



**DEPARTMENT OF HUMAN SERVICES**

*Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary*

February 26, 2025

The Honorable Joseline Peña-Melnyk, Chair  
House Health and Government Operations Committee  
240 Taylor House Office Building  
6 Bladen St.  
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB0962 - PUBLIC HEALTH - PEDIATRIC HOSPITAL OVERSTAY PATIENTS - POSITION: FAVORABLE WITH AMENDMENTS**

Dear Chair Peña-Melnyk and Members of the Health and Government Operations Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony with amendments for House Bill 962 (HB 962).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration implements the child welfare program and the children we serve are affected by HB 962. A portion of the children who experience hospital overstays beyond medical necessity are simultaneously involved with the child welfare system.

Based on recent DHS [reporting](#), in federal Fiscal Year 2024, 102 children in the care and custody of Local Departments of Social Services experienced a hospital overstay. DHS agrees a hospital overstay is not acceptable for any child. Over the past year, we developed new kinship care resources, out-of-home licensing regulations, and implemented an incentivized compensation structure for residential care providers.

Our systemic changes are designed ensuring all children have their needs met in the most appropriate and least restrictive setting. In addition, DHS is finalizing a new policy providing guidance to Local Departments of Social Services (LDSS) for youth in hospitals. The goal is to facilitate a comprehensive multidisciplinary team approach to medical discharge planning and well-being. The policy focuses on collaboration among the Social Services Administration's (SSA) placement unit, the LDSS, and the hospital clinical team. While youth are in a hospital setting the LDSS will work to identify the most appropriate and least restrictive setting, and oversee youth safety and well-being.

DHS agrees with the intent of the bill to minimize and reduce hospital overstays. We recommend two amendments to help clarify the bill and improve implementation and coordination with the Maryland Department of Health (MDH).

First, we propose the Committee clarify the scope of children experiencing a hospital overstay who are included under the bill terms. We propose changing the text from "under the age of 22" to "through the age of 21." DHS does not have care and custody of young people over the age of 18 unless they continue in care to age 21 or emancipate and elect to return before age 21.

Next, the recommended amendment below would define a hospital overstay as beyond 48 hours after clearance for discharge, which aligns with the timeframe used in COMAR 10.21.31.04 regarding the Maryland Department of Health's Maryland Mental Health and Substance Use Disorder Registry and Referral System.

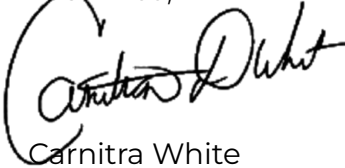
19-388. IN THIS PART, "PEDIATRIC HOSPITAL OVERSTAY PATIENT" MEANS A PATIENT ~~UNDER THE AGE OF 22~~ **THROUGH THE AGE OF 21** YEARS WHO REMAINS IN AN INPATIENT UNIT OR EMERGENCY DEPARTMENT OF A HOSPITAL FOR MORE THAN ~~24~~ **48** HOURS AFTER BEING MEDICALLY CLEARED FOR DISCHARGE OR TRANSFER.

Finally, we request an amendment to clarify that DHS is only responsible for the youth in our care and custody, and is not responsible for other children or youth.

19-389. (A) ~~THE DEPARTMENT, IN COORDINATION WITH THE DEPARTMENT OF HUMAN SERVICES,~~ SHALL ENSURE THAT A PEDIATRIC HOSPITAL OVERSTAY PATIENT IS TRANSFERRED TO AND TREATED IN THE LEAST RESTRICTIVE SETTING POSSIBLE. **THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF HUMAN SERVICES FOR THE TRANSFER OF PEDIATRIC HOSPITAL OVERSTAY PATIENTS IN THE CARE AND CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES.**

We appreciate the opportunity to offer favorable testimony with amendments to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at [rachel.sledge@maryland.gov](mailto:rachel.sledge@maryland.gov).

In service,

A handwritten signature in black ink, appearing to read "Carnitra White". The signature is written in a cursive style with a large initial "C".

Carnitra White  
Principal Deputy Secretary