



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Gloria Brown Burnett, Interim Secretary

March 6, 2026

The Honorable Melissa Wells, Chair
House Government, Labor, and Elections Committee
145 Lowe House Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB 1419 - DEPARTMENT OF STATE POLICE - CENTRALIZED
BACKGROUND CHECK DIVISION - POSITION: INFORMATION**

Dear Chair Wells and Members of the Government, Labor and Elections Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully submits this Letter of Concern on House Bill 1419 (HB 1419).

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 Out-of-Home Care (OOH) program, the Local Departments of Social Services (LDSS), and our Office of the Secretary which oversees the Office of Licensing and Monitoring (OLM) are all affected by HB 1419. HB 1419 would establish the Centralized Background Check Division in the Maryland State Police (MSP) to process background investigations for employees or service providers within, or funded by, a unit of State or local government. HB 1419 is meant to address perceived inconsistencies and gaps in how background investigations are conducted, monitored, and enforced by state and local governments.

DHS operates different processes for criminal background checks based on three different populations for whom criminal background checks are necessary: our employees, who are vetted through the state hiring process; OLM-licensed placement providers, who are directly vetted through OLM, and LDSS-licensed resource parents and kinship caregivers, who are vetted through individual LDSS. Very generally, these criminal background checks consist of a thorough review of information obtained through the FBI's Criminal Justice Information Services Division (CJIS) to determine if

the subject of the criminal background check has any disqualifying convictions under applicable regulations.

Our LDSSs conduct background checks for the resource parents and kinship caregivers they license. The LDSS for each of Maryland's 24 jurisdictions reviews CJIS results to ensure that kinship caregivers and potential resource homes where the LDSS places children meet the respective requirements outlined in COMAR 07.02.09 and COMAR 07.02.25.

Within the DHS Central office, OLM licenses residential child care (RCC) programs, commonly known as group homes and child placement agencies (CPAs), which certify private foster parents (CPA-certified foster homes). As of February 2025, as part of its licensing process, OLM conducts background screenings for employees of CPAs and RCCs, and receives the results of criminal background clearances directly from CJIS. OLM determines whether CPA and RCC employees and potential CPA-certified foster homes meet the applicable requirements outlined in COMAR 07.05.01.09, COMAR 14.31.06.05, and COMAR 07.05.02.13.

DHS believes that streamlining and centralizing background clearances for these providers would assist OLM in vetting CPA and RCC employees and potential CPA-certified foster homes. However, it is unclear whether the bill as drafted would result in greater efficiency given the variety of different types of disqualifying criminal history for each of the different regulated positions that require background investigations across the various State agencies. For this effort to be successful, significant training would be necessary for MSP personnel involved, particularly around what constitutes a 'disqualifying event' for each regulated position. Given the training and personnel challenges such an effort would entail, a later effective date two or three years in the future seems appropriate.

SSA's current practice allows LDSS to receive fingerprint results for kinship caregivers or resource parents within 24 to 72 hours. As drafted, DHS is concerned HB 1419 could impede our ability to receive timely clearance results that would subsequently impact the timeliness of the licensure of resource parents and kinship caregivers, the employment of necessary staff at RCCs, and CPAs' ability to certify foster parents, which would have an impact on youth needing to be placed in traditional resource homes and then moved once fingerprints have been completed - which would have a negative impact on federal metrics. There is currently no requirement in the bill that MSP complete "criminal background investigations" within a prescriptive timeframe. If background screenings for these individuals are delayed, it delays the placement of children in those settings and jeopardizes federal draw downs, as Federal Title IV-E funds cannot be utilized for the cost of care of a child unless they are placed with a provider.

In addition to adding prescriptive timeframes and extending the effective date of the legislation, the phrase “criminal background investigation” should be defined to ensure the extent of such an investigation is clear. Most regulations covering positions that fall under the definition of “regulated positions” do not use the term “criminal background investigation.” Relatedly, HB 1419 also does not address screening Child Protective Services (CPS) history, which is a critical component of vetting providers who have direct contact with children. Ideally, this responsibility would remain within DHS for efficiency, rather than be transferred to the new entity within MSP. Unless addressed, these omissions could slow the approval of caregivers and cause delays in the placement of youth with kin or resource families, or permit individuals with ‘substantiated’ CPS reports to be hired into roles where they are responsible for children.

Given the significant uncertainty in federal policy and the escalating fiscal shortfalls forecasted through FY 2028, DHS urges caution against legislation that increases expenditures or diverts revenue without sustainable funding offsets. In light of the current fiscal crisis, the state must remain disciplined and strategic in its funding decisions to protect essential services for all Marylanders.

We appreciate the opportunity to offer this Letter of Concern to the committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,

A handwritten signature in blue ink that reads "Gloria Brown Burnett". The signature is written in a cursive style with a large initial "G".

Gloria Brown Burnett
Interim Secretary