

HB 766
Children – Residential Treatment Centers – Education Funding
Ways & Means Committee
February 24, 2022

Favorable

Catholic Charities of Baltimore supports HB 766 which would allow the local behavioral health authorities to authorize funding for educational expenses for certain children while they are in a residential treatment center.

Inspired by the Gospel to love, serve and teach, Catholic Charities provides care and services to improve the lives of Marylanders in need. For almost 100 years, Catholic Charities has operated programs that allow Marylanders to age with dignity, obtain empowering careers, heal from trauma and addiction, secure stable housing and welcome new neighbors. We recognize that children in need of high intensity behavioral health services should not have to enter the child welfare system in order to have their medical needs met.

Under existing law, families of adolescents who attend their community school (i.e. they do not have a non-public placement in their Individualized Education Plan) who are admitted to a residential treatment center (RTC) must enter into a voluntary placement agreement (VPA) in order for the state to cover the educational costs of the admission. The Department of Human Services then uses general funds to reimburse the RTC for educational costs while the youths insurance (private or public) pays for the medical costs.

The VPA process is a cumbersome process that is often used as a barrier to admission. Only about half of all VPA requests are approved. Parents are told that they are responsible for child support payments, that a home study will occur, and that they may have to go before a judge.

This is not a new role for the Local Behavioral Health Authorities (LBHA), it simply expands the cohort of children that they will serve. Children with nonpublic educational placements authorized in their IEPs and younger children who are admitted to St. Vincent's Villa (an RTC operated by Catholic Charities) already work through the LBHA's to meet the criteria for an RTC admission.

We recognize that this shift will result in additional responsibilities for the LBHAs. To address those concerns, we recommend a delayed effective date of July of 2023. This delay would provide time for BHA to work with the LBHA's to create policies and procedures and to evaluate staffing needs. Additionally, the sponsor has introduced amendments that clarify the Department of Health is responsible for the educational costs, not the locals, and that create a position at BHA to assist with the increased work.

Families should not have to surrender their child into the child welfare system in order to obtain health coverage for their child. It is incumbent upon this committee to stop this practice in our State. Catholic Charities of Baltimore appreciates your consideration and urges the committee to issue a favorable report for HB 766.

Submitted By: Regan Vaughan, Director of Advocacy