs that returned to benefits after complying with the requirements separately by jurisdiction and month.

The report shall also include information on the number of SNAP applicants and recipients who no longer qualify, do not qualify for benefits, or have had their benefits reduced as a result of any finalized federal rule change related to broad-based categorical eligibility or the standard utility allowance. The report shall be submitted by December 15, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The U.S. Department of Agriculture (USDA) finalized changes to the waiver process related to ABAWD requirements in December 2019. The rule changes go into effect on April 1, 2020. Waivers in 13 jurisdictions in Maryland are expected to end at that time, as none of these jurisdictions are expected to qualify for a waiver under the new rules. In addition, in calendar 2019, USDA also proposed rule changes related to the use of broad-based categorical eligibility for eligibility determination and the calculation of the standard utility allowance included in the deductions related to the income and benefit level. The General Assembly is concerned about the impact of these final and proposed rule changes. This language restricts funds in the Family Investment Administration until the Department of Human Services (DHS) provides a report detailing information about the impact of the changes.

Information Request	Author	Due Date
Report on the impact of final and proposed rule changes related to SNAP	DHS	December 15, 2020

N00I00

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete 1 regular position (PIN 080945) that has been vacant for longer than one year. As of January 1, 2020, the Family Investment Administration had 189.5 vacant positions, including 6 positions that had been vacant for longer than one year. Five of the long-term vacancies are transferred to other areas of the Department of Human Services in the fiscal 2021 allowance. This action deletes the remaining long-term vacant position.	28,905 GF 2,689 SF 35,628 FF	1.00
 Total Reductions	 67,222	 1.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Position	228.00	227.00		1.00
General Fund	10,002,815	9,973,910	28,905	
Special Fund	649,362	646,673	2,689	
Federal Fund	31,265,256	31,229,628	35,628	
Total Funds	41,917,433	41,850,211	67,222	

Committee Narrative

Performance Data for the Supplemental Nutrition Assistance Program Employment and Training Program: The committees continue to be interested in the participation in and performance of the Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program (E&T), particularly given the changes to the waiver rules related to able-bodied adults without dependents (ABAWD). The committees request that the Department of Human Services (DHS) report on:

- spending by source for fiscal 2020 actual and fiscal 2021 estimates;
- distribution of funds by local department of social services and third-party partner;
- current program offerings, including those by third-party partners, and any planned changes in program offerings;

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- performance in the national performance measures for the fourth quarter after completing an employment and training program, including both the total population and ABAWD population for federal fiscal 2018;
- performance in each of the national performance measures, including both the total population and the ABAWD population for federal fiscal 2019;
- performance in the State option measures identified in the State plan for program components serving 100 or more individuals, including both the total population and the ABAWD population for federal fiscal 2019 and, to the extent available, federal fiscal 2020;
- participation in SNAP E&T by participant characteristic as defined in the performance measures, including education, gender, age, and ABAWD status for federal fiscal 2020; and
- efforts to increase program participation, particularly for the ABAWD population.

Information Request	Author	Due Date
SNAP E&T participation and performance	DHS	December 31, 2020

Employment and Training Program Outcomes: *The budget committees are interested in better understanding the employment and training programs available to customers of the Family Investment Administration. The budget committees request that the Department of Human Services (DHS) provide information on:*

- *the various employment and training (E&T) programs offered by fund source, how those programs are provided to customers, and how the customers transition between employment and training program offerings funded through different sources (for example, how customers move from Work Opportunities programs to Supplemental Nutrition Assistance Program (SNAP) E&T programs);*
- *the restrictions that may apply on comingling of funds between programs funded by various sources and whether that presents a barrier to providing E&T services to customers;*
- *the outcome data tracked by DHS for each type of E&T program, including the Work Opportunities programs, SNAP E&T, and the Noncustodial Parent Employment Program; and*

N00I00

- *the feasibility for tracking outcomes for periods longer than four quarters after program completion.*

DHS should specifically describe whether the data is collected for outcomes at the jurisdictional level and whether it is collected by program provider. If the data is not currently tracked at the jurisdiction or provider level, the department should develop a plan for tracking outcomes by jurisdiction and provider. The department should also describe how it works with the Maryland Department of Labor in the operation of the programs to ensure that the State has a consistent E&T program across agencies.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on outcome tracking for E&T programs</i>	<i>DHS</i>	<i>November 1, 2020</i>

N00I00.06 Office of Home Energy Programs

Energy Assistance Application Processing Times: The committees are interested in continuing to monitor the local administering agencies (LAA) energy assistance application processing times. The committees request that the Department of Human Services (DHS) provide by LAA:

- the number of applications received;
- the average number of days to process applications;
- the number of days to process applications; and
- the number and percent of applications processed within 30 days, 55 days, and longer than 60 days.

The report should note the date of the data. The data should be current through November 1, 2020, for the report due December 30 and current through May 1, 2020, for the report due June 30.

Information Request	Author	Due Date
Application processing times	DHS	December 31, 2020
Application processing times	DHS	June 30, 2021

N00I00

Denial Rates for Energy Assistance Applications: *The committees are interested in monitoring the progress on reducing denial rates for energy assistance applications due to missing information. The committees request that the Department of Human Services (DHS) submit a report on:*

- *application denial rates by benefit type (Electric Universal Service Program (EUSP) bill payment, EUSP arrearage assistance, Maryland Energy Assistance Program bill payment, and natural gas arrearage assistance) for the fiscal 2019 actual, fiscal 2020 actual, and year to date in fiscal 2021*
- *most common causes for application denials separately for the bill assistance benefits and arrearage assistance benefit programs;*
- *steps taken by Local Administering Agencies to work with customers to avoid application denials due to missing documentation; and*
- *any changes in policy implemented in recent years or planned to assist in reducing application denial rates for energy assistance benefits.*

Information Request

Author

Due Date

Report on application denial rates and efforts to reduce denial rates due to missing documentation

DHS

November 30, 2020

S00A
Department of Housing and Community Development

Committee Narrative

OFFICE OF THE SECRETARY

S00A20.01 Office of the Secretary

Qualified Allocation Plan: *The committees are interested in better understanding the process for the development of the Qualified Allocation Plan (QAP) for Low-Income Housing Tax Credits. The committees request that the Department of Housing and Community Development (DHCD) submit a report detailing the decision making process used in the drafting of the annual QAP and the factors that are considered in setting or altering criteria.*

Information Request	Author	Due Date
<i>Report on the development of the QAP</i>	<i>DHCD</i>	<i>November 1, 2020</i>

Low-Income Housing Tax Credit Compliance Monitoring: *The committees are interested in better understanding the procedures and outcomes related to compliance monitoring for Low-Income Housing Tax Credits (LIHTC). The committees request that the Department of Housing and Community Development (DHCD) provide a report detailing:*

- *a complete list of each LIHTC project including the total number of rental units and the percentage of rental units that are low-income units;*
- *the department's procedures for conducting on-site inspections of LIHTC units;*
- *the categories of findings related to on-site inspections and the number of findings in fiscal 2018, 2019, and 2020;*
- *the categories of findings related to the review of low-income certifications and other supporting documents and the number of findings in fiscal 2018, 2019, and 2020; and*
- *what actions are taken by either DHCD or the U.S. Department of Housing and Urban Development in response to findings.*

Information Request	Author	Due Date
<i>Report on LIHTC compliance monitoring</i>	<i>DHCD</i>	<i>September 1, 2020</i>

S00A

Report on Section 8 Contract Administration: *The committees are interested in better understanding the procedures and outcomes related to the contract management of Section 8 housing in the State. The committees request that the Department of Housing and Community Development (DHCD) provide a report detailing how the department executes its contract administration functions, specifically:*

- *the department’s procedures for performing management and occupancy reviews;*
- *the department’s procedures for inspecting and responding to health and safety issues;*
- *a complete list of each development under contract for compliance management;*
- *the categories of findings related to inspections performed under the contract and the number of findings in fiscal 2018, 2019, and 2020; and*
- *what actions are taken by either DHCD or the U.S. Department of Housing and Urban Development in response to findings.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on Section 8 contract administration</i>	<i>DHCD</i>	<i>September 1, 2020</i>

Sections

Budget Amendments

Add the following section:

SECTION 37. AND BE IT FURTHER ENACTED, That, effective July 1, 2020, the Governor is authorized to transfer all positions and funding in program D50H01.08 MEMA – Opioid Operational Command Center from the Military Department to the Maryland Department of Health Office of the Secretary, program M00A01.01 Executive Direction.

Explanation: The Opioid Operational Command Center (OOCC) was established by Executive Order 01.01.2017.01 in March 2017. In December 2018, a second executive order formalized the OOCC structure and moved the agency within the Maryland Emergency Management Agency (MEMA) under the Military Department. The early grant activity of OOCC resulted in several Office of Legislative Audits findings and an investigation by the Maryland Department of Health (MDH) Office of the Inspector General. This section authorizes the Governor to transfer OOCC and necessary positions back from MEMA to MDH Office of the Secretary to provide greater oversight of OOCC grant activity.

Amendment No. _____

Add the following section:

Section 38 Medicaid Data Memorandum of Understanding

SECTION 38. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Human Services (DHS) and \$100,000 of the general fund appropriation in the Maryland Department of Health (MDH) made for the purpose of general administration may not be expended until DHS and MDH submit a Memorandum of Understanding (MOU), signed by the secretaries of both agencies, that provides for the sharing of Medicaid data and inclusion of this data in the Life After Welfare report from the University of Maryland School of Social Work beginning with the 2020 report. The signed MOU shall be submitted by July 1, 2020, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of the MOU may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the MOU is not submitted to the budget committees.

Explanation: The Life After Welfare Annual Update reports analyze outcomes of the Temporary Cash Assistance (TCA) receipt. Nearly all of those that exit the TCA program receive Medicaid, yet this information has not been included in the Life After Welfare analysis since 2017 because this data is owned by the Maryland Department of Health. This language requests that an MOU be signed by both agencies to provide for sharing of Medicaid data and incorporation of Medicaid data into the Life After Welfare analysis.

Sections

Information Request	Authors	Due Date
MOU providing for the sharing of Medicaid data and inclusion of this data in the annual Life After Welfare report	DHS MDH	July 1, 2020

Add the following section:

Section 39 Need for Licensed Placement Beds

SECTION 39. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation made for the purpose of administrative expenses in program N00G00.03 Child Welfare Services and \$100,000 of the general fund appropriation made for the purpose of administrative expenses in program M00L01.01 Program Direction may not be expended until the Department of Human Services (DHS) and Maryland Department of Health (MDH) submit a report that:

- (1) details how many additional licensed placement beds are needed to ensure that no child who requires placement in a psychiatric unit of a hospital, other hospital placement, residential child care program, or residential treatment center due to conditions meeting statutory criteria of psychiatric need, neurocognitive disorder, or other comparable condition is faced with the lack of suitable placement after being in a hospital emergency room for 30 or more hours for both youth in the custody of DHS and all youth in need of placement;
- (2) develops a plan to increase capacity to meet the number of beds needed by placement type, including a timeline for creation of sufficient space;
- (3) provides information on the number of additional placement beds created by type of placement since January 1, 2020;
- (4) provides options for other treatment models that allow youth to remain in a family setting while receiving treatment;
- (5) provides a plan for developing or increasing the psychiatric crisis response activities for youth to prevent the need for out-of-home placements, emergency room visits, or inpatient psychiatric care; and
- (6) provides information on psychiatric crisis response activities for youth funded by the Social Services Administration of DHS or the Behavioral Health Administration of MDH in the fiscal 2020 actual and the fiscal 2021 working appropriation.

The report shall be submitted by December 1, 2020, and the budget committees shall have

Sections

45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Concern has been raised recently over youth in foster care and other youth remaining in hospitals longer than is medically necessary and over whether youth are being taken to emergency rooms when psychiatric placements are not available. The fiscal 2021 allowance of DHS Child Welfare Services includes approximately \$550,000 to support crisis response for prevention of out-of-home placement or inpatient psychiatric hospitalization through the Baltimore Child and Adolescent Response System. The General Assembly is interested in understanding what additional capacity is needed to meet the need for youth to prevent long stays in emergency rooms or inpatient psychiatric facilities and the current availability of crisis response programs for youth. This language restricts funds in DHS and MDH until a report is submitted detailing the need for additional placement beds, a plan to increase capacity, and a plan to improve psychiatric crisis response for youth to prevent hospitalizations.

Information Request	Authors	Due Date
Report on increased capacity for psychiatric care for youth	DHS MDH	December 1, 2020

Add the following section:

Section 44 Hospital Stays

SECTION 44. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation in the Department of Human Services, \$250,000 of the general fund appropriation in the Maryland Department of Health, and \$250,000 of the general fund appropriation for the Department of Juvenile Services all made for the purpose of general operating expenses may not be expended until the agencies provide a report to the budget committees on:

- (1) the number of youth in out-of-home placements served in emergency rooms for psychiatric evaluation or crises by month for fiscal 2019 and 2020 separately by child placing agency;
- (2) the average length of stay in an emergency room for youth in out-of-home placements served in emergency rooms for psychiatric evaluation or crises for fiscal 2019 and 2020 separately by child placing agency;
- (3) the total number of youth in out-of-home placements served in medical hospitals or inpatient psychiatric hospitals separately by type of hospital by each child placing agency for fiscal 2019 and 2020;

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- (4) the average length of stay for youth in out-of-home placements served in medical hospitals or inpatient psychiatric hospitals separately by type of hospital by each child placing agency for fiscal 2019 and 2020;
- (5) the number of days that youth in out-of-home placements served in hospitals were in the hospital longer than was deemed medically necessary by either the hospital or a judicial finding separately by type of hospital for each child placing agency for fiscal 2019 and 2020;
- (6) the placement type after discharge separately by type of hospital for each child placing agency, including identifying the number of youth placed out-of-state after discharge;
- (7) the number of youth in out-of-state placement by child placing agency in community-based and non-community-based settings due to the lack of available or appropriate in-state placements due to psychiatric or other medical conditions in fiscal 2019 and 2020 separately for each child placing agency; and
- (8) efforts of the child placing agencies to reduce the number of youth in out-of-state placements in community-based and non-community based settings due to the lack of available or appropriate in-state placements.

The report shall be submitted by September 1, 2020, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Concern has been raised recently over youth in foster care and other youth in placements by State agencies that remain for long periods of time in emergency rooms or in the hospitals, particularly after the period when the stay is medically necessary. This language restricts funds from the child placing agency until the agencies submit a joint report that provides information on emergency room and hospital stays by youth in out-of-home placements. The report also requests information on out-of-state placements due to lack of available or appropriate in-state placements due to medical or psychiatric conditions.

Information Request	Authors	Due Date
Report on emergency room visits, hospital stays, and out-of-state placements for youth with psychiatric and medical conditions	Department of Human Services Maryland Department of Health Department of Juvenile Services	September 1, 2020

Amendment No. _____

M00F
Maryland Department of Health
Public Health Administration

Supplemental Budget No. 1 – Fiscal 2020 Deficiency

M00F01.01 Executive Direction

Add the following language to the general fund appropriation:

Further provided that the Maryland Department of Health shall submit a report to the budget committees on the use of this general fund appropriation disaggregated by unit of State government. The report shall be submitted by July 15, 2020.

Explanation: Supplemental Budget No. 1 provides a fiscal 2020 deficiency totaling \$10.0 million for coronavirus preparedness activities. The budget committees are interested in receiving an update on how these funds were spent and by which agencies.

Information Request	Author	Due Date
Report on fiscal 2020 deficiency for coronavirus preparedness	MDH	July 15, 2020

M00F
Maryland Department of Health
Public Health Administration

Supplemental Budget No. 1

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no transfer to any other program or purpose except that funds may be transferred to programs M00L01.03 Community Services for Medicaid State Fund Recipients or M00L01.02 Community Services. Funds not expended or transferred shall be reverted.

Explanation: This action adds annual language that restricts the supplemental appropriation for Medicaid behavioral health provider reimbursements for that purpose or for provider reimbursements in M00L01.03 Community Services for Medicaid State-funded recipients or M00L01.02 Community Services.

Amendment No. _____

N00G
Department of Human Services
Local Department Operations

Supplemental Budget No. 1 – Fiscal 2020 Deficiency

N00G00.01 Foster Care Maintenance Payments

Add the following language to the general fund appropriation:

, provided that these funds are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose. Funds not expended shall revert to the General Fund.

Explanation: This language is annually added to the general fund appropriation of N00G00.01 Foster Care Maintenance Payment to restrict the funding to that use only. This restriction prevents a transfer of general fund to other programs that might create or increase a deficit in spending in the program. This action adds this annual language to the deficiency appropriation for the program included in Supplemental Budget No. 1.