

**HOUSE BILL 766: CHILDREN – RESIDENTIAL TREATMENT CENTERS – EDUCATION FUNDING**

**TESTIMONY BEFORE THE HOUSE WAYS AND MEANS COMMITTEE**

**FEBRUARY 24, 2022**

**\*\*SUPPORT\*\***

The National Association of Social Workers – Maryland Chapter, an organization representing social workers statewide, is asking for your support for HB766: Residential Treatment Centers – Education Funding.

The bill will eliminate the disparity in access to residential treatment for youth with complex behavioral health needs. Under current law, when a physician prescribes residential treatment for an adolescent’s behavioral health care, parents are forced to go through two different doors based simply on their child’s special educational status.

Youth who aren’t approved for the Type 1 special education program offered by RTC’s may only receive treatment by applying for a Voluntary Placement for Disabilities (VPA). Parents must apply to the child welfare program at the Department of Social Services and undergo well-intended but intrusive interviews and assessments.

Requirements include a safety inspection of the home, and the disclosure of sufficient personal family information to complete a Child and Adolescent Needs and Strengths–Family assessment (CANS-F) and a Maryland Family Risk Assessment (MFRA). If the treatment extends beyond six months, a juvenile court hearing is mandatory and their child is assigned an attorney. Parents may obtain an attorney at their own cost unless qualified for a public defender.

In this instance, while this sounds completely ludicrous, these parents have no alternative but to surrender physical custody of their teen to the Department of Social Services literally so that child welfare can pay the educational costs. According to federal law, children are entitled to a free and appropriate education, yet these parents are forced to pay for their child’s education when their child goes to an RTC. Medical Assistance covers the residential care and treatment.

The parent whose child is approved for Type I Special education? These parents may simply apply for placement through the Bureau of Behavioral Health. No home visits, no intrusive interviews, no child support, no juvenile court involvement, no attorney for their child, and none required for themselves. Can you imagine if your child had a serious medical illness and the only avenue for pursuing treatment was through the state’s child welfare program?

House Bill 766 will end that disparity by simply transferring the educational funds currently appropriated to the Department of Human Services to the Maryland Department of Health. The bill requires no additional funds.

In summary, HB766 is designed to create an equitable process for parents of children with high intensity behavioral health needs. In addition, the bill will eliminate the requirement that parents that parents pay the state for their child's education.

Submitted by:

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