

Voting List Number 7
Friday, March 18, 2022

Appropriations Committee

<u>Bill</u>	<u>Sponsor</u>	<u>Title</u>	<u>Emerg/ Const</u>	<u>Status</u>	<u>Analyst</u>
HB0417	The Spkr (Admin), et al	Employees' Retirement and Pension Systems - Reemployment Earnings Limitation - COVID-19 Exemption	E		junc
HB0739	Charles County Delegation	Workgroup to Study the Fiscal and Operational Viability of Public-Private Partnerships for Charles County Public Schools			mila
HB1018	Del Carey	Public Safety and Behavioral Health Improvement Act			kenw
HB0893	Calvert County Delegation	Calvert County Bond Request			mila
HB1446	Del Solomon	Universities at Shady Grove Regional Higher Education Center - Workforce Development Programs - Funding			mila
HB0907	Del Chang	University of Maryland, Baltimore Campus - Employees - Authorization to Fund-Raise			mila
HB0580	Dels P. Young and Ebersole	Maryland Transit Administration Police - Collective Bargaining - Supervisors and Sergeants			junc
HB1023	The Spkr (DLS)	DLS - Collection of Information Related to Public Safety, Crmnl Justice, Corrections, and Juvenile Services			kenw
HB1205	Del P. Young, et al	State Government - Information Technology and Cybersecurity-Related Infrastructure (Modernize Maryland Act of 2022)			kenw

<u>Bill</u>	<u>Sponsor</u>	<u>Title</u>	<u>Emerg/ Const</u>	<u>Status</u>	<u>Analyst</u>
HB1082	Del Pena-Melnyk	Public Health - Consumer Health Information - Hub and Requirements			junc
HB0293	Del K. Young, et al	Behavioral Health Crisis Response Services - 9-8-8 Trust Fund			junc
HB0656	Del Charkoudian	Safe Access for All (SAFE) Roads Act of 2022			kenw



Report of the
Education and Economic
Development Subcommittee
To the House Appropriations Committee

2022 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 290

General Assembly of Maryland

House Appropriations Committee

Education and Economic Development Subcommittee

2022 Session Membership Roster

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Delegate Jared Solomon, Vice Chairman

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Education and Economic Development Subcommittee – Recommended Reductions

Agency	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>	<u>Positions</u>
2023 Budget Request						
Maryland State Department of Education Funding for Educational Organizations	\$2,500,000	\$0	\$0	\$0	\$2,500,000	
<i>Subtotal Fiscal 2023 Regular Budget</i>	<i>\$2,500,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,500,000</i>	
Fiscal 2023 Total Budget	\$2,500,000	\$0	\$0	\$0	\$2,500,000	
14.	Grand Total Budget Bill	\$2,500,000	\$0	\$0	\$0	\$2,500,000

D17B0151
Historic St. Mary's City Commission

Budget Amendments

D17B01.51 Administration

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of the Historic St. Mary's City Commission (HSMCC) may not be expended until the agency submits a report to the budget committees and the St. Mary's County Delegation on the results of a performance audit. The report shall include all findings from a performance audit consistent with professional auditing standards of the administrative and financial offices of HSMCC to evaluate the efficiency and effectiveness of the financial management practices, including procurement by HSMCC. The audit shall meet the following requirements:

- (1) the audit shall be conducted by an independent entity that has expertise in nonprofit corporate government selected after a competitive bidding process for a certified public accounting firm;
- (2) on the award of the contract, and prior to the commencement of the audit, the certified public accounting firm shall consult with the Joint Audit and Evaluation Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit; and
- (3) a certified public accounting firm that provides services to HSMCC is not eligible to bid on the performance audit.

The report shall be submitted December 1, 2022, 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: The committees continue to be concerned about the financial management practices at HSMCC. This audit would provide the committees and St. Mary's County Delegation with information on the financial management practices of HSMCC. This language restricts funds pending submission of an audit conducted by an independent third party on the financial management practices of HSMCC.

Information Request	Author	Due Date
Performance audit on efficiency and effectiveness of financial management systems at HSMCC	HSMCC	December 1, 2022

P00
Maryland Department of Labor

Budget Amendments

P00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Labor, in consultation with the Department of General Services (DGS), submits a report to the budget committees on the implementation of Chapter 782 of 2017. Specifically, the report should address:

- (1) steps taken in collaboration with DGS to ensure that contractors and subcontractors working on qualified projects are directed to submit information to the established online portal;
- (2) a list of the capital projects for which contractors and subcontractors have submitted information through the online portal; and
- (3) data on the number of apprentices that worked on those capital projects and any payments to the Maryland Apprenticeship Training Fund related to those projects.

The report shall be submitted by September 1, 2022, 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.

Explanation: This language restricts \$100,000 pending the receipt of a report on how the Maryland Department of Labor (MDL) is working with DGS to fully implement the Providing Our Workers Education and Readiness (POWER) Apprenticeship Act (Chapter 782 of 2017). The Act requires that each contractor or subcontractor awarded a contract for at least \$500,000 for a capital construction project that receives at least \$1 million in the State's capital budget to be affiliated with a registered apprenticeship program and use apprentices in each covered craft that is used, or to make payments either to the State Apprenticeship Training Fund or directly to a registered apprenticeship program. The report should include steps taken to ensure that contractors and subcontractors working on qualified capital projects are properly directed to the online portal established by MDL as well as information on data submitted through the online portal by contractors and subcontractors.

Information Request	Author	Due Date
Report on implementation of the POWER Apprenticeship Act	MDL, in consultation with DGS	September 1, 2022

P00

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Labor (MDL) submits a report to the budget committees on the status of the implementation of certain provisions of Chapters 49, 50, 51, and 65 of 2021. Specifically, the report shall include:

- (1) a detailed explanation of the procedures for ensuring claimants receive status updates at least once every three weeks, including examples (without actual claimant data) of what updates would look like in a variety of common circumstances;
- (2) a detailed explanation of the procedures for individuals to track the status of their claims, including the anticipated timeline for resolution and examples (without actual claimant data) of how various tracking information would appear in the BEACON system;
- (3) the number and percentage of claims for which first payment was not made within 21 days of the first compensable week for each week in May, June, and July 2022; and
- (4) a detailed explanation of how MDL's timeliness calculations differ from those used to produce the data published on the U.S. Department of Labor website.

The report shall be submitted by September 1, 2022, 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 letter may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the letter is not submitted.

Explanation: Chapters 49 and 65 required MDL to establish procedures for unemployment insurance (UI) claimants to receive status updates at least once every three weeks after filing an initial claim until benefits are either paid or denied and to establish procedures for an individual to track the status of their claim, including an anticipated timeline for resolution. Chapters 49 and 65 also required MDL to establish timeliness standards of paying 92% of initial claims within three weeks and 97% of claims that require adjudication within eight weeks. Chapters 50 and 51 defined a disaster as the situation where MDL has failed to pay at least 82% of first payments within three weeks and the legislation identified reporting requirements for the department during a disaster. The committees are interested in the status of implementation of these provisions of Chapters 49, 50, 51, and 65. This language restricts funding until MDL submits a report detailing the procedures established to comply with these provisions as well as additional evidence of compliance. Examples provided for the purposes of this report should not be taken directly from actual claimant circumstances in order to avoid the potential for accidental transmission of personally identifiable information.

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Information Request

Author

Due Date

Report on UI processes

MDL

September 1, 2022

Amendment No. _____

P00G01.07 Workforce Development

Add the following language to the federal fund appropriation:

. provided that \$430,000 of this appropriation made for the purpose of workforce development programs funded through the American Rescue Plan Act (ARPA) may not be distributed to local workforce development boards but instead may be used only to provide oversight of ARPA funding provided to Local Workforce Areas (LWA), including reviewing fiscal and programmatic reporting from LWAs and performance evaluation. Further provided that it is the intent of the General Assembly that these funds may be used for oversight purposes for fiscal 2023 to 2025, and that general funds be provided for any further oversight activities needed beyond the expenditure deadline for ARPA funding. Further provided that the Maryland Department of Labor (MDL) shall distribute \$37,070,000 of this appropriation made for the purpose of workforce development programs funded through the ARPA directly to local workforce development boards according to the same formula used to distribute fiscal 2023 Federal Workforce Innovation and Opportunity Act adult funds to LWAs. Funds not expended for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled. Further provided that it is the intent of the General Assembly that each local workforce development board submit quarterly fiscal and program reports to MDL on the use of these funds.

Explanation: This language restricts a portion of the \$37.5 million of funding from the ARPA for workforce development programs to be used only for oversight by MDL, including reviewing fiscal and programmatic reporting from LWAs, performance evaluation, and any other oversight activities that the department deems necessary. These oversight funds are intended to remain available through the expenditure deadline for ARPA funding in fiscal 2025, and general funds are intended to be provided for any further oversight needs beyond that date. The remaining funds must be distributed to LWAs using the same formula used to distribute federal Workforce Innovation and Opportunity Act adult funds, and the language expresses the intent that LWAs submit quarterly fiscal and program reports to MDL.

Committee Narrative

~~**Apprenticeship Workgroups for Targeted Occupations:** The committees are concerned with the ever present and increasing workforce shortages among government employees, particularly within the public safety, health, and transportation sectors. More needs to be done to enhance the pipeline for connecting students and other individuals aged 16 and older with meaningful employment within State and local government. Unfortunately, useful aggregated data regarding current staffing levels, vacancy rates, and existing training programs is minimal, particularly at the local level.~~

~~In an effort to address ongoing staffing concerns and explore potential opportunities for attracting individuals into public service, the committees direct the Maryland Department of Labor (MDL) to establish individual workgroups to study and report on the short term and long term occupation needs in each of the respective sectors of public safety, health care, and transportation at the State and local level in Maryland.~~

~~At a minimum, the Public Safety Apprenticeship Workgroup should include MDL; the Department of Public Safety and Correctional Services; the Department of State Police; and any relevant local law enforcement organizations, detention centers, and community supervision offices.~~

~~At a minimum, the Healthcare Apprenticeship Workgroup should include MDL; representatives from State public health, local health departments, State facilities, and other Maryland Department of Health staff as relevant; representatives of the associations of health care providers; and representatives of the labor unions representing health care workers.~~

~~At a minimum, the Transportation Apprenticeship Workgroup should include MDL, the Maryland Department of Transportation, representatives of the associations of relevant and contracted employers, and representatives of the relevant labor unions.~~

~~Each workgroup shall provide the committees with an interim report to be submitted by December 1, 2022, and a final report submitted no later than June 30, 2023. Each report shall provide data and information addressing the individual workgroup's efforts to:~~

- ~~• identify the extent of vacancies at the State and local level within each sector, specifically including, but not limited to, police officers, correctional officers, parole and probation agents, direct care and public health workers, bus operators, and vehicle maintenance personnel;~~
- ~~• review existing apprenticeships in the United States and elsewhere specifically for occupations in these identified sectors;~~

P00

- ~~design apprenticeships in the occupations within the identified sectors that have the greatest recruitment challenges and training deficiencies, including estimated costs and potential funding opportunities;~~
- ~~identify opportunities to start apprenticeships at the high school level consistent with the Blueprint for Maryland's Future;~~
- ~~identify opportunities, in coordination with the University System of Maryland (USM), the Maryland Association of Community Colleges (MACC), University of Maryland Global Campus (UMGC), the Maryland Career and Technical Education (CTE) Committee, and the Maryland State Department of Education (MSDE), to create degree apprenticeship programs and other ways to incorporate associate and bachelor's degrees in apprenticeships; and~~
- ~~identify potential apprenticeship sponsors in each occupation.~~

~~Furthermore, the committees recognize that degree apprenticeship programs improve college affordability and serve as pathways to reduce skilled workforce shortages. Combining on-the-job training with related academic instruction is particularly helpful in health care and education, where licensing rules are generally tied to degrees, but can also be used in other occupations that have degree cultures but not requirements. Apprenticeship programs provide an opportunity to serve the State's workforce and economic goals as well as expand pathways toward attainment of the State's 55% educational completion goal. There are minor degree apprenticeships in Maryland, but not at scale and not in the largest markets: health care and education. Therefore, the committees additionally request that USM convene MACC, UMGC, MSDE, MDL, and the Maryland CTE Committee and jointly submit a report with MDL on the feasibility of creating degree apprenticeship programs for students starting in high school and any changes in law, college policies, and resource allocations that will be required to develop two pilot programs in fiscal 2024. The report should be submitted by December 1, 2022.~~

Information Request	Author	Due Date
Individual workgroup interim reports on the development of apprenticeship pathways	MDL	December 1, 2022
Report on the feasibility of creating degree apprenticeship programs	USM MDL	December 1, 2022
Individual workgroup final reports on the development of apprenticeship pathways	MDL	June 30, 2023

R00A01
Headquarters
Maryland State Department of Education

Committee Narrative

R00A01.01 Office of the State Superintendent

Report on Accounting Practices: Due to recent audit findings, deficiency allocations, and other concerns about accounting practices, the committees request that by October 1, 2022, the Maryland State Department of Education (MSDE) submit a closeout report for fiscal 2022. This report should include:

- an explanation for encumbrances and reversions for all general, special, federal, and reimbursable funds for any amount that does not equal zero;
- allocations and expenditures by program, local education agency, and/or school for all grants administered by the Maryland Center for School Safety (MCSS);
- a detailed explanation of how MSDE, which serves as the fiscal agent for MCSS, assists MCSS to properly administrate grant funds; and
- an update on the Department of Rehabilitative Services fiscal 2021 closeout audit finding and steps taken by MSDE to remediate this issue.

Information Request	Author	Due Date
Report on accounting practices	MSDE	October 1, 2022

Report on State Education Agency (SEA) Federal Stimulus Funds: Due to school closures prompted by the COVID-19 pandemic, the Maryland State Department of Education (MSDE) received \$302.9 million in SEA federal stimulus funds. To ensure proper monitoring of the use of these funds, the committees request that MSDE report by November 1, 2022, on all SEA program expenditures distributed in fiscal 2021, 2022 and 2023 as part of the Coronavirus Response and Relief Supplemental Appropriation, Elementary and Secondary School Emergency Relief (ESSER II) fund and the American Rescue Plan, ESSER III fund. This report should include:

- grant procedures for federal mandatory allocations to local education agencies (LEA) for learning loss, summer enrichment, and afterschool programs and grant expenditures by LEA, amount, and program;

R00A01

- grant expenditures by school and program for State mandated funds allocated to the Maryland School for the Blind, Maryland School for the Deaf, and SEED School;
- grant procedures, allocations, and expenditures by program for all discretionary allocations;
- expenditures by MSDE department and object for administrative costs; and
- unexpended funds by program, reasons that funds were not allocated or expended, anticipated expenditures of those funds by program for future years, and funds that may have been canceled.

Information Request	Author	Due Date
Report on SEA federal stimulus funds	MSDE	November 1, 2022

Report on Virtual Learning: Due to COVID-19 school closures in March 2020, the Maryland State Department of Education (MSDE) allowed local education agencies to implement virtual learning in place of in-person learning. To understand the impact and monitor the continued expansion of virtual learning across the State, the committees request that MSDE provide an updated report by December 1, 2022, on actions taken in calendar 2022 to facilitate virtual learning for teachers and students across the State. This report should have:

- updated information on virtual learning and the activity of the Digital Learning Stakeholder Committee;
- costs for State virtual learning in fiscal 2021 and 2022, and anticipated expenditures in fiscal 2023 and 2024, by fund source and program; and
- detailed information on the status of virtual learning programs and activities, including but not limited to:
 - State Learning Management System implementation, including additional licenses, migration of courses, training, and information technology services;
 - Maryland Virtual Learning Opportunities courses and vendors;
 - professional development courses, training, and vendors;

R00A01

- development and implementation of e-communities and their anticipated impact on virtual learning; and
- development and implementation of a State virtual school.

Information Request	Author	Due Date
Report on virtual learning	MSDE	December 1, 2022

Status Report on Maryland School for the Deaf (MSD): Despite significant progress on issues identified in a 2019 audit, the committees remain concerned that noncompliance remains with MSD's development of measurable academic and functional Individual Educational Plan (IEP) goals, documentation of parent concerns, and other IEP meeting protocols. The committees are also concerned about the outdated memorandum of understanding (MOU) between the Maryland State Department of Education (MSDE) and MSD. The committees request that MSDE and MSD submit an update by August 1, 2022, on progress by both agencies to resolve these remaining issues and update their MOU.

Information Request	Author	Due Date
Status report on MSD	MSDE MSD	August 1, 2022

Report on Personnel and Vacancies: The committees are concerned about personnel vacancies throughout the department and its independent units, along with efforts to hire personnel specifically for the fulfillment of Chapter 36 of 2021 requirements. The committees request that by October 1, 2022, the Maryland State Department of Education (MSDE) report the following information:

- an assessment of the primary factors contributing to the over 200 vacant positions throughout the department;
- strategies for the recruitment, reclassification, or abolishment of positions to bring fiscal 2023 vacancies in line with budgeted turnover;
- detail on personnel for Chapter 36 implementation by classification, salary, and program, along with information on how requirements are successfully being met with less staff than the estimated need identified at the time of legislative enactment; and
- costs associated with these actions for fiscal 2022, 2023, and 2024.

R00A01

Information Request	Author	Due Date
Report on personnel and vacancies	MSDE	October 1, 2022

R00A01.04 Division of Accountability and Assessment

Status Report on the Maryland Comprehensive Assessment Program (MCAP): The committees are concerned by the disruptions in administering MCAP resulting from the COVID-19 pandemic and are interested in better understanding impacts of these disruptions on learning loss, virtual learning, new assessment development, and increased costs for MCAP assessments in the next few years. The committees request that by November 1, 2022, the Maryland State Department of Education (MSDE) submit a status update on MCAP assessments and expenditures including, but not limited to:

- a timetable for MCAP administration for all assessments for school year 2022-2023 and 2023-2024, including field testing and pilots for new assessments;
- details on MCAP measurement of student learning loss in school year 2021-2022 by local education agencies (LEA), subject area, grade level, and assessment, as well as additional steps taken, if any, by MSDE at the State level to measure student learning loss;
- details on MCAP administration in school year 2021-2022 for virtual school students by LEA, program, grade level, and assessment, including alternative assessments and Kindergarten Readiness; and anticipated changes, if any, to assessments for virtual school students in school year 2022-2023 and 2023-2024;
- expenditures in fiscal 2022 and 2023, and anticipated allowances for fiscal 2024, for each MCAP assessment and assessments under development; and
- contractual expenditures by vendor for fiscal 2022 and 2023, and anticipated contractual expenditures in fiscal 2024, for costs associated with assessment development and administration.

Information Request	Author	Due Date
Status report on MCAP	MSDE	November 1, 2022

R00A01

R00A01.10 Division of Early Childhood Development

Child Care Stabilization Grant Awards: Maryland received more than \$500 million in federal aid through the American Rescue Plan Act to support the child care industry and overall early childhood system as the COVID-19 pandemic has greatly impacted these programs. More than half of this funding was allocated for short-term stabilization grants to child care providers, and a proposed fiscal 2022 deficiency would allocate \$50 million in State funds to distribute additional grants.

The committees are interested in receiving information about how federal aid and State funding have been spent to assist the State's child care system. The committees request that the Maryland State Department of Education (MSDE) submit a report by November 1, 2022, that provides stabilization grant allocations by jurisdiction, grant allocations by child care program type (child care centers and family child care programs), the number of child care providers that received stabilization grants in each application cycle, and a summary of how child care providers spent the grants across specific uses (i.e., wages for employees, staff bonuses or paid leave, rent, transportation costs for staff, personal protective equipment, and other allowable uses). In the report, MSDE should also discuss any new programs or funding streams that it will administer to support child care programs with personnel retention, recruitment, and operating costs once the stabilization grant term ends.

Information Request	Author	Due Date
Report on COVID-19-related child care stabilization grants	MSDE	November 1, 2022

Early Childhood Data System Modernization Project: Due to the availability of one-time federal funds to aid the early childhood education system in Maryland, the Maryland State Department of Education (MSDE) has redesigned its Child Care Administration Tracking System replacement project to include multiple early childhood data systems. Before September 1, 2022, MSDE, in consultation with the Department of Information Technology (DoIT), should submit a report to the committees including:

- a list of early childhood data systems and early childhood programs that will be affected by this project;
- the federal funding sources for this project with funds from each federal grant shown by fiscal year;
- a description of major improvements planned for each early childhood program and benefits to relevant stakeholders;

R00A01

- specific issues with legacy early childhood systems that will be improved with this major information technology project, including cybersecurity issues like ensuring independent security review (particularly System and Organization Controls reviews (SOC Type 2));
- an update on whether any early childhood systems will be integrated to the Maryland Total Human-services Integrated Network; ~~and~~
- the status of all applications completed or in the process of being completed; *and*
- *the capability of new tracking systems to collect and report data on enrollment in individual child care programs, staffing of individual child care programs, and demographic data pertaining to the families and children participating in child care programs.*

Information Request	Author	Due Date
Report on the Early Childhood Data System modernization project	MSDE DoIT	September 1, 2022

Child Care Stabilization Grant Processing Times: After slight delays in processing the stabilization grants during the first round of applications, the Maryland State Department of Education (MSDE) streamlined the application and offered virtual customer service sessions to providers. The committees are interested in tracking the timely processing of child care stabilization grants considering the importance of these grants in helping child care programs remain open. The committees request that MSDE submit a report by July 1, 2022, providing information on the processing times for distributing the second round and any subsequent rounds of stabilization grants. MSDE should also provide an update on stabilization grants funded with State funds, including the amount of grant awards that have been distributed and a timeline for allocating any remaining funds for stabilization grants.

Information Request	Author	Due Date
Report on child care stabilization grant processing times	MSDE	July 1, 2022

R00A01

R00A01.11 Division of Curriculum, Assessment, and Accountability

Report on Environmental Literacy Standards: The committees are concerned about current revisions to the Maryland Environmental Literacy standards and their attention to environmental sustainability, climate resilience, and the mitigation of climate change impacts. The committees request that the Maryland State Department of Education (MSDE) report by October 1, 2022, on the current process to update these standards and include the following information:

- a list of individuals and their representative organizations involved in the revision process including external organizations, local education agencies (LEA), and MSDE staff and/or leadership;
- examples of national, State, and local exemplary environmental literacy curricula reviewed during the revision process;
- a side-by-side comparison of previous standards to updated standards, either completed or in progress, with specific attention to curriculum revisions related to environmental sustainability, climate resilience, and the mitigation of climate change impacts;
- a plan for professional development on the updated standards;
- a timetable for implementation, including updates to Code of Maryland Regulations and integration into LEA curriculum; and
- integration and implementation, if any, of these standards into Maryland Comprehensive Assessment Program Science assessments and a timetable for that process.

Information Request	Author	Due Date
Report on environmental literacy standards	MSDE	October 1, 2022

R00A02
Aid to Education
Maryland State Department of Education

Budget Amendments

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation of the Maryland State Department of Education (MSDE) Office of the State Superintendent may not be expended until the agency submits to the budget committees accurate fiscal 2023 maintenance of effort (MOE) calculations for all 24 local education agencies that align with the current statute in Chapter 36 of 2021 and Chapter 55 of 2021. This submission must include a written review of the applicable statute by the MSDE Attorney General and justification for the MSDE interpretation of the statute as it applies to the MOE calculation. The report shall be submitted by July 1, 2022, 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: MSDE is responsible for MOE calculations for all 24 local education agencies. Recent submission of these calculations to the Department of Legislative Services contained errors and a misinterpretation of the current statute. This request by the committees directs MSDE to reexamine these calculations and statutes and submit accurate fiscal 2023 MOE calculations to the committees by the start of the fiscal year.

Information Request	Author	Due Date
MOE calculations	MSDE	July 1, 2022

R00A02.07 Students With Disabilities

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of the Autism Waiver program may not be expended until the Maryland State Department of Education submits a report to the budget committees on the Autism Waiver waitlist. This report shall be submitted by September 1, 2022, and contain the following information:

- (1) plans and procedures to manage waitlist eligibility that reflect federal guidelines and current national practices and allow for an accurate accounting of individuals in Maryland who qualify for both Autism Waiver services and the Autism Waiver waitlist;
- (2) procedures to contact and identify individuals who may qualify for Autism Waiver services and/or the Autism Waiver waitlist;

R00A02

- (3) plans to contact all currently waitlisted individuals for a review of their eligibility for the Autism Waiver waitlist;
- (4) a timeline for these actions;
- (5) anticipated administrative costs for these actions;
- (6) an update on the number of individuals in the Autism Waiver program and on the Autism Waiver waitlist as of the date of the report; and
- (7) projected costs for Autism Waiver services considering anticipated changes in the management of the Autism Waiver waitlist for fiscal 2023 through 2027.

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: The Maryland State Department of Education (MSDE) manages the Autism Waiver program and waitlist. The program continues to have a waitlist of more than 6,000 individuals with estimated costs expected to increase by approximately \$2.5 million annually through fiscal 2027. This language restricts funds pending a report and asks MSDE to respond as to how the agency could more appropriately manage the Autism Waiver waitlist, project future costs, and modify procedures to serve additional eligible individuals in a more efficient and timely manner.

Information Request	Author	Due Date
Report on the Autism Waiver waitlist	MSDE	September 1, 2022

Committee Narrative

Report on the Nonpublic Placement Program: The committees are concerned about delays in the reimbursement schedule for the Nonpublic Placement program providers and actions taken by the Maryland State Department of Education (MSDE) to rectify these issues. MSDE reports that the agency is moving forward with a new framework and procedures that should speed up the reconciliation process but that a lag remains between expenditures, reimbursements, and reporting of these items. The committees request that MSDE submit a report by November 1, 2022, with the following information:

- program closeout fiscal 2022 on enrollment by provider, annual reimbursement costs, and documentation on potential remaining discrepancies at the end of the fiscal year;

R00A02

- detailed information on the proposed framework for more timely reimbursements to nonpublic placement providers; and
- actions taken in fiscal 2021 and 2022 by the agency to reimburse nonpublic placement providers in a timelier manner ahead of the implementation of the new framework.

Information Request	Author	Due Date
Report on the Nonpublic Placement program	MSDE	November 1, 2022

R00A02.13 Innovative Programs

Status Update on the Pathways in Technology Early College High School (P-TECH)

Program: The committees are concerned about increasing costs for the P-TECH program, which is managed by the Maryland State Department of Education (MSDE) and local education agencies (LEA). Costs for the P-TECH program are determined by a variety of factors, including student enrollment in community college courses and the costs for those courses in any given year. MSDE admits that the agency does not have a systematic method for collecting those costs on an annual basis, although the agency is working with LEAs and community colleges to resolve this issue. The committees request that MSDE submit a status update on the P-TECH program by August 1, 2022, that provides the following information regarding this issue:

- current enrollment in all P-TECH programs by high school, community college, cohort, and entry year;
- projected enrollment in all P-TECH programs in the 2022-2023 and 2023-2024 school years;
- the total number of students who left the program in any given year and reasons for departure;
- the total number of students who have graduated by program and the percentage completion rate;
- community college courses attended by P-TECH students with a cost per course per semester;
- current cost for the program in fiscal 2023 and total projected cost for the program in fiscal 2024;
- average cost by student, program, and LEA for fiscal 2022; and

R00A02

- projected average cost by student, program, and LEA for fiscal 2023 and 2024, including supplemental school and college grants by institution and LEA.

Information Request	Author	Due Date
Status update on P-TECH	MSDE	August 1, 2022

R00A02.59 Child Care Assistance Grants

Child Care Scholarship Program (CCS) Quarterly Reports: The COVID-19 pandemic has led to reduced enrollment in the CCS Program, while significant federal aid and State funding has become available for child care programs. The Maryland State Department of Education (MSDE) allocated part of the one-time funding to expand CCS through higher income eligibility thresholds and increased provider reimbursement rates. *Additionally, the committees are concerned about the agency's performance in providing customer service for the CCS program.* Considering these programmatic changes *and concerns about customer service and responsiveness*, the committees request that MSDE submit quarterly reports with the following information:

- CCS expenditures, including Child Care and Development Fund spending that was carried over from prior fiscal years, the amount of newly authorized federal funds expended (with federal awards for COVID-19-related uses listed separately), and general fund spending;
- CCS expenditures disaggregated by federal and State funding used directly for scholarships and funding used by MSDE Headquarters for administrative costs and activities to improve provider quality, specified by purpose;
- quarterly updates on the provider reimbursement rate as a percentile of the market rate, statewide and by region;
- the total number of children and families receiving CCS per month statewide and by jurisdiction, including the number of children and families who became eligible when income eligibility thresholds were raised to 65% of the State median income (SMI) and the number of children and families who become eligible once income eligibility is raised to 75% SMI (or higher if applicable);~~and~~
- quarterly updates on whether the department is maintaining a CCS waiting list and, if so, which income categories are impacted and how many children and families have applied for CCS benefits and been added to the waiting list;

R00A02

- *actual performance on measures and requirements included in the State's customer service contract for the CCS Program and, if not included in those measures, actual performance on average response time, actual time to review and approve or reject an application for a child care scholarship, actual time between invoice submission and payment to child care providers, the number of resubmissions needed for provider invoices and parent applications, average time per call, average hold time, dropped call rate, actual and average times needed to close open customer service tickets, and rates on individuals ending a call while waiting; and*
- *quarterly updates on the top five customer service issues related to the CCS Program being handled by the Office of Child Care.*

In its August 2022 report, MSDE should include actual data as it related to the CCS Program in the final quarter of fiscal 2022 and aggregate fiscal 2022 data.

Information Request	Author	Due Date
CCS quarterly expenditure reports	MSDE	August 1, 2022 November 1, 2022 February 1, 2023 May 1, 2023

Funding Adequacy in the Child Care Scholarship (CCS) Program: The fiscal 2023 allowance includes \$10.0 million in new general fund support for the CCS Program in a period when the COVID-19 pandemic has caused a significant reduction in enrollment, and additional federal aid has become available to support the State's child care system. The committees request that the Maryland State Department of Education (MSDE) submit a report providing projected spending and cost estimates related to recent programmatic changes affecting CCS Program expenditures and a discussion of whether these changes are expected to be ongoing. The report should be submitted by September 15, 2022, and should include:

- actual fiscal 2022 federal fund expenditures used to expand program income eligibility thresholds and increase reimbursement rates and the amount of federal funds being carried over into future fiscal years;
- actual costs in fiscal 2022 and total projected costs in fiscal 2023 for the CCS Program, separately identifying costs related to these programmatic changes;
- a discussion of whether these programmatic changes are expected to continue after the one-time federal funding sources are fully expended, including cost estimates for fiscal 2024 and 2025 for these programmatic changes if the changes are expected to continue; and

R00A02

- if the planned changes are expected to continue, the planned funding sources that would be made available for ongoing program costs after one-time federal funding sources for child care purposes are fully expended.

Information Request	Author	Due Date
Report on funding adequacy in the CCS Program	MSDE	September 15, 2022

Fiscal 2022 Deficiency

R00A02.59 Child Care Assistance Grants

Add the following language to the general fund appropriation:

, provided that \$50,000,000 of this appropriation made for the purpose of administering child care stabilization grants to provide financial support to child care providers that have faced a financial hardship or a burden in operations during the COVID-19 pandemic may be expended only for that purpose and shall be prioritized to distribute grants to the following providers, in order of priority:

- (1) providers that have a demonstrated financial hardship that poses significant risk to the provider's business closing in the next 12 months;
- (2) providers that have not received a stabilization grant in a prior application cycle;
- (3) providers that participate in the Child Care Scholarship Program;
- (4) providers located in areas designated by the Maryland State Department of Education as lacking child care slots;
- (5) providers that serve primarily low-income populations in areas of high poverty;
- (6) providers that serve children with special needs; and
- (7) providers that serve children ages two and under.

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.

R00A02

Explanation: *This language restricts a fiscal 2022 deficiency appropriation allocated for an additional round of stabilization grants to child care providers to be used only for that purpose and prioritized (in the listed order) for providers with certain characteristics, such as demonstrating a financial hardship that poses significant risk to the provider's business closing in the next 12 months.*

Amendment No. _____

R00A03
Funding for Educational Organizations
Maryland State Department of Education

Budget Amendments

R00A03.04 Aid to Non-Public Schools

Amend the following language to the special fund appropriation:

, provided that this appropriation shall be for the purchase of textbooks or computer hardware and software and other electronically delivered learning materials ~~as permitted under Title IID, Section 2316(b)(4), (6), and (7), of the No Child Left Behind Act~~ for loan to students in eligible nonpublic schools with a maximum distribution of \$65 per eligible nonpublic school student for participating schools, except that at schools where ~~at least 20%~~ from 20% to 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$95 per student, and at schools where more than 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$155 per student.

Explanation: This action amends language modifying the distribution of funding for the Aid to Non-Public Schools Program so that schools where more than 40% of the students are eligible for the free or reduced-price lunch program receive \$155 per student. Similar language has been included in the budget since fiscal 2017. It also strikes language regarding the No Child Left Behind Act due to technical differences with the reauthorized Elementary and Secondary Education Act.

Amend the following language to the special fund appropriation:

- (2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department; ~~and~~
- (3) Comply with Title VI of the Civil Rights Act of 1964, as amended; and
- (4) Submit its student handbook or other written policy related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

Explanation: This action requires schools that participate in the Aid to Non-Public Schools Program to submit a student handbook or policy on student admissions to the Maryland State Department of Education to ensure compliance with program eligibility requirements.

Amendment No. _____

R00A03

Add the following language:

Further provided that a nonpublic school participating in the Aid to Non-Public Schools Program R00A03.04 shall certify compliance with Title 20, Subtitle 6 of the State Government Article. A nonpublic school participating in the program may not discriminate in student admissions, retention, or expulsion, or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Any school found to be in violation of the requirements to not discriminate shall be required to return to the Maryland State Department of Education all textbooks or computer hardware and software and other electronically delivered learning materials acquired through the fiscal 2023 allocation. The only other legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program. Any school that is found in violation of the nondiscrimination requirements in fiscal 2022 or 2023 may not participate in the program in fiscal 2023. It is the intent of the General Assembly that a school that violates the nondiscrimination requirements is ineligible to participate in the Aid to Non-Public Schools Program, the Broadening Options and Opportunities for Students Today Program, the James E. “Ed” DeGrange Nonpublic Aging Schools Program, and the Nonpublic School Security Improvements Program in the year of the violation and the following two years.

Explanation: This action requires a nonpublic school participating in the Aid to Non-Public Schools Program to certify compliance with Title 20, Subtitle 6 of the State Government Article (Discrimination in Employment). It also specifies that a participating school may not discriminate in student admissions on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Violation of these provisions means that a school will be ineligible for the program. Similar language has been included in the budget since fiscal 2017. This action also specifies that schools that violate the provisions must return all textbooks and technology received through the program to the Maryland State Department of Education. It also states that a school that violates the nondiscrimination requirements in fiscal 2022 or 2023 is not eligible to participate in the program in fiscal 2023 and states legislative intent that any school that violates the nondiscrimination requirements is ineligible to participate in any program that provides funding to nonpublic schools for a total of three years.

Committee Narrative

Report on Emergency Assistance to Nonpublic Schools (EANS) Grant Program: In January 2021, the Governor announced \$35.8 million for Maryland nonpublic schools as part of the Coronavirus Response and Relief Supplemental Appropriation Act, EANS grant program. In March 2021, the American Rescue Plan Act added \$39.2 million to EANS, for a total of \$75.0 million. In calendar 2021, the Maryland State Department of Education (MSDE) reported

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that the agency continues to distribute funds for these programs. The committees request that on September 1, 2022, MSDE report on allocations and expenditures of EANS grants. This report should include:

- amount awarded to each nonpublic school in all distribution rounds;
- aggregate expenditures for fiscal 2021 and 2022 on specific safe reopening needs by type, including but not limited to air quality monitoring or air purification devices, personal protective equipment, health room equipment or supplies, social distancing, transportation, and personnel;
- administrative expenses by object; and
- amount of funds remaining, the intended use of remaining funds, and/or amount of canceled funds.

Information Request	Author	Due Date
Report on EANS funding for nonpublic schools	MSDE	September 1, 2022

Budget Amendments

R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language:

- (a) ~~participate~~ have participated in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE; during the 2021-2022 school year;

Explanation: This language specifies that to participate in the Broadening Options and Opportunities for Students Today (BOOST) Program during the 2022-2023 school year, a nonpublic school must have already participated in the Aid to Non-Public Schools Program during the 2021-2022 school year. This language eliminates ambiguity for the Maryland State Department of Education, specifying that nonpublic schools are eligible for BOOST for the 2022-2023 school year by participating in the Aid to Non-Public Schools Program in the previous school year.

R00A03

Amend the following language:

- (c) ~~administer assessments to all students in accordance with federal and State law; and~~ administer national, norm-referenced standardized assessments chosen from the list of assessments published by the U.S. Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:
 - (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
 - (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
 - (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student based on race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program for the 2022-2023 school year and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.
- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year. In order to be eligible to apply, a student must:
- (a) have received a BOOST Program scholarship award for the 2021-2022 school year and will be entering any of grades 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, or 12, or grade 9 if he or she is a student who attended during the 2020-2021 school year at a nonpublic school that serves kindergarten through grade 12; or

R00A03

(b) have a sibling who received a BOOST Program scholarship award for the 2021-2022 school year.

- (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.
- (4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.
- (5) There is a BOOST Advisory Board that shall be appointed as follows: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.
- (6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts. The BOOST Advisory Board shall take into account the needs of students with disabilities on an Individualized Education Plan or 504 Plan when determining scholarship award amounts.
- (7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.
- (8) ~~The~~ Unless the student has special needs due to a disability, the amount of a scholarship award may not exceed the lesser of:
 - (a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or
 - (b) the tuition of the nonpublic school.
- (9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.
- (10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2022, for the 2022-2023 school year to eligible individuals. Any unexpended

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funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2023 and available for scholarships in the 2023-2024 school year.

Further provided that \$700,000 of this appropriation shall be used only to provide an additional award for each student with special needs that is at least equal in amount to the BOOST Program scholarship award that a student is awarded in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2023, that includes the following:

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded (a) the nonpublic school and grade level attended by the student; (b) the school attended in the 2021-2022 school year by the student; and (c) if the student attended the same nonpublic school in the 2021-2022 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2021-2022 school year and will receive in the 2022-2023 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;
- (8) the number of students designated as English language learners receiving BOOST Program scholarships;
- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;
- (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;

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- (12) the number of students who received BOOST Program scholarships for the 2021-2022 school year who are attending public school for the 2022-2023 school year as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2021-2022 school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.

Explanation: This language specifies priorities for the Broadening Options and Opportunities for Students Today (BOOST) scholarship awards and makes nonpublic schools that do not provide required information to the Maryland State Department of Education (MSDE) by a certain date ineligible for participating in the BOOST Program. The language also provides that for the 2022-2023 school year, the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2022, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. *This language also specifies scholarship award requirements including that students must have received this award for the 2021-2022 school year.* This language also requires MSDE to report by January 15, 2023, on the distribution of the BOOST scholarships; information on the students receiving BOOST scholarships; teacher certifications for nonpublic schools participating in the BOOST Program; and assessments being administered in nonpublic schools participating in the BOOST Program, including student performance. The language also requires that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so, and information on students receiving scholarships for the 2021-2022 school year who withdrew or were expelled from the nonpublic schools that they were attending. Finally, the language requires that the BOOST Advisory Board shall take into account the special needs of students with disabilities as it is determining scholarship award amounts and that \$700,000 of the BOOST appropriation shall be used to provide higher awards for these students.

Information Request	Author	Due Date
BOOST program participation	MSDE	January 15, 2023

Amendment No. _____

R00A03

R00A03.06 Non-Public Schools Nursing Program

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete general fund appropriation for the Non-Public School Nursing Program due to the availability of significant federal funds to assist nonpublic schools. It is the intent of the General Assembly that the Maryland State Department of Education use unspent funds from the federal Education Aid to Nonpublic Schools program to reimburse nonpublic schools for eligible nursing costs incurred as part of the COVID-19 pandemic.	2,500,000	GF
Total Reductions	2,500,000	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
General Fund	2,500,000	0	2,500,000	
Total Funds	2,500,000	0	2,500,000	

R00A07
Interagency Commission on School Construction
State Department of Education

Budget Amendments

R00A07.01 Interagency Commission on School Construction

Add the following language to the general fund appropriation:

, provided that \$~~300,000~~500,000 of this appropriation may not be expended until the Interagency Commission on School Construction (IAC) submits to the budget committees two reports on Chapter 14 of 2018 implementation requirements related to the Statewide Facilities Assessment, the Integrated Master Facility Asset Library (IMFAL), and recommendations from the Workgroup on the Assessment and Funding of School Facilities. The first report shall be submitted by July 15, 2022, and include:

- (1) detailed information on steps taken by IAC to resolve outstanding data and dataset issues with the Department of Legislative Services and local education agencies (LEA) including, but not limited to:
 - (a) receipt of requested datasets;
 - (b) development of a data dictionary;
 - (c) confirmation of the accuracy of the facility condition index at the school, system, and LEA level; and
 - (d) calculations for, and confirmation of, the accuracy of the enrollment growth index;
- (2) revisions to Maryland Educational Sufficiency Standards and details as to how those standards will be used in future school facility assessments starting in fiscal 2022;
- (3) regulations adopted by IAC that support workgroup decisions involving the use of assessment data and revised sufficiency standards; and
- (4) progress on IMFAL, including the implementation schedule for the business processing system; system costs for fiscal 2022, 2023 and 2024; and progress on other key system software and/or components needed to integrate school construction data for LEA use.

The second report should be submitted by December 15, 2022, and include additional actions taken by IAC in calendar 2022 to complete the aforementioned tasks and fulfill workgroup recommendations, including progress made on items submitted as part of the July 15, 2022, report and-, if enacted, implementation of HB 1290. The budget committees shall have 45 days from the date of the receipt of the second report to review and comment. Funds restricted

R00A07

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: Chapter 14 requires IAC to conduct a Statewide Facilities Assessment, build an IMFAL, and work with the Workgroup on the Assessment of Funding of School Facilities on recommendations related to the use of assessment data for funding decisions. The workgroup completed its work in December 2021 and provided IAC with recommendations on Chapter 14 implementation and alignment of those recommendations with Chapter 20 of 2020 and Chapters 36, 55, and 698 of 2021. This language directs IAC to submit two reports to provide the committees with timely information on IAC's progress to implement workgroup recommendations, *including, if enacted, implementation of HB 1290.*

Information Request	Author	Due Date
Report on implementation of Chapter 14 <i>and HB 1290</i>	IAC	July 15, 2022 December 15, 2022

Amendment No. _____

Strike the following language:

~~Further provided that \$100,000 of this appropriation for the Interagency Commission on School Construction (IAC) may not be expended until the agency submits a study to the budget committees by December 31, 2022, on public charter and public contract school facilities. IAC, in consultation with the Maryland Association of Public Charter Schools, shall provide the following information on all charter school facilities in Maryland:~~

- ~~(1) — local education agency (LEA), school name, charter school vendor, and years in current building;~~
- ~~(2) — history of building acquisition, status, and use including:~~
 - ~~(a) — age;~~
 - ~~(b) — acquisition process;~~
 - ~~(c) — current ownership status (rented, leased, privately owned);~~
 - ~~(d) — contract status with LEA, third party vendor, or local jurisdiction; and~~
 - ~~(e) — anticipated length of tenure in building;~~

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- ~~(3) — current replacement value based on the most recent facility assessment either by IAC, a third party contractor, or LEA;~~
- ~~(4) — current maintenance condition based on the most recent assessment conducted either by IAC, a third party contractor, or LEA;~~
- ~~(5) — average annual cost from fiscal 2017 to 2021 for lease/rental, facility maintenance, and building use, including both capital and non capital expenses;~~
- ~~(6) — total cost in fiscal 2022, and anticipated costs in fiscal 2023, for lease/rental, facility maintenance, and building use including both capital and non capital expenses;~~
- ~~(7) — breakout of costs, if needed, for capital and non capital expenses shared between LEAs, county governments, charter school vendors, and/or third party investors; and~~
- ~~(8) — any other information valuable to the budget committees regarding local or statewide charter school facility conditions or expenses.~~

~~The budget committees shall have 45 days from 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:** The committees are concerned that a previous study of charter school facility funding did not occur and that information on public charter school facility condition is not complete. This study is intended to provide up to date information to the committees on the condition of Maryland public charter school buildings, and facility expenses incurred by charter schools, to provide facilities for charter school students. It is the intent of the committees that this review also include schools commonly referred to as public contract schools.~~

~~Information Request~~

~~Author~~

~~Due Date~~

~~Report on charter and contract school facilities~~

~~IAC~~

~~December 31, 2022~~

Amendment No. _____

Committee Narrative

***Report on Charter and Contract School Facilities:** The committees are concerned about available data on the condition of public charter and contract school facilities. The committees request that the Interagency Commission on School Construction (IAC), in consultation with the*

R00A07

Maryland Association of Public Charter Schools, provide the following information by December 31, 2022, on all charter school facilities in Maryland:

- *local education agency (LEA), school name, charter school vendor, and years in current building;*
- *history of building acquisition, status, and use including:*
 - *age;*
 - *acquisition process;*
 - *current ownership status (rented, leased, privately owned);*
 - *contract status with LEA, third-party vendor, or local jurisdiction; and*
 - *anticipated length of tenure in building;*
- *current replacement value based on the most recent facility assessment either by IAC, a third-party contractor, or LEA;*
- *current maintenance condition based on the most recent assessment conducted either by IAC, a third-party contractor, or LEA;*
- *average annual cost from fiscal 2017 to 2021 for lease/rental, facility maintenance, and building use, including both capital and noncapital expenses;*
- *total cost in fiscal 2022, and anticipated costs in fiscal 2023, for lease/rental, facility maintenance, and building use including both capital and noncapital expenses;*
- *breakout of costs, if needed, for capital and noncapital expenses shared between LEAs, county governments, charter school vendors, and/or third-party investors; and*
- *any other information valuable to the committees regarding local or statewide charter school facility conditions or expenses.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on charter and contract schools</i>	<i>IAC</i>	<i>December 31, 2022</i>

R00A07

Report on Renewable Energy-fueled School in Western Maryland: *The committees are concerned about the detrimental impact of the closure of the Luke papermill on Western Maryland. To mitigate this impact, the committees are interested in the construction of a public school fueled with forest biomass, which is an abundant renewable energy source in this area. The committees request that by January 1, 2023, the Interagency Commission on School Construction (IAC) submit a preliminary report investigating the feasibility of a school fueled with forest biomass with the following information:*

- *sites for the school in Western Maryland identified by jurisdiction;*
- *examples of other schools nationally, if any, that use forest biomass for energy and the successes or challenges of this model;*
- *an initial plan for the building including design and funding; and*
- *alignment and compliance of this plan with Chapter 175 of 2009.*

Information Request	Author	Due Date
<i>Report on renewable energy-fueled school in Western Maryland</i>	<i>IAC</i>	<i>January 1, 2023</i>

Budget Amendments

R00A07.03 School Safety Grant Program

Add the following language to the general fund appropriation:

, provided that \$3,500,000 of this appropriation made for the purpose of funding security improvements in nonpublic schools may be provided only to nonpublic schools that were eligible to participate in the Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loans to students in eligible nonpublic schools) during the 2021-2022 school year or nonpublic schools that serve students with disabilities through the Non-Public Placement Program R00A02.07 Subprogram 0762, with a maximum amount of \$65 per eligible nonpublic school student for participating schools, except that at schools where at least 20% of the students are eligible for the free or reduced-price meal program or for schools that service students with disabilities through the Non-Public Placement Program, there shall be a distribution of \$85 per student, and no individual school may receive less than \$5,000. Payment for work completed under this program will be through reimbursement to the grant recipient.

R00A07

Explanation: This language recognizes the intent as stated in the proposed fiscal 2023 Budget Bill that \$3.5 million of the \$13.5 million allowance for the School Safety Grant Program is provided for the Nonpublic School Security Improvement Program, which has been authorized and funded since fiscal 2019 in either the capital or operating budget. This action also reinstates language for this program from the fiscal 2022 Budget Bill.

Committee Narrative

Report on Public and Nonpublic School Safety Grants: The committees are concerned about recent changes in the School Safety Grant Program (SSGP) and the Nonpublic School Security Improvement Program (NSSI). For the first time in fiscal 2023, these programs receive general funds in the operating budget; therefore, eligible projects will no longer need to meet the 15-year lifespan requirement for capital improvements. Due to these changes, the committees request that the Interagency Commission on School Construction (IAC) and the Maryland Center for School Safety (MCSS) submit a joint update on both programs by December 1, 2022. This update should include:

- the criteria for distribution of SSGP and NSSI grants to local education agencies in fiscal 2023 and amounts allocated;
- changes to administrative guides to reflect the new fund source; and
- for SSGP, documentation of regulations aligned with new grant requirements.

Information Request	Author	Due Date
Report on public and nonpublic school safety grants	IAC MCSS	December 1, 2022

R00A09
Accountability and Implementation Board

Committee Narrative

Status Report on Managing for Results (MFR) Measures: Because the Accountability and Implementation Board (AIB) is a new agency, the committees are concerned that the agency does not yet have MFR measures. The committees request that, by December 1, 2022, AIB submit proposed MFR measures for the agency's fiscal 2024 budget.

Information Request	Author	Due Date
Status report on MFR measures	AIB	December 1, 2022

R30B21
University of Maryland, Baltimore Campus
University System of Maryland

Budget Amendments

R30B21.00 University of Maryland, Baltimore Campus

Strike the following language:

~~, provided that \$200,000 of this appropriation made for the purpose of the University of Maryland, Baltimore Campus may not be expended for that purpose but instead may be used only to provide a grant to the Global Virus Network. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.~~

Explanation: ~~The language restricts \$200,000 of the fiscal 2023 current unrestricted fund appropriation for the University of Maryland, Baltimore Campus for a grant to the Global Virus Network.~~

Amendment No. _____

R30B23
Bowie State University
University System of Maryland

Committee Narrative

Bowie State University (BSU) Nursing Program Update: BSU has faced difficulties in meeting the Maryland Board of Nursing (MBON) required National Council Licensure Examination for Registered Nurses (NCLEX-RN) pass rate for its Nursing Program. MBON placed the BSU Nursing Program on conditional approval in 2013. BSU's program has remained in this status through 2022. BSU has implemented strategies intended to improve this pass rate. The committees request that BSU submit a report that documents the actions identified by BSU to improve the NCLEX-RN required MBON pass rate, how these strategies are intended to increase the pass rate, and the pass rate for fiscal 2022.

Information Request	Author	Due Date
BSU Nursing Program update	BSU	August 5, 2022

R30B26
Frostburg State University
University System of Maryland

Committee Narrative

R30B26.00 Frostburg State University

Report on Increasing Capacity in the Physician Assistant (PA) Program: In order to address the growing shortage of health care professionals in Western Maryland, Frostburg State University (FSU) started offering a PA program at the University System of Maryland at Hagerstown in 2019, after receiving provisional accreditation. The applications for the program have increased every year; however, cohorts are limited to 25 students. The committees are interested in FSU increasing the number of students in its PA program and request that FSU submit a report identifying obstacles to increasing enrollment and recommendations to grow the size of the cohort groups. The report should be submitted by September 15, 2022.

Information Request	Author	Due Date
Report on increasing capacity in the PA program	FSU	September 15, 2022

R62I00
Maryland Higher Education Commission

Budget Amendments

R62I00.01 General Administration

Add the following language to the general fund appropriation:

, provided that since the Maryland Higher Education Commission (MHEC) 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) MHEC has taken corrective action with respect to all repeat audit findings on or before November 1, 2022; 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 from the date of the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2023.

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. The audit was released in June 2021, in which of the eight findings, five were repeat audit findings that pertain to Financial Assistance Program (R64I00.10) and Aid to Community Colleges (R62I00.06). However, these programs do not have administrative funds from which funding may be restricted. As a result, this language restricts a portion of its administrative budget within MHEC pending the adoption of corrective actions by MHEC and a determination by OLA that each finding was corrected. OLA shall submit reports to the committees on the status of repeat findings.

Information Request	Author	Due Date
Status of corrective actions related to 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 \$500,000 of this appropriation made for the purpose of general administration may not be expended until the Maryland Higher Education Commission (MHEC) submits a report to the budget committees detailing a reorganization of the agency including establishing the Office of Student Financial Assistance (OSFA) as a separate independent agency. The report shall identify any issues or concerns in establishing OSFA as an independent

R62I00

agency and reconfiguring MHEC. The report shall be submitted by December 1, 2022, 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: This language restricts funds pending a report on the reorganization of MHEC including establishing OSFA as a separate independent agency.

Information Request	Author	Due Date
Report on reorganization of MHEC	MHEC	December 1, 2022

Amendment No. _____

Committee Narrative

Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution (EFC) Category: In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by EFC, the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2021 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

Information Request	Author	Due Date
Institutional aid, Pell grants, and loan data by EFC	MHEC	June 30, 2022

R62I00

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: The committees understand that in order to meet the State's goal to have at least 55% of Maryland's residents age 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution's progress toward the State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions' programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.

Information Request	Author	Due Date
Report on best practices and annual progress toward the 55% completion goal	MHEC	December 15, 2022

~~**Status of Implementing Recommendations on Awarding Credit for Prior Learning and Competency-based Education:** In response to a 2021 Joint Chairman's Report request for a report on the awarding of college credit for prior learning competency-based education, the Maryland Higher Education Commission (MHEC) convened a workgroup comprised of representatives from the various higher education segments and other stakeholders. The workgroup discussed the potential to develop uniform standards for awarding credit for prior learning and identified nine recommended next steps toward the creation of a statewide standard for specific standardized exams or specific prior learning. The committees request that the workgroup continue its work toward developing a formal recommendation to MHEC. In addition, the committees request that MHEC submit a report on the status on implementing the recommendations identified by the workgroup. The report should be submitted by October 1, 2022.~~

Information Request	Author	Due Date
Status of implementing recommendations on awarding credit for prior learning and competency-based education	MHEC	October 1, 2022

R62I00

Report on Increasing Participation in Postsecondary Education: Overall, approximately half of Maryland high school graduates do not immediately enroll in college. Some graduates may pursue a postsecondary education in later years, enlist in the military, participate in an apprenticeship program, or enter the workforce. While the number of high school graduates increased during the pandemic, the number who immediately enrolled in college decreased. In 2020 alone, there were nearly 4,600 fewer Maryland high school graduates that did not immediately enroll in college. The committees are concerned about the decreasing number of high school graduates immediately enrolling in college. The committees request that the Maryland State Department of Education (MSDE) and the Maryland Higher Education Commission (MHEC) establish a workgroup comprised of various stakeholders to identify programs and initiatives to encourage more students to pursue a postsecondary education immediately after high school and request that MHEC submits a report by December 1, 2022, containing the findings and recommendations from the workgroup.

Information Request	Author	Due Date
Report on increasing participation in postsecondary education	MHEC MSDE	December 1, 2022

R62I00.03 Joseph A. Sellinger Formula for Aid to Non-Public Institutions of Higher Education

Report on Supporting the State's Higher Education Goals: Given the significant increase in funding for the Joseph A. Sellinger formula, the committees are interested in how the increase in funds will be used to support the State's higher education goals. The committees request that the Maryland Independent College and University Association (MICUA) submit a report detailing, for each institution, how the additional funds provided in fiscal 2023 will be used to support the State's higher education goals including how institutions are (1) ensuring equitable access to affordable higher education; (2) targeting financial aid to those with the greatest need and/or increasing diversity; (3) closing the achievement gap; and (4) helping the State to meet its workforce needs by increasing the number degrees awarded in workforce shortage areas including the areas of science, technology, engineering, and mathematics (STEM); nursing; and teaching. The report should specify how much of the additional funding each institution plans to allocate to expand (1) the number and the amount of the need-based awards; (2) activities supporting closure of the achievement gap; and (3) activities designed to increase the number of degrees awarded in workforce shortage areas including the areas of STEM, nursing, and teaching. To the extent feasible, the identification of funding for each should denote any portion of the funding that is specifically targeted to increasing diversity. The report shall be submitted by ~~August 1~~ November 1, 2022.

R62I00

Information Request	Author	Due Date
Report on supporting the State's higher education goals	MICUA	August 1 November 1, 2022

Report on Admissions Policies: *The committees are interested in understanding more about the admission policies of the Maryland Independent College and University Association (MICUA) institutions. Specifically, the committees are interested in understanding if any of the MICUA institutions' admissions policies include a provision regarding legacy admissions. The committees request a report on these policies be submitted by August 1, 2022.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on admissions policies</i>	<i>MICUA</i>	<i>August 1, 2022</i>

R62I0010
Student Financial Assistance
Maryland Higher Education Commission

Budget Amendments

R62I00.37 Veterans of the Afghanistan and Iraq Conflicts Scholarships

Add the following language to the general fund appropriation:

, provided it is the intent of the General Assembly that the Maryland Higher Education Commission consider opportunities to rename the scholarship fund to include recognition of Senator Douglas J.J. Peters.

Explanation: This language adds intent language for the Maryland Higher Education Commission to consider the renaming of the current Veterans of the Afghanistan and Iraq Conflicts Scholarship to include the recognition of Senator Douglas J.J. Peters.

Committee Narrative

Impact of Credit Completion Requirement on Financial Aid Awards: Beginning in the 2018-2019 academic year and in a student's third academic year, students receiving the Educational Excellence Award (EEA) must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 credit hours but less than 30 credit hours will have their awards prorated, and those who do not complete at least 24 credit hours will lose their award. The committees are interested in the impact that the 30 credit hour requirement had on students in the 2021-2022 academic year and the 2022-2023 awarding year, specifically if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report should also identify how the Maryland Higher Education Commission (MHEC) alerts community college EEA recipients that they are in danger of losing their award as this group was the most severely impacted by the credit completion requirement. The report should identify the updated funding disbursement, by EEA award type and by total credit attainment grouping, for the students from the most recent review cycle as well as what the total funding amount was, by EEA award type, prior to those students having their award funding amounts revised.

R62I0010

Information Request	Author	Due Date
Report on impact of credit completion requirement on financial aid awards	MHEC	December 5, 2022

Next Generation Scholars (NGS) Postsecondary Outcomes: The 2020-2021 academic year was the first academic year with a cohort of grade 12 students in the NGS program. The committees remain interested in determining how many NGS students met the eligibility requirements and later enrolled in a postsecondary institution. The report should identify the number of NGS seniors for the 2021-2022 academic year, the number of NGS seniors who successfully met all of the eligibility requirements, the number of eligible NGS seniors receiving a guaranteed access award, and the number of seniors who later enrolled in a postsecondary institution of higher education in either the summer 2022 session or the fall 2022 semester and identify to which higher education segment those students enrolled.

Information Request	Author	Due Date
Report on postsecondary outcomes for NGS senior students	Maryland Higher Education Commission	December 12, 2022

R75T0001 Higher Education

Budget Amendments

R75T00.01 Support for State Operated Institutions of Higher Education

Strike the following language:

~~, provided that \$200,000 of this appropriation made for the purpose of the University of Maryland, Baltimore Campus may not be expended for that purpose but instead may be used only to provide a grant to the Global Virus Network. 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 language restricts \$200,000 of the fiscal 2023 general fund appropriation for the University of Maryland, Baltimore Campus for a grant to the Global Virus Network.~~

Amendment No. _____

Committee Narrative

Instructional Faculty Workload Report: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty, and all types of faculty. Additional information may be included at the institution's discretion.

Information Request	Author	Due Date
Annual report on faculty workload	USM MSU SMCM	December 5, 2022

R95C00
Baltimore City Community College

Committee Narrative

Realignment Plan Status Update: Baltimore City Community College (BCCC) has begun implementing realignment tasks as a result of the required institutional realignment. A status report was provided October 1, 2021, which identified the progress that BCCC has achieved in meeting the 12 required realignment tasks. The committees request a report on the institutional realignment plan that further documents progress toward completion of the realignment plan's objectives.

Information Request	Author	Due Date
Realignment plan update	BCCC	October 3, 2022

Information Technology (IT) Infrastructure Renovations: Baltimore City Community College (BCCC) has faced numerous difficulties in updating its IT infrastructure. This has resulted in many IT shortcomings for BCCC, including but not limited to, being unable to procure a new Enterprise Resource Planning (ERP) system, being unable to properly safeguard student data, and not adequately providing malware protection for its computers. In November 2020, BCCC received approval from the Board of Public Works to proceed with the acquisition and implementation of its identified ERP system, Banner by Ellucian. To date, BCCC has begun the process of implementing departmental modules, with the final module to be implemented by December 2022. The committees request a report that documents the status of the implementation of the IT infrastructure renovation, including whether internal timelines were met and the accuracy of cost estimates as well as any additional findings that occurred as a result of the upgrade process.

Information Request	Author	Due Date
IT infrastructure plan update	BCCC	August 31, 2022

Enrollment and the Mayor's Scholars Program (MSP): Baltimore City Community College (BCCC) saw decreases in enrollment for full-time equivalent students (FTES) from 2011 through 2020. The committees request a report on the MSP that includes updated information on MSP for the 2021-2022 academic year and that identifies what additional actions are being taken to increase enrollment per FTES. Additionally, the report should provide the following information on MSP: (1) the number of applications received for the first, second, third, fourth, and fifth cohort; the number of students who enrolled each semester, and the number of first-year students who enrolled in the second, third, and fourth year (where applicable); (2) the number of students who participated in the Summer Bridge program for the first, second, third, fourth, and fifth cohort; (3) the number of students in the first, second, third, and fourth cohort who have successfully completed at least 15 credits each semester, or a total of 30 credits in their academic

R95C00

year; and (4) the amount of financial aid provided to scholars in year one, two, three, and four by cohort, including the total amount each year and the average student award.

Information Request	Author	Due Date
Enrollment and MSP	BCCC	November 30, 2022

Report on Full-time Faculty, the College's Faculty Contract System, and the Implementation of Task 6 of the College's Realignment: The committees recognize that all full-time faculty are on fixed-term renewable contracts of either one, two, or three years. The committees also recognize the research firm EdBridge, contracted in 2018 to make suggestions regarding comprehensive review of all positions at the college, has recommended the phasing out of 7 degree or certificate programs, the potential for downsizing 14 other degree or certificate programs, and the direct elimination of at least 48 positions at the college.

The committees are interested in receiving a detailed plan from the administration of Baltimore City Community College (BCCC) regarding the implementation of Realignment Task 6 (engage in a comprehensive review of all positions, faculty, and staff at BCCC), as required by Chapter 847 of 2017. In particular, the committees are interested in receiving information on the implementation of these plans and how this will be done in the most equitable manner possible. The report should include the exact number of faculty on one-, on two-, and on three-year contracts, broken down by degree or certificate program. The report should also detail the extent to which faculty have participated in the construction of a plan to implement this realignment task. The report should also contain any plans to offer faculty impacted by a degree or certificate program slated for phase out or reduction a similar position elsewhere in the college, and how the college proposes to respect faculty seniority in layoff or reinstatement matters.

Information Request	Author	Due Date
Faculty Contract System and Realignment Task 6 report	BCCC	October 1, 2022

T00
Department of Commerce

Budget Amendments

OFFICE OF THE SECRETARY

T00A00.01 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 administration may not be expended until the Department of Commerce (Commerce) submits a report to the budget committees on Commerce's equity plan or efforts to develop such a plan. Specifically, the report shall include:

- (1) a copy of the department's equity plan, if such a plan exists; or
- (2) detailed actions Commerce plans to take to develop an equity plan, including a timeline for development of the plan.

The report shall be submitted by September 1, 2022, 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.

Explanation: This language restricts \$100,000 pending the receipt of a report from Commerce on the development of an equity plan for the department. An equity plan is a document that guides an institution in its efforts to understand and address racial and other disparities in outcomes, both within the institution and in the population it serves. An equity plan should include an assessment of current gaps, measurable outcomes, recommended actions, and methods for tracking progress and accountability, and the plan should reflect participation in the planning process by impacted communities.

Information Request	Author	Due Date
Report on the development of an equity plan	Commerce	September 1, 2022

Amendment No. _____

T00

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of administration may not be expended until the Department of Commerce (Commerce) and the Department of Budget and Management jointly submit a report to the budget committees on the calculation method for the Maryland State Arts Council (MSAC) general fund appropriation. This report shall include a written review of the applicable statute by the Commerce Attorney General and justification for the current interpretation of the required calculation method under statute as it applies to the MSAC general fund appropriation. The report shall be submitted by August 1, 2022, 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.

Explanation: This language restricts \$100,000 in the Office of the Secretary pending the receipt of a report from Commerce, in consultation with the Department of Budget and Management (DBM), on the calculation method for the MSAC general fund appropriation. The report should include a written review of the applicable statute by the Commerce Attorney General.

Information Request	Author	Due Date
Report on the MSAC formula	Commerce DBM	August 1, 2022

Amendment No. _____

Committee Narrative

T00F00.15 Small, Minority, and Women-Owned Business Account

Report on Marketing of the Small, Minority, and Women-Owned Businesses Account (SMWOBA): The committees request that the Department of Commerce (Commerce) submits a report detailing how the department conducts outreach and marketing for the SMWOBA. Specifically, the report should include:

- actions taken by Commerce to promote the program and increase awareness among eligible businesses;
- a detailed budget for Commerce marketing activities related to the SMWOBA program; and

T00

- any funding needs above the current budgeted amount that the department believes would be necessary to increase participation in the program.

Information Request	Author	Due Date
Report on marketing efforts for SMWOBA	Commerce	October 1, 2022

DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT

T00F00.24 More Jobs for Marylanders Tax Credit Reserve Fund

More Jobs for Marylanders Tax Credit: The committees are interested in how the Department of Commerce (Commerce) is working to encourage participation in the More Jobs for Marylanders program from businesses in the Tier I counties of the State. The committees request that Commerce submit a report detailing outreach efforts and any other actions taken to assist potential applicants in the Tier I counties as well as recommendations for modifications to statute that would enable increased attraction and participation in the More Jobs for Marylanders program in Tier I counties.

Information Request	Author	Due Date
Report on participation in the More Jobs for Marylanders program in Tier I counties	Commerce	September 1, 2022

T00F00.28 Non-Profit Shared Services Support

Nonprofit Shared Services Support Program for Child Care Providers: *The fiscal 2023 allowance includes \$5 million in general funds for a new Nonprofit Shared Services Support Program to be administered by Maryland Nonprofits. The committees are interested in how the Department of Commerce (Commerce) can partner with the Maryland State Department of Education (MSDE) to incorporate child care providers into this new shared services program. The committees request that Commerce, in consultation with MSDE, submit a report detailing how the shared services program could be used to support the needs of child care providers in Maryland, or the feasibility of creating a similar program to serve child care providers.*

Information Request	Author	Due Date
Report on support for child care providers	Commerce, in consultation with MSDE	October 1, 2022

T00

Budget Amendments

DIVISION OF TOURISM, FILM AND THE ARTS

T00G00.03 Maryland Tourism Development Board

Add the following language to the general fund appropriation:

, provided that \$1,100,000 \$1,650,000 of this appropriation made for the purpose of Maryland Tourism Development Board grants may not be used for that purpose but instead may be used only to provide the following grants in the specified amounts:

- (1) \$1,000,000 to the Downtown Partnership of Baltimore, Inc. for security and safety enhancements in the central business district; and
- (2) \$100,000 to Visit Baltimore for wayfinding signs for the National Great Blacks in Wax Museum, the Reginald F. Lewis Museum of Maryland African American History and Culture, Arena Players, Inc., and the Eubie Blake National Jazz Institute and Cultural Center, Inc.;
- (3) \$300,000 to Prince George's Financial Services Corporation to support business development in Prince George's County; and
- (4) \$250,000 to Employ Prince George's, Inc. to support business development in Prince George's County.

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. Further provided that these funds are intended to supplement rather than supplant other funding provided by the Office of Tourism Development to the Downtown Partnership of Baltimore, Inc. and Visit Baltimore.

Explanation: This language restricts funding in the Maryland Tourism Development Board for a grant to the Downtown Partnership of Baltimore, Inc. for security and safety enhancements in the central business district and to Visit Baltimore for wayfinding signs. These funds are intended to supplement rather than supplant other grant funding provided by the Office of Tourism Development to the Downtown Partnership of Baltimore, Inc. and Visit Baltimore. *This language also restricts \$550,000 in the Maryland Tourism Development Board for grants to Prince George's Financial Services Corporation (doing business as FSC First) and Employ Prince George's, Inc. to support business development in Prince George's County.*

Amendment No. _____

R00A03
Funding for Educational Organizations
Maryland State Department of Education

Budget Amendment

R00A03.06 – Non-Public Schools Nursing Program

Add the following language to the general fund appropriation:

, provided that this appropriation may only be used to award grants to nonpublic schools that were eligible to participate in the Aid to Non-Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loans to students in eligible nonpublic schools) during the 2021-2022 school year or nonpublic schools that serve students with disabilities through the Non-Public Placement Program R00A02.07 Subprogram 0762, with a maximum amount of \$65 per eligible nonpublic school student for participating schools, except that at schools where at least 20% of the students are eligible for the free or reduced-price meal program or for schools that service students with disabilities through the Non-Public Placement Program, there shall be a distribution of \$85 per student, and no individual school may receive less than \$5,000. Payment for work completed under this program will be through reimbursement to the grant recipient.

Explanation: This language specifies eligibility requirements including that schools participating in this program must also participate in the Aid to Non-Public Schools program in the 2021-2022 school year.



Report of the
**Health and Social
Services Subcommittee**

To the House Appropriations Committee

2022 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 290

General Assembly of Maryland

House Appropriations Committee
Health and Social Services Subcommittee

2022 Session Membership Roster

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Delegate Geraldine Valentino-Smith, Vice Chairman

Delegate Shaneka Henson
Delegate Nino Mangione
Delegate Patrick Young

Committee Staff

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Subcommittee Coordinator

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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>
Fiscal 2023 Total Budget	\$0	\$0	\$0	\$0	\$0	
Fiscal 2022 Deficiency Budget						
MDH – Behavioral Health Administration	0	0	65,000,000	0	65,000,000	
MDH – Medical Care Programs Administration	0	0	37,778,968	0	37,778,968	
<i>Subtotal Fiscal 2022 Deficiency Budget</i>	<i>\$0</i>	<i>\$0</i>	<i>\$102,778,968</i>	<i>\$0</i>	<i>\$102,778,968</i>	
Total Fiscal 2022 Deficiency Budget	\$0	\$0	\$102,778,968	\$0	\$102,778,968	
Grand Total Budget Bill	\$0	\$0	\$102,778,968	\$0	\$102,778,968	

D12A02

Department of Disabilities

Committee Narrative

D12A02.02 Telecommunications Access of Maryland

Expenditures and Projected Balance of the Universal Services Trust Fund (USTF): The USTF is funded by a telecommunications subscriber surcharge. Allowable uses of the USTF are primarily limited to the provision of accessible telephone service and equipment to individuals that have difficulties using a standard telephone and the Maryland Department of Aging's (MDOA) Senior Call Check program. In fiscal 2021, the USTF was transferred to the Maryland Department of Disabilities (MDOD) with a fund balance of \$12.8 million. As programmatic changes to the Telecommunications Access of Maryland (TAM) program and operation of the Senior Call Check program are expected to incur expenditures substantially in excess of USTF annual revenues, the committees request that MDOD submit a report that:

- projects the USTF balance by fiscal year including anticipated revenue;
- projects, by category of cost, anticipated TAM expenditures from the USTF balance each year through fiscal 2027 and the number of individuals planned to participate in each TAM service each year through fiscal 2027;
- projects, in coordination with MDOA, Senior Call Check participation and program expenditures each year through fiscal 2027;
- describes a plan to address any projected USTF revenue shortfalls; and
- lists the service outcomes, with quantifiable performance goals, that are planned to be achieved through increased spending of USTF funds and provides this data indicating calendar 2022 performance against the identified performance goals.

Information Request	Author	Due Date
Expenditures and projected balance of the USTF	MDOD MDOA	With the submission of the Governor's Fiscal 2024 Budget Books

D26A07
Department of Aging

Committee Narrative

D26A07.03 Community Services

Waitlist Data and Utilization of Program Enhancement Funding: With \$3 million in general funds appropriated for the purpose of reducing Senior Care, Senior Assisted Living Subsidy (SALS), and Congregate Housing Services Program (CHSP) waitlists, the committees are interested in monitoring how the funds will be used and the effect on program waitlists. The committees request that the Maryland Department of Aging (MDOA) submit two reports, the first providing the following data as of July 1, 2022, and the second providing the following data as of January 1, 2023:

- the number of individuals, *by age, race, and gender*, participating in each program at each Area Agency on Aging (AAA);
- the number of individuals, *by age, race, and gender*, waitlisted for each program at each AAA;
- the number of assisted living and congregate housing providers that provide services to SALS and CHSP participants *in each jurisdiction*; and
- an update describing how each AAA plans to use each program's appropriation over the coming six months.

Information Request	Author	Due Date
Waitlist data and utilization of program enhancement funding	MDOA	July 21, 2022 January 21, 2023

Community for Life (CFL) and Durable Medical Equipment (DME) Reuse Program Updates: While the CFL and DME Reuse programs continue rollout, the committees are interested in monitoring the cost effectiveness of each program. The committees request that the Maryland Department of Aging (MDOA) submit two reports, the first providing the following data as of July 1, 2022, and the second providing the following data as of January 1, 2023:

- membership totals of each CFL program;
- the amount of funding each CFL was originally granted, the date each grant period commenced, and the amount of the State grant that is unencumbered to date;

D26A07

- CFL total expenditures to date, and the amount of funding by source, that each grantee received to date from other revenue sources to support operating expenses of the CFL program;
- the number of pieces of DME collected through the DME Reuse program, the dollar value of the equipment in inventory, the number of pieces of equipment distributed, and the dollar value of equipment distributed; and
- by age group, the number of individuals participating in each program.

Information Request	Author	Due Date
CFL and DME Reuse program updates	MDOA	July 21, 2022 January 21, 2023

D27L00
Maryland Commission on Civil Rights

Committee Narrative

D27L00.01 General Administration

Open Cases and Investigator Staffing: The committees remain concerned by the size of the backlog of pending and open cases that have been received for processing by the Maryland Commission on Civil Rights (MCCR) and are interested in receiving further information on current investigator staffing and caseload trends. The committees request a report providing a status update which includes the following data as of June 30, 2022:

- the total number of open and pending cases, *separately by case type*;
- *the average case processing times by case type for fiscal 2022*;
- the number of cases that have been unresolved for more than one year;
- the number of cases currently awaiting assignment to an investigator;
- an updated timeframe estimate for assigning the remaining outstanding cases to investigators;
- the number of filled investigator staff positions and caseload size by unit, noting any vacant investigator positions;
- *the current average staff-to-case ratios by case type, and a comparison to ideal standards or best practices for staff-to-case ratios by case type*;
- an analysis of any additional factors impacting staffing turnover or constraints and rising case processing times; and
- a list of recommendations or a plan for actions that can be taken to address the case backlogs by June 30, 2023.

Information Request	Author	Due Date
Report on pending and open cases and investigator staffing	MCCR	September 1, 2022

D27L00

Case Resolution Processes and Resolution Types: *The committees are interested in learning more about the different case resolution processes used by the Maryland Commission on Civil Rights (MCCR) to resolve cases that it receives, as well as the outcomes for resolved cases. The committees request that MCCR submits a report that includes descriptions of the typical case resolution processes that it uses to resolve civil rights complaints, as well as data on the outcomes of resolved cases by case type for fiscal 2020, 2021, and 2022.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on case resolution processes and methods</i>	<i>MCCR</i>	<i>September 1, 2022</i>

D53T00
Maryland Institute for Emergency Medical Services Systems

Budget Amendments

D53T00.01 General Administration

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of general administration may not be expended until the Maryland Institute for Emergency Medical Services System submits a report to the budget committees on interfacility transportation for Medicaid patients between hospitals in the State. The report shall study both emergency and nonemergency interfacility transport, including the capacity under the current referral process, response time to referral requests, and costs under the current system. The report shall also include recommendations for improvements to the current system. The report shall be submitted by December 1, 2022, 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 budget committees are concerned with the interfacility ambulance transport between Maryland health systems and hospitals for Medicaid patients. This language restricts funding pending a report on emergency and nonemergency interfacility transfers. This report shall evaluate the interfacility transport system's current capacity, referral process, and timeliness of response to referrals.

Information Request	Author	Due Date
Report on interfacility transport	MIEMSS	December 1, 2022

Committee Narrative

Emergency Medical Technician (EMT) Shortages and Evaluation of Efforts to Address Shortages: EMTs and other emergency health personnel have played a vital role in Maryland's response to the COVID-19 pandemic. Recent actions by the Governor and new programs under the Maryland Institute for Emergency Medical Services Systems (MIEMSS) have attempted to expand the availability of EMT personnel in the State. The committees request that MIEMSS include in its annual report a discussion of the expanded work and role that EMT personnel have played during the COVID-19 pandemic and any current statewide staffing shortages. Further, the committees request that the annual report should include, to the extent available, data and information on the effectiveness of the new EMT education stipend and regulatory action taken under the Governor's executive order, including any increase in the availability of providers

D53T00

resulting from these actions. The annual report should also include any other recommendations to address EMT staff shortages in Maryland.

Information Request	Author	Due Date
Staffing shortages and effectiveness of EMT personnel interventions	MIEMSS	With completion of annual report

D78Y01

Maryland Health Benefit Exchange

Committee Narrative

D78Y01.01 Maryland Health Benefit Exchange

State Innovation Waiver Applications: The Maryland Health Benefit Exchange (MHBE) has indicated that it is considering submitting additional State Innovation Waiver applications, including to administer the Small Business Health Insurance Tax Credit, offer individual subsidies, and an extension of the State Reinsurance Program. Given the implications of these waivers on the activities of the agency and the budget for the agency, the committees are interested in remaining informed of MHBE's activities in these areas. The committees request that MHBE notify the committees of any applications for State Innovation Waivers that it submits during fiscal 2023 and the final decision on those applications.

Information Request	Author	Due Date
Notification of applications for State Innovation Waivers and decisions on those applications	MHBE	As needed, within 20 days of any application and decision on any application

Reinsurance Program Costs and Forecast: The committees are interested in monitoring the costs of the State Reinsurance Program and future funding needs. The committees request that the Maryland Health Benefit Exchange (MHBE) submit a report that provides an updated forecast of spending and funding needs.

Information Request	Author	Due Date
Reinsurance program costs and forecast	MHBE	September 30, 2022

M00A01
Office of the Secretary
Maryland Department of Health

Budget Amendments

M00A01.01 Executive Direction

Add the following language to the general fund appropriation:

Further provided that \$100,000 of this appropriation made for the purposes of executive direction may not be expended until the Maryland Department of Health (MDH) submits a report to the budget committees on staffing vacancies throughout MDH. The report shall address barriers to attracting and maintaining staff, including:

- (1) a comparison of compensation between MDH and other comparable administrative positions at the federal and local levels;
- (2) a comparison of compensation of direct care staff to other private and nonprofit health care settings;
- (3) an evaluation of the impact of recent annual salary review adjustments and any other compensation benefits or incentives offered by MDH;
- (4) discussion of recruitment and retention strategies for the MDH workforce; and
- (5) the long-term impact of the Facilities Master Plan on MDH's staffing alignment.

The report shall be submitted by October 1, 2022, 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 purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The committees are concerned about the persistently high vacancy rates in MDH. As of December 31, 2021, the vacancy rate in the MDH Administration budget was 12.89%, with high vacancy rates found in both direct care institutions as well as administration. This language restricts funds pending a report on barriers to recruitment and retention throughout MDH, including salary comparisons to other similar positions elsewhere in government or in different care settings. Further, this language requests that MDH report on the alignment of MDH's current staff with the goals and projects outlined in the new Facilities Master Plan.

Information Request	Author	Due Date
MDH staffing and salary study	MDH	October 1, 2022

M00A01

Office of the Secretary

M00A01.07 MDH Hospital System

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purposes of hospital administration may not be expended until the Maryland Department of Health submits a report to the budget committees on the time to placement for court-involved patients and the efforts to improve the timeliness of placement to align with statutorily required timeframes. The report shall be submitted by October 1, 2022, 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 purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The committees are concerned with the increasing delays seen in the placement of court-involved placements. Specifically, legislative mandates have been in place since fiscal 2019 requiring individuals who are either incompetent to stand trial (IST) or not criminally responsible (NCR) to be admitted within 10 business days. While this mandate was largely met in the first year, subsequent years have had longer placement times for IST/NCR patients. This language restricts funds pending a report on the efforts being made to improve the timeliness of placement for NCR/IST patients within the legislatively mandated 10-day period.

Information Request	Author	Due Date
Efforts made to improve timeliness of NCR/IST placements	Maryland Department of Health	October 1, 2022

Committee Narrative

Uniform Reporting on Patient and Staff Safety: As of fiscal 2023, the Maryland Department of Health (MDH) has largely completed the reorganization of the State's facilities and hospitals under the MDH Hospital System. However, reporting on staff and patient safety is inconsistent between the different facility types, making comparisons between facility types difficult and preventing a complete picture of safety at these facilities. The committees are concerned about inconsistent reporting across the MDH Hospital System and request that MDH submit a report on efforts to improve reporting on measures of patient and staff safety and recommendations for uniform measures of patient and staff safety. The committees also request that the recommended uniform measures be included in annual Managing for Results submissions beginning with the fiscal 2024 budget.

M00A01

Information Request	Author	Due Date
Recommendations for uniformed reporting of patient and staff safety measures	MDH	December 1, 2022
Uniform measures of patient and staff safety	MDH	With the submission of the fiscal 2024 budget and annually thereafter

M00B0103
Office of Health Care Quality
Maryland Department of Health

Committee Narrative

REGULATORY SERVICES

M00B01.03 Office of Health Care Quality

Offering of Flu Vaccinations for Hospital Patients: The committees are interested in the availability of vaccinations for individuals at Maryland Hospitals. New Centers for Disease Control and Prevention (CDC) guidance have expanded offering influenza vaccine distribution for patients aged 50 to 65 years old, above the prior recommendations for all patients 65 and older in accordance with the CDC's Advisory Committee on Immunization Practices. The committees request that the Office of Health Care Quality (OHCQ) undertake a survey of hospital policies regarding influenza vaccination offerings to patients and provide policy recommendations about formalizing this requirement in future years.

Information Request	Author	Due Date
Hospital influenza vaccination offering	OHCQ	December 1, 2022

***Complaints by Patients with Alzheimer's in Nursing Homes:** The committees are interested in the complaints filed against nursing homes by patients with Alzheimer's. While currently the Office of Health Care Quality (OHCQ) publishes the number of these complaints, the outcomes or resolutions are not made available. The committees request that OHCQ submits a report on the process for investigating these complaints made by Alzheimer's patients, the time that it takes to investigate these complaints, and the resolution or follow-up process taken by OHCQ after investigation. This report should also include the recent number of these types of complaints, and the number of various outcomes and follow-up that was reached.*

Information Request	Author	Due Date
<i>Follow-up process for Alzheimer patient complaints</i>	<i>OHCQ</i>	<i>October 1, 2022</i>

M00B0104
Health Professional Boards and Commissions
Maryland Department of Health

Budget Amendments

M00B01.04 Health Professional Boards and Commissions

Add the following language to the special fund appropriation:

, provided that \$100,000 for the Board of Professional Counselors and Therapists and \$100,000 for the Board of Pharmacists, made for the purposes of the Health Professional Boards and Commissions may not be expended until the Maryland Department of Health (MDH) Board of Professional Counselors and Therapists and Board of Pharmacists submits a report addressing the steps taken to remedy finding 1 and the Board of Professional Counselors and Therapists submits a report addressing the steps taken to remedy finding 5 of the fiscal compliance audit released by the Office of Legislative Audits in January 2021 for the MDH Health Regulatory Services. These reports shall be submitted by September 1, 2022, and the budget committees shall have 45 days from the date of receipt 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: Due to the concern over repeat audit findings, the Joint Audit and Evaluation Committee has requested language restricting funds until repeat audit findings are resolved. Given the unique nature of the Health Professional Boards and Commissions, a modification to the language has been adopted to request that the impacted boards identify steps taken related to specific repeat findings related to that board. This language restricts funds within the Board of Professional Counselors and Therapists and the Board of Pharmacists until they identify the actions taken to resolve two repeat audit findings identified in the January 2021 fiscal compliance audit.

Information Request	Author	Due Date
Report on efforts of the board of professional counselors and therapists to address repeat audit findings	MDH Board of Professional Counselors and Therapists	September 1, 2022
Report on efforts of the Board of Pharmacists to address repeat audit findings	MDH Board of Pharmacists	September 1, 2022

M00B0104

Committee Narrative

Failure to Attain Performance Goals by the Board of Dental Examiners: Given the consecutive failures to meet established goals for licensing, renewals, and investigations, the committees request that the Maryland Department of Health (MDH) Board of Dental Examiners submit a report detailing the reasons for its difficulty in meeting these goals, the board's plans to improve performance in these areas, and a timeline for completing these actions.

Information Request	Author	Due Date
Report on meeting performance goals by the Board of Dental Examiners	MDH Board of Dental Examiners	November 1, 2022

Repeat Audit Findings Related to Controls Over Collections and Deposits: The fiscal compliance audit released by the Office of Legislative Audits in January 2021 of the Maryland Department of Health (MDH) Health Regulatory Services included a repeat audit finding that indicated that 19 of the Health Occupation Boards did not have adequate controls over collections and deposits. As part of continuing efforts as requested by the Joint Audit and Evaluation Committee to address and resolve repeat audit findings, the budget committees request that the Health Professional Boards and Commissions submit a report identifying the steps each impacted board has taken to resolve this repeat audit finding.

Information Request	Author	Due Date
Report addressing repeat audit findings	MDH Health Professional Boards and Commissions	September 1, 2022

Licensing and Regulatory Management System Project: Given the \$8 million increase in expected total cost for the Maryland Department of Health (MDH) Licensing and Regulatory Management System Project, the committees request that MDH Health Professional Boards and Commissions and the Department of Information Technology (DoIT) submit a joint report detailing the costs associated with the project and which boards will be benefiting from the new system. *The joint report shall also detail the justification regarding the \$8 million increase in costs necessary to complete the project, as well as providing a cost analysis comparison of other states that have adopted a similar information technology solution.*

Information Request	Author	Due Date
Update on MDH Licensing and Regulatory Management System Project	MDH Health Professional Boards and Commissions DoIT	August 15, 2022

M00B0104

Budget Amendments

M00B01.05 Board of Nursing

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of the Board of Nursing may not be expended until the Maryland Department of Health (MDH) Board of Nursing submits a report to the budget committees detailing efforts to resolve repeat audit findings related to providing sufficient oversight to ensure complaints against licensees were investigated timely and password and account controls were sufficient to protect critical data as identified in the fiscal compliance audit released in January 2021 by the Office of Legislative Audits for the MDH Health Regulatory Services. The report shall be submitted by September 1, 2022, 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: Due to concern over repeat audit findings, the Joint Audit and Evaluation Committee has requested language restricting funds until repeat audit findings are resolved. Given the unique nature of the Health Professional Boards and Commissions, a modification to the language has been adopted to request that the impacted board identify steps taken related to specific repeat findings related to that board. This language restricts funds within the Board of Nursing until it identifies the actions taken to resolve two repeat audit findings identified in the January 2021 fiscal compliance audit of MDH Health Regulatory Services within MDH.

Information Request	Author	Due Date
Report on efforts of the Board of Nursing to address repeat audit findings	MDH Board of Nursing	September 1, 2022

Committee Narrative

Cybersecurity Impact on Health Occupation Boards: The committees are concerned about the impact of the recent cybersecurity incident on the licensing and renewal activities of the Health Professional Boards and Commissions. The committees request that the Maryland Department of Health (MDH) submit a report detailing the impact of the cybersecurity incident on the Health Professional Boards and Commissions, including information on the number of licenses, renewals, and investigations that were delayed as a result. The report should also include information on how MDH assisted the board in addressing challenges in licensing and investigations that resulted from the impact of the incident on these systems.

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Information Request	Author	Due Date
Report on cybersecurity impacts to Health Occupation Boards	MDH Health Occupation Boards	August 1, 2022

Processing and Timely Investigations: The committees are interested in the investigation process of the Board of Nursing. In particular, the timeliness of the investigations into complaints and the associated impediments caused by staffing issues. The committees request that the Maryland Board of Nursing (BON) submit a report that includes:

- an overview of the process by which investigations into complaints are handled, including each step from the receipt of the complaint to the conclusion;
- the number of authorized positions dedicated to investigations and the number of positions filled from fiscal 2020 through 2022;
- current data on timeliness of investigations through fiscal 2022 actuals; and
- identify barriers faced by the board including staffing or other resources.

Information Request	Author	Due Date
Report on timely processing of investigations	BON	September 15, 2022

M00F
Public Health Administration
Maryland Department of Health

Budget Amendments

DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES

M00F01.01 Executive Direction

Amend the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees on the Office of the Chief Medical Examiner (OCME) accreditation status and recruitment and retention efforts for medical examiner staffing and other OCME personnel. The report shall include:

- (1) OCME's accreditation status and any updates on when the National Association of Medical Examiners (NAME) will begin demoting or removing accreditation statuses due to phase I and II violations related to the COVID-19 pandemic;
- (2) phase I and II violation findings from any inspections conducted by NAME in fiscal 2022 or 2023;
- (3) year-to-date full-time equivalent (FTE) medical examiners (identifying the number attributed to per diem medical examiners) and the calendar year-to-date ratio of FTE medical examiners to examinations performed;
- (4) an update on the hiring of a chief medical examiner and 21 positions that were transferred to OCME in fiscal 2023, including medical examiner, forensic investigator, and autopsy assistant positions;
- (5) information on other efforts to fill vacant positions to ensure that OCME can maintain full accreditation;
- (6) a comparison of salaries offered by OCME for board-certified medical examiners compared to medical examiner offices in other jurisdictions and other pathology jobs available in Maryland;
- (7) a status update on any backlogs of autopsies needing to be performed, including the number of autopsies in the backlog, a timeline for the office to address all backlogs, and total funds spent on additional storage capacity resulting from the backlog in fiscal 2022 and 2023 year-to-date;
- (8) a description and timeline of all assistance provided by the Federal Emergency

M00F

Management Agency (FEMA) to address the backlog of autopsies, the number of autopsies performed by FEMA personnel, the number of positions temporarily provided by FEMA, and an update on whether FEMA assistance will continue to be provided in the future; and

- (9) a description of how the \$350,000 for recruitment and retention of medical examiner positions was spent in fiscal 2022 and how the \$825,000 for recruitment and retention of medical examiner positions in fiscal 2023 will be spent, including how much of this funding has been spent in fiscal 2023 year-to-date.

The report shall be submitted by ~~September 1, 2022~~ December 1, 2022 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: In fiscal 2021, OCME reported a medical examiner caseload ratio that was significantly higher than the NAME maximum standard to maintain an adequate medicolegal system. OCME has experienced persistently high vacancy rates in multiple positions, including medical examiners and forensic investigators, and these staffing issues have been exacerbated by increased caseloads stemming from the opioid crisis and increasing homicides in the State. This language restricts funding budgeted for administration under the Deputy Secretary for Public Health Services until the Maryland Department of Health (MDH) submits a report to the committees on OCME recruitment and retention efforts, autopsy backlogs, and FEMA assistance, autopsy backlogs, and FEMA assistance.

Information Request	Author	Due Date
Report on OCME accreditation and recruitment and retention efforts	MDH	September 1, 2022 December 1, 2022

Amendment No. _____

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health submits a report to the budget committees on public health personnel recruitment and retention. The report shall include:

- (1) an analysis of the causes of public health staffing shortages at the State and local health department (LHD) levels;

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- (2) LHD vacancy rates as of December 2019, 2020, 2021, and 2022;
- (3) an evaluation of how the State's COVID-19 pandemic response activities impacted recruitment and retention of State and LHD personnel;
- (4) a discussion of salary enhancements, programs, and any other strategies that the department is implementing to recruit and retain public health staff;
- (5) an evaluation of how the department spent COVID-19-related federal funds to expand, recruit, and train the public health workforce, including any performance measures or data collected on how this funding filled vacant slots and improved retention; and
- (6) a discussion of any partnerships or programs with higher education institutions to recruit students and recent graduates to work for the department.

The report shall be submitted by December 1, 2022, 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: The budget committees are concerned by the vacancy rate in the Maryland Department of Health (MDH), specifically the vacancies among the public health workforce both at the State and local levels. This language restricts funding until MDH submits a report with data on MDH and LHD staffing levels and evaluations of how recent salary adjustments and COVID-19-related federal funds to strengthen the public health workforce have worked in filling vacant positions and improving retention, among other information.

Information Request	Author	Due Date
Report on public health personnel recruitment and retention	MDH	December 1, 2022

M00F03
Prevention and Health Promotion Administration
Maryland Department of Health

Committee Narrative

M00F03.01 Infectious Disease and Environmental Health Services

Operating Costs of Mobile COVID-19 Vaccine Clinics and Missions: The committees are interested in receiving information regarding the cost of contracting with third-party vendors, excluding State-affiliated, county, and local partners, for mobile COVID-19 vaccine clinics and missions to improve vaccine uptake. The committees request that the Maryland Department of Health (MDH) submit a report to the committees and the Joint Audit and Evaluation Committee by August 1, 2022, on operating costs for vaccine clinics and missions held in calendar 2021 and 2022 year to date, including:

- the cost per mobile vaccine clinic/mission operated by third-party nongovernmental vendors in each calendar year, including costs by fund type, available federal fund sources used to support these vaccination efforts, and costs broken out by use of funds (such as personnel, vaccine supplies, transportation, contractual services, and any other costs); and
- the cost per COVID-19 vaccine dose administered at a mobile vaccine clinic/mission operated by third-party nongovernmental vendors by fund type.

Information Request	Author	Due Date
Report on mobile COVID-19 vaccination clinics and missions	MDH	August 1, 2022

Budget Amendments

M00F03.04 Family Health and Chronic Disease Services

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health Prevention and Health Promotion Administration, in consultation with the Medical Care Programs Administration, submits a report to the budget committees on Medicaid claims for school-based health centers (SBHC). The report shall include:

M00F03

- (1) an analysis of current Medicaid claims for SBHC services, including the number of SBHCs that bill through Medicaid, efforts by the department to expand Medicaid claiming for SBHC services, SBHC services that are not eligible for Medicaid claiming or are not reimbursed due to administrative issues, and the reasons for services not being eligible or reimbursed;
- (2) an update on the progress of federal guidance and agency progress to implement an administrative claiming program for school-based health services;
- (3) a discussion of how additional funds for SBHC grants are being used in fiscal 2023; and
- (4) the number of SBHCs operating as of July 1, 2022, the number of new SBHCs established after that date, and the locations of all active SBHCs.

The report shall be submitted by September 1, 2022, 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: The budget committees are interested in receiving more information about Medicaid claims through SBHCs as administration of SBHC grants transfers from the Maryland State Department of Education to the Maryland Department of Health (MDH). This language restricts \$250,000 budgeted for administrative purposes until MDH submits a report on the process for Medicaid claiming at SBHC, the status of initiating an administrative claiming program, and efforts to expand the number of SBHCs.

Information Request	Author	Due Date
Report on SBHC Medicaid claiming	MDH	September 1, 2022

Amendment No. _____

M00F05
Office of the Chief Medical Examiner
Maryland Department of Health

Committee Narrative

M00F05.01 Post Mortem Examining Services

Report on Forensic Pathologist Recruitment and Financial Assistance in Higher Education Institutions: The Office of the Chief Medical Examiner (OCME) under the Maryland Department of Health (MDH) has reported persistent issues filling vacant medical examiner positions. This coincides with national shortages of forensic pathologists at a time when the opioid crisis and rising homicide rates has caused a higher need for autopsies. Contributing to the workforce shortage is an insufficient number of physicians graduating from higher education institutions choosing to pursue forensic pathology. Therefore, the budget committees request that OCME, in consultation with the University of Maryland, Baltimore Campus (UMB) and the Maryland Higher Education Commission (MHEC), submit a report by November 1, 2022, including:

- current and upcoming efforts to increase the number of forensic pathologists graduating from higher education institutions in Maryland;
- a description of any partnerships between OCME and higher education institutions for informing students of OCME job opportunities and recruiting recent graduates and fellows;
- funding opportunities for scholarships and other financial aid at higher education institutions for students in forensic pathology programs or other programs that could support OCME staffing needs;
- any changes or additional funding that could make existing Loan Assistance Repayment Programs (LARP) accessible to forensic pathologists; and
- steps that would be needed to develop a new LARP for forensic pathologists and the resource availability to implement this type of program.

Information Request	Author	Due Date
Report on forensic pathologist recruitment and financial assistance in higher education institutions	MDH UMB MHEC	November 1, 2022

M00L
Behavioral Health Administration
Maryland Department of Health

Budget Amendments

Amend the following language to the general fund appropriation:

Further 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 (MDH) submits a report to the budget committees on the actual amount of overpayments outstanding, recoupment of overpayments, forgiveness of overpayments to providers, specifically accounting for expenditures from the fiscal 2022 deficiency appropriation provided for this purpose, and any equity considerations around the chosen forgiveness and recoupment options. The report shall also include a discussion by MDH regarding steps that were taken by MDH or the Behavioral Health Administrative Services Organization to ensure that amounts of overpayments forgiven do not have associated claims that may, if addressed through further reconciliation or adjudication, reduce the need for general fund forgiveness and increase the State's ability to claim federal funds. *The report shall also include the total number and total amount of claims still in dispute, total number and total amount of claims resolved through reconciliation, and the difference between estimated payments amounts and the amounts associated with service provision.* The report shall be submitted by August 1, 2022, 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: The nearly eight-month estimated payments period required due to the failed launch of the new Administrative Services Organization resulted in overpayments to providers currently estimated to be no more than \$214 million, for which the Maryland Department of Health (MDH) is going to begin the recoupment of funds. Included in this total is \$81.5 million that the Behavioral Health Administrative Services Organization has identified being associated with a claim that was denied that may require additional action by the provider. Any number of these claims that were previously denied that may ultimately be cured would reduce the overpayment balance for an individual provider and receive at least a 50% federal fund match. The department has also received a \$13 million general fund deficiency for the forgiveness of certain providers. This language restricts funding pending a report on the process used by the department to determine the actual amount of overpayments outstanding, forgiveness of overpayments, including an accounting of the expenditures from the fiscal 2022 deficiency appropriation provided for this purpose and equity considerations around the particular forgiveness plan chosen and the recoupment plan undertaken. The report should also address efforts to ensure claims that were forgiven did not have claims associated with them that had not been fully resolved. *This report should also include the number and total amount of claims resolved through reconciliation process and the total number and amount of claims currently disputed or needing further resolution.*

M00L

Information Request

Author

Due Date

Report on recoupment, forgiveness, and identification of amounts to be recouped

MDH

August 1, 2022

Amendment No. _____

M00L01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$250,000 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 the Pre-Admission Screening and Resident Review (PASRR) program in Maryland. The report shall include:

- (1) a review of federal PASRR regulations;
- (2) the policies and procedures of Maryland's PASRR program and whether it complies with federal regulations;
- (3) a review of PASRR programs in other states, including regulations and opportunities to improve program efficiency; and
- (4) recommendations, informed by the analysis conducted, for regulatory or statutory changes to improve the State's PASRR program and address any compliance gaps.

The report shall be submitted by November 1, 2022, 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 purposes and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The budget committees are interested in better understanding the status of Maryland's PASRR program and identifying areas for improvement to best serve the State's growing number of older adults with behavioral health issues and nursing home level of care needs. Federal law mandates that Medicaid-certified nursing facilities may not admit an applicant with serious mental illness or a related condition unless the individual is properly screened, thoroughly evaluated, found to be appropriate for placement, and able to receive all specialized services necessary to meet the individual's unique needs. Per this requirement, states must have a PASRR process in place to determine whether a placement is appropriate or whether

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their needs can be met in the community with appropriate services and supports.

This language restricts funds pending a report on the State's current PASRR program, and the report shall include evaluation of the State's ability to meet current federal regulations, as well as opportunities to improve the State's PASRR program. The report should be produced in consultation with appropriate stakeholders of the behavioral health and aging communities.

Information Request	Author	Due Date
Report on Maryland's PASRR program	Maryland Department of Health	November 1, 2022

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.

Committee Narrative

Statewide Telebehavioral Health Services Utilization: The committees are encouraged by the growth of telebehavioral health services in the rural parts of the State and are interested in the prevalence and provision of these services elsewhere in Maryland through the Public Behavioral Health System (PBHS). The committees request that the Maryland Department of Health (MDH) expand the data reported in the Managing for Results budget submission to include the prevalence of telebehavioral health services in the PBHS statewide.

Information Request	Author	Due Date
Statewide data on telebehavioral health services in the PBHS	MDH	With the fiscal 2024 MFR submission

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Prevalence and Access to Medication-Assisted Treatment: The committees are interested in the availability and prevalence of Medication-Assisted Treatment (MAT) statewide. The committees request that the Maryland Department of Health (MDH) submit a report detailing the prevalence of MAT providers by jurisdiction. This report should also include a discussion of barriers to the access or further availability of MAT for individuals with substance use disorders.

Information Request	Author	Due Date
MAT availability and barriers to access or expansion	MDH	December 1, 2022

Fiscal 2022 Deficiency

M00L01.02 Community Services

Add the following language to the general fund appropriation:

, provided that \$1,828,152 of this appropriation made for the purposes of issues related to the Behavioral Health Administrative Services Organization may not be expended for that purpose but instead may only be used for forgiveness of actual provider overpayments for providers owing less than \$25,000 or be used for provider reimbursements. 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: Under the current plan outlined by the department, only \$3 million of the \$13 million in funding provided through the deficiency appropriation has been earmarked for provider forgiveness. This action restricts all funding made available through the deficiency for provider forgiveness for those owing less than \$25,000 or for support for provider reimbursements. This language further specifies amounts forgiven must be determined to represent actual overpayments made by the department.

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Budget Amendments

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.

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Developmental Disabilities Administration
Maryland Department of Health

Budget Amendments

M00M01.01 Program Direction

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of administration may not be expended until the Maryland Department of Health (MDH) submits a report each quarter to the budget committees regarding the ongoing transition to an fee-for-service (FFS) reimbursement system and spending forecasts for the Developmental Disabilities Administration (DDA) Community Services program transitions. The report shall include:

- (1) a timeline for forecasting general fund spending in the Community Services program based on actual utilization and reimbursement billed through the Long Term Services and Supports (LTSS) system following the transition to an FFS model, including a discussion of how the spending will be forecast during the transition period;
- (2) if available, MDH spending forecasts by year;
- (3) a timeline for finalizing rates and the fiscal impact analysis of the new rates;
- (4) upon finalization, the finalized rates and the fiscal impact analysis of the new rates;
- (5) the number of individuals receiving DDA-funded services and providers transitioned to the LTSS system, including the timing of the transition including those transitioned in fiscal 2023 to date;
- (6) a cost analysis of the rates paid to providers that were transitioned to the LTSS system as part of the LTSS pilot program and how DDA's reimbursements compare to estimated payments that would have been made under the prospective payment model; and
- (7) an updated timeline for transition of individuals and providers to the LTSS system.

The reports shall be submitted quarterly, and \$250,000 may be available to be released following the submission of each report, and the budget committees shall have 45 days from receipt of each report 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 the report is not submitted to the budget committees.

Explanation: DDA is overhauling its Community Services system by implementing new service definitions, establishing new rates based on an FFS reimbursement model, and transitioning to Medicaid's existing LTSS system for billing and service authorization. These changes should improve DDA's data collection and spending forecast abilities compared to the current prospective payment model. This language restricts funding budgeted for administration

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until MDH submits quarterly reports to the budget committees on the transition to the system and spending forecasts following the transition to a new rate structure.

Information Request	Author	Due Date
Report on Community Services utilization data collection and spending forecasts.	MDH	July 1, 2022 October 1, 2022 January 1, 2023 April 1, 2023

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administrative expenses may not be expended until the Maryland Department of Health submits a report each quarter to the budget committees regarding community services utilization data from the Long Term Services and Supports System (LTSS). The report shall include data separately by month:

(1) utilization by service type, including the number of claims and claims spending in LTSS; and

(2) the number and share of individuals served through LTSS.

The report shall be submitted quarterly beginning on July 15, 2022, and the budget committees shall have 45 days from the date of receipt of the final report to review and comment. The first report shall include data for November 2021 through June 2022. Each subsequent report shall include data for the appropriate quarter. 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) indicated in a response to language in the fiscal 2022 Budget Bill that the department would be able to provide community services utilization data from the LTSS system on the fifteenth of each month. The committees request that MDH begin providing this monthly data with quarterly reports beginning on July 15, 2022.

Information Request	Author	Due Date
Quarterly Community Services data by month	MDH	July 15, 2022 October 15, 2022 January 15, 2023 April 15, 2023

Amendment No. _____

M00M

M00M01.02 Community Services

Add the following language:

All appropriations provided for program M00M01.02 Community Services are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: The Maryland Department of Health has previously reported increasing net general fund transfers out of the Developmental Disabilities Administration Community Services program, mainly to cover shortfalls elsewhere in the department. This annual language restricts funds appropriated for the Community Services program to that use only and prevents budgetary transfers.

Committee Narrative

~~**Community Services Utilization Data:** The Maryland Department of Health (MDH) indicated in a response to language in the fiscal 2022 Budget Bill that the department would be able to provide community services utilization data from the Long Term Services and Supports (LTSS) system on the fifteenth of each month. The committees request that MDH begin providing this monthly data with quarterly reports beginning on July 1, 2022. Each report should include utilization by service type, including the number of claims and claims spending in LTSS, as well as the number and share of individuals served through LTSS.~~

Information Request	Author	Due Date
Quarterly Community Services utilization data by month	MDH	July 1, 2022 October 1, 2022 January 1, 2023 April 1, 2023

***Demographic Data Provided by Developmental Disabilities Administration(DDA):** The committees are interested in receiving additional information on those served by the DDA Community Services programs. The committees request that the Maryland Department of Health (MDH) submit a report on demographic information of participants. This report, which should include detail specifically on individuals identifying as White; Black or African American; Hispanic/Latino of any race; Asian; American Indian/Alaskan Native; Native Hawaiian/Other Pacific Islander; and two or more races. Data should be provided separately for fiscal 2022 and 2023 year to date and include both the number and percentage for:*

- *individuals who entered the Community Pathways, Community Supports and Family Supports waiver separately by county;*

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- *individuals in traditional and self-directed groups separately by county;*
- *individuals who applied and were found eligible and are on the waiting list separately by county and by priority group;*
- *transitioning youth who entered service separately by county; and*
- *individuals accessing DDA Low Intensity Support Services funds by county.*

In addition, the report should include the primary language (including American Sign Language) of applicants and caregivers/guardians as indicated on the DDA application in fiscal 2022 separately by county. For fiscal 2023 data, the report should indicate the date of the data.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on demographic data of individuals served through the DDA Community Services program</i>	<i>MDH</i>	<i>December 15, 2022</i>

M00Q01
Medical Care Programs Administration
Maryland Department of Health

Budget Amendments

M00Q01.01 Deputy Secretary for Health Care Financing

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of administration in the Office of the Deputy Secretary for Health Care Financing may not be expended until the Maryland Department of Health (MDH) submits quarterly reports on the Medicaid redetermination process following the termination of the national declaration of a COVID-19 public health emergency. Each report shall include the following data on a monthly basis and divided by eligibility category:

- (1) the number of individuals disenrolled;
- (2) the number of new individuals enrolled;
- (3) the number of disenrollments by reason for disenrollment, identifying disenrollments due to failure to apply for recertification, missing information/verifications, income too high, and other common reasons for disenrollment; and
- (4) if disenrollments have not begun due to the continuation of the national public health emergency, MDH should instead report the status of the national COVID-19 public health emergency and notification from the U.S. Centers for Medicare and Medicaid Services (CMS), including the current public health emergency expiration date, date for disenrollment and redeterminations to resume, and guidance or assistance authorized by CMS to aid states in resuming redetermination and working through any backlogs.

The first report shall be submitted by November 1, 2022, and the other reports shall be submitted quarterly thereafter. The funds may be released in \$250,000 increments related to the submission of each quarterly report. The budget committees shall have 45 days from the date of the receipt of each 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: This language restricts funds budgeted for administrative purposes until MDH submits quarterly reports with data and status updates related to the eligibility redetermination process and national COVID-19 public health emergency.

M00Q01

Information Request	Author	Due Date
Quarterly reports with data and status updates related to redetermination	MDH	November 1, 2022 February 1, 2023 May 1, 2023 June 30, 2023

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administration in the Office of the Deputy Secretary for Health Care Financing may not be expended until the Maryland Department of Health (MDH) Medical Care Programs Administration submits a report, in consultation with the MDH Behavioral Health Administration and MDH Developmental Disabilities Administration, on current Medicaid rates, rate enhancements, and rate-setting studies. The report shall include the following information for each provider type:

- (1) a timeline for when the current rate structure and rates were determined;
- (2) the method for determining and establishing the current rate structure and rates, including whether a rate-setting study was conducted (and if not, the reason for a rate-setting study not being conducted), and a discussion of how actual provider expenditures were taken into account in setting rates;
- (3) a summary of recent rate increases and enhancements;
- (4) the status of any ongoing rate-setting studies and plans for future rate-setting studies; and
- (5) a description of any federal requirements affecting the rate structure, such as whether rates must be actuarially sound, must cover certain costs, or cannot differ across certain service types, geographic locations, or provider types.

The report shall be submitted by October 1, 2022, 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: This language restricts funds budgeted for administrative purposes until MDH submits a report on current Medicaid rate structures and rate-setting studies. The report shall provide information on rates for all providers types funded through the Medical Care Programs Administration (Medicaid), Behavioral Health Administration (BHA), and Developmental Disabilities Administration (DDA) separately, including disaggregating provider types within each administration.

M00Q01

Information Request	Author	Due Date
Report on Medicaid rates and rate-setting studies	Medicaid BHA DDA	October 1, 2022

Add the following language to the general fund appropriation:

Further provided that \$250,000 of this appropriation made for the purpose of administration in the Office of the Deputy Secretary for Health Care Financing may not be expended until the Maryland Department of Health submits a report on home- and community-based services (HCBS) expansion. The report shall include the following information with federal claims and spending data disaggregated by administration, including the Behavioral Health Administration, the Developmental Disabilities Administration, and the Medical Care Programs Administration:

- (1) the actual amount of federal funds claimed through the 10% enhanced federal match for HCBS expenditures from April 1, 2021, to March 31, 2022, as authorized in the American Rescue Plan Act, including secondary federal funds claimed and any associated State funds accounted for separately;
- (2) a timeline for spending the funds by fiscal year and the status of Centers for Medicare and Medicaid Services (CMS) approval for the spending plan (including reasons for CMS disapproving any planned uses proposed by the department);
- (3) actual spending for rate increases, provider grants, and any other uses in fiscal 2021, 2022, and 2023 year to date, and planned spending in fiscal 2023 and 2024; and
- (4) specific programmatic recommendations on ways to claim Medicare savings to apply to costs for HCBS waiver expansion.

The report shall be submitted by November 1, 2022, 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: The committees are interested in receiving federal claims and spending data accounting for enhanced federal matching funds authorized in the American Rescue Plan Act for HCBS spending from April 1, 2021, to March 31, 2022. This language restricts funds budgeted for administrative purposes until the Maryland Department of Health (MDH) submits a report with spending data and other information on HCBS expansion efforts.

M00Q01

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on HCBS expansion</i>	<i>MDH</i>	<i>November 1, 2022</i>
Amendment No. _____		

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 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 M00Q01.07 Maryland Children's Health Program. Funds not expended or transferred shall revert to the General Fund.

Explanation: This annual budget language restricts Medicaid provider reimbursements to that purpose only and prevents budgetary transfers to any program except the Maryland Children's Health Program.

Committee Narrative

Managed Care Organization (MCO) Risk Corridor Settlements: Given the uncertainty around service utilization trends during the COVID-19 pandemic, the Maryland Department of Health (MDH) entered into risk corridor agreements with MCOs for calendar 2020 and 2021. Under these two-sided agreements, MCOs and State share in any savings or losses depending on revenues exceeding or falling below certain expenditure levels. MDH is expected to recover some amount of savings based on calendar 2020 medical loss ratio results, while the department's initial estimates in calendar 2021 would not trigger a risk corridor. The committees request that MDH submit a report detailing:

- calendar 2020 risk corridor results by individual MCO;
- the final State recovery amount resulting from the calendar 2020 risk corridor (broken out by federal and State shares);
- the timeline and mechanism for recoupment of calendar 2020 recoveries; and
- calendar 2021 risk corridor results programwide.

M00Q01

The report should also include a discussion of whether risk corridor agreements are likely necessary due to the COVID-19 pandemic in calendar 2023.

Information Request	Author	Due Date
MCO risk corridor settlements	MDH	July 1, 2022

Community First Choice (CFC) Program and Home- and Community-based Options (Community Options) Waiver Financial and Registry Data: Recent efforts to expand home- and community-based services have led to significant increases in CFC program expenditures, including spending for the Community Options waiver. The committees request that the Maryland Department of Health (MDH) submit quarterly reports on spending in CFC, disaggregating Community Options waiver spending. The reports should include monthly enrollment, utilization, and cost data that aligns with actual budget expenditures under the CFC program, and the initial report should include data that reconciles to actual spending in fiscal 2021 and 2022. Each report should also provide:

- an update on the number of Community Options waiver slots filled of the 800 newly funded slots across fiscal 2022 and 2023;
- the current status of the Community Options waiver registry, including a discussion of any changes to outreach and methodology for registry operation;
- the number of new or transferred positions to the Community Options waiver in fiscal 2022 and 2023 that have been filled; and
- a description of how the new filled positions support filling waiver slots and screening individuals off of the waiver registry more efficiently.

Information Request	Author	Due Date
Report on CFC program and Community Options waiver financial and registry data	MDH	August 1, 2022 November 1, 2022 February 1, 2023 May 1, 2023

Rate Adjustments for Dental Services under the Medical Assistance Program: The committees are interested in the Maryland Department of Health's (MDH) implementation of a reimbursement rate increase for dental services covered under the Medical Assistance (Medicaid) program in fiscal 2023. The committees request that MDH submit a report by December 1, 2022 that includes:

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- *the percentage increase in Medicaid reimbursement rates for dental services overall and by service type budgeted in fiscal 2023 over fiscal 2022 dental rates;*
- *a comparison of fiscal 2023 Medicaid dental rates and commercial insurance rates for dental services in Maryland;*
- *a comparison of fiscal 2023 rate increases for Medicaid dental services and recent rate increases for other Medicaid medical services; and*
- *additional adjustments to Medicaid dental rates that would need to be considered as part of the implementation of a permanent adult dental services benefit under the Medicaid program.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on reimbursement rates for dental services under Medicaid</i>	<i>MDH</i>	<i>December 1, 2022</i>

Fiscal 2022 Deficiency

M00Q01.03 Medical Care Provider Reimbursements

Reduce appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete a fiscal 2022 federal fund deficiency appropriation under Medicaid for the enhanced federal matching funds for home- and community-based services as a technical correction. These funds are double budgeted because a budget amendment has already added the appropriation for this purpose.	37,427,995	FF
Total Reductions	37,427,995	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Federal Fund	37,427,995	0	37,427,995	
Total Funds	37,427,995	0	37,427,995	

M00Q01

Budget Amendments

M00Q01.07 Maryland Children's Health Program

Add the following language:

All appropriations provided for program M00Q01.07 Maryland Children's Health Program are to be used only for the purposes herein appropriated, and there shall be no budgetary transfer to any other program or purpose.

Explanation: This budget language restricts funding in the Maryland Children's Health Program to that purpose only and prevents budgetary transfers.

Fiscal 2022 Deficiency

M00Q01.07 Maryland Children's Health Program

Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete a fiscal 2022 federal fund deficiency appropriation under the Maryland Children's Health Program for the enhanced federal matching funds for home- and community-based services as a technical correction. These funds are double budgeted because a budget amendment has already added the appropriation for this purpose.	350,973 FF	
Total Reductions	350,973	0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Reduction</u>	<u>Position Reduction</u>
Federal Fund	350,973	0	350,973	
Total Funds	350,973	0	350,973	

M00Q01

Budget Amendments

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.

Fiscal 2022 Deficiency

M00Q01.10 Medicaid Behavioral Health Provider Reimbursements

Add the following language to the general fund appropriation:

, provided that \$11,179,744 of this appropriation made for the purposes of issues related to the Behavioral Health Administrative Services Organization may not be expended for that purpose but instead may only be used for forgiveness of actual provider overpayments for providers owing less than \$25,000 or for provider reimbursements. 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: Under the current plan outlined by the department, only \$3 million of the \$13 million in funding provided through the deficiency appropriation has been earmarked for provider forgiveness. This action restricts all funding made available through the deficiency for provider forgiveness for providers owing less than \$25,000 or to support provider reimbursements. This language further specifies amounts forgiven must be determined to represent actual overpayments made by the department.

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Reduce appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Delete federal funds from home- and community-based services deficiencies for fiscal 2022. This represents double-budgeted funds only. Sufficient federal fund appropriation exists to support anticipated expenditures.	65,000,000 FF	
Total Reductions	0	0.00

M00R01
Health Regulatory Commissions
Maryland Department of Health

Budget Amendments

M00R01.01 Maryland Health Care Commission

Add the following language to the special fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of general administration may not be expended for that purpose but instead may only be used to contract for an independent analysis of the State's behavioral health crisis response system. The Maryland Health Care Commission, in consultation with the Behavioral Health Administration, shall develop a request for proposals to contract with a third-party health research and analytics company to conduct a needs assessment and gap analysis of Maryland's behavioral health crisis response services continuum. The selection of the health research and analytics company, and the management of the project overall shall also be done in consultation with the Behavioral Health Administration. The independent third-party analysis shall include:

- (1) a review of past analysis on behavioral health crisis services in the State;
- (2) an inventory of the existing community-based behavioral health crisis response services, including current Suicide Prevention Lifeline call centers, 211+1 call centers, other local behavioral health hotlines, mobile crisis teams, crisis stabilization centers, mental health crisis beds and Substance Use Disorder detox beds, peer support services, and any other related crisis response services;
- (3) the cost and payer source of all current community-based behavioral health crisis response services and the number of Maryland residents served;
- (4) utilization of hospital services by individuals experiencing a behavioral health crisis, including those served in emergency departments and inpatient psychiatric beds, and costs associated with these services;
- (5) current and projected unmet needs for crisis response services over the next five years, including geographic gaps, and inequities in access for specific groups;
- (6) cost estimates for funding the additional crisis response services and infrastructure necessary to ensure: 90% of all 9-8-8 calls are answered in-state; residents in crisis can depend on mobile crisis response within one hour of calling; and all residents can access short-term crisis stabilization services with limited waitlists; and
- (7) an analysis of the potential costs savings from funding crisis response service capacity, including reductions in hospital emergency room use, reductions in public safety resources needed for behavioral health crisis response, reductions in involuntary

M00R01

commitment, reductions in lives lost to suicide, and reductions in lives lost to overdose.

The Maryland Department of Health shall submit an interim report produced by the independent third party to the budget committees by December 1, 2022. MDH shall also provide the final report by the independent third party to the budget committees by June 30, 2023. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: The budget committees are concerned with the adequacy of the behavioral health crisis system in the State. In particular, the new implementation of the 9-8-8 hotline at the federal level is projected to increase call volumes and need for crisis services. This language restricts funds from the Maryland Health Care Commission to be used for an independent analysis of the State's behavioral health crisis response system. This report shall identify shortcomings in the State's current crisis system, the potential need for this system, costs for meeting these needs, and the potential cost savings from meeting these needs.

Information Request	Author	Due Date
Interim Report on Behavioral Health Crisis Response System	Maryland Department of Health (MDH)	December 1, 2022
Final Report on Behavioral Health Crisis Response System	MDH	June 30, 2023

Committee Narrative

M00R01.02 Health Services Cost Review Commission

The Maryland Model's Interaction with the Challenges of the COVID-19 Pandemic: Maryland has long been a unique state in terms of hospital financing and regulations. During the COVID-19 pandemic, this system was able to provide financial stability and relief to the State's hospitals. The committees are interested in how the State's model impacted the State and State's hospitals in terms of stability and operations during the pandemic when compared with other hospitals in the nation during this crisis. Further, the committees are interested in the costs associated with the pandemic: both in terms of the treatment of COVID-19 hospitalizations by payor; and the indirect costs incurred in hospital operations during this period. *This cost discussion should also include information on additional funding received by the hospital outside of the model that were considered in rate setting, such as the provider relief fund, and include the extent to which additional funding received by the hospitals has assisted with hospital staffing and salaries during this period. Further, the report should discuss the jurisdictional distribution of these additional, nonrate-related funds, as well as the rate-related*

M00R01

funding. Additionally, the The committees are interested in the financial performance of the hospital industry in fiscal 2022 and any liabilities that the State's current hospital financing stability has presented to the ongoing success of the State's model agreement, the Total Cost of Care model. Further, the report should address the challenges faced during the pandemic due to a lack of surge capacity existing in the State's hospitals prior to the pandemic, any lessons learned during the initial response COVID-19 pandemic, and how those lessons will be applied for future surge planning. The committees request that the Health Services Cost Review Commission (HSCRC) submit a report addressing these areas.

Information Request	Author	Due Date
The Maryland model's and hospitals' response to the COVID-19 pandemic	HSCRC	October 1, 2022

Evaluation of the Maryland Primary Care Program (MDPCP): Given the role of MDPCP in transforming care in the State under the Total Cost of Care (TCOC) 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. *The evaluation should include reporting on the racial and ethnic diversity of the program, any efforts to improve minority representation in the program, and improve data collection on racial and ethnic diversity of providers. The evaluation should also consider existing disparities in primary care access and ways in which the State can address these disparities.* Further, given the anticipated benefits that the outcome-based credits have against MDPCP's care management fees, the committees are interested in aggregate costs of the care management fees against TCOC, the amount that outcome-based credits have discounted these expenses, and MDPCP's contribution to the achievement and maximization of the current and future outcome-based credits and other population health goals.

Information Request	Author	Due Date
Evaluation of MDPCP	Health Services Cost Review Commission	October 1, 2022

M00R01

M00R01.03 Maryland Community Health Resources Commission

Maryland Consortium on Coordinated Community Supports: *The committees are interested in the formulation and actions of the newly created the Maryland Consortium on Coordinated Community Supports. Specifically, the committees are interested in the progress of appointments and selections to the consortium. The committees are further interested in the extent to which the work and efforts of the consortium will prioritize services for concentration of poverty students. The committees request that the Community Health Resources Commission (CHRC), who staff the Consortium, submit a report, in consultation with the consortium, that discusses the membership of the consortium, the appointment and selection process, and the planned efforts of the consortium to prioritize concentration of poverty students.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on the Maryland Consortium on Coordinated Community Supports</i>	<i>CHRC Maryland Consortium on Coordinated Community Supports</i>	<i>November 1, 2022</i>

N00A01
Office of the Secretary
Department of Human Services

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: This 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 MLSP. That was the second consecutive year that an unprovided for payable was recorded and the fourth since fiscal 2007. Given the important functions of MLSP, it remains necessary to ensure that the program is adequately funded. Similar language has been adopted in each of the last eight fiscal years.

N00B
Social Services Administration
Department of Human Services

Budget Amendments

N00B00.04 General Administration – State

Add the following language to the general fund appropriation:

, provided that since the Department of Human Services (DHS) Social Services Administration has had four or more repeat audit 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, 2022; 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 from the date of the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2023.

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

Committee Narrative

Hospital Stays by Youth in Out-of-home Placements: The committees continue to be concerned about whether youth are remaining in emergency rooms or inpatient hospital settings longer than is medically necessary. Data has been requested on hospital stays for several years. In an effort to continue to monitor this issue, the committees request that the Department of Human Services (DHS) submit a report that provides for each month of the period October 2021 through September 2022:

N00B

- the number of youths in out-of-home placements served in emergency rooms for psychiatric evaluation or crisis and the average length of stay (ALOS) by month;
- the number of youths in out-of-home placements served separately by medical hospitals and inpatient psychiatric hospitals and ALOS by month;
- 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; and
- the placement type after discharge separately by type of hospital, including identifying the number of youths placed out-of-state after discharge for fiscal 2022.

Information Request	Author	Due Date
Report on hospital stays, average length of stay, and placements after discharge	DHS	December 1, 2022

Status of the Implementation of the Family First Prevention Services Act (FFPSA): The committees are interested in steps taken during fiscal 2022 and year to date in fiscal 2023 to continue efforts to implement evidence-based prevention practices and other services under provisions of the FFPSA and the impacts of those programs and services on families served through the child welfare system and on the State budget. The committees request that the Department of Human Services (DHS) submit a report on:

- the status of collaboration between DHS and the Department of Juvenile Services in the development of an application or certification process for Qualified Residential Treatment Programs (QRTP);
- the number of QRTPs in the State that have been designated to date as a result of this designation process to allow for federal reimbursement under the FFPSA;
- the status of the approval of the State's revised Cost Allocation Plan;
- a list of all evidence-based practices implemented through fiscal 2022, including data on jurisdiction and number of families or children served during the fiscal year, and any changes in evidence-based practices implemented in fiscal 2023; and
- a description of activities completed and outcomes achieved in fiscal 2022 and year to date in fiscal 2023 in relation to the creation of the new Center for Excellence for Foster Family Development.

N00B

Information Request	Author	Due Date
Status of implementation of the FFPSA	DHS	December 31, 2022

Implementation of the New Foster Care Provider Rate Structure: In response to committee narrative included in the 2021 Joint Chairmen’s Report, the Department of Human Services (DHS) indicated that it had released a request for proposal for a vendor for actuarial services for developing the new foster care provider rate structure for providers who have rates set by the Interagency Rates Committee. According to the timeline projected by DHS, a contract would be fully established, allowing for rate revision to begin, at the beginning of fiscal 2023; and the new provider rate structure would be fully in place by the beginning of fiscal 2026. The committees are interested in receiving updates on the timeline for implementation and monitoring the impact of the new provider rate structure on the budget. The committees request that DHS submit a report on the status of implementation, including the status of any amendments to the State Medicaid Plan to allow for clinical care costs to be eligible for reimbursement, and an update on the implementation timeline.

Information Request	Author	Due Date
Status of implementing the new provider rate structure	DHS	December 31, 2022

N00E01
Operations Office
Department of Human Services

Committee Narrative

N00E01.01 Division of Budget, Finance, and Personnel

Departmentwide Recruitment Plan: As recent vacancies within the Department of Human Services (DHS) have reached historic highs, the committees are interested in factors affecting staff retention, impacts on service delivery of the high level of vacancies, and the department's plan to improve recruitment and staff retention. The committees request that the department submit a report that provides the following:

- an assessment of factors that have contributed to DHS' increasing vacancy rate since calendar 2019 aside from the State hiring freeze during a portion of this time;
- a description of any notable or common findings from exit surveys throughout calendar 2022;
- a plan to improve staff recruitment and retention, complete with identification of classes of positions that will be prioritized for recruitment, and steps that will be taken to improve staffing levels complete with anticipated dates of completion;
- any planned or completed efforts to adjust education or experience requirements for positions to improve staff recruitment; and
- monthly data about performance attainment against measures impacted by staffing adequacy, including maltreatment report investigation times and utilization of overtime.

Information Request	Author	Due Date
Departmentwide recruitment plan	DHS	December 15, 2022

Use of Contractual Full-time Equivalents (FTE): The Department of Human Services (DHS) has indicated that it will use funds available from a Supplemental Nutrition Assistance Program (SNAP) Administrative Grant available from the American Rescue Plan Act for contractual FTEs to assist in case management and the redetermination process for SNAP cases. DHS indicates that the available funding in fiscal 2022 and 2023 will support 188 contractual FTEs. Recognizing the substantial increase in the department's utilization of contractual staff, the committees are interested in understanding more about the use of contractual FTEs for case processing, as well as the use of contractual FTEs across the department. The committees request that DHS submit a report that details:

N00E01

- *the total number of contractual FTE by program;*
- *when the department began hiring contractual FTE for Family Investment Administration (FIA) case processing;*
- *the length of time on average that contractual FTE are employed or expected to be employed by DHS both departmentwide and specifically for the FIA case processing assistance;*
- *a timeline indicating how the department will transition from the temporary FTE for FIA case processing assistance when the SNAP Administrative Grant ends;*
- *the classification for the equivalent regular positions that the contractual FTE are temporarily being used for, identifying the number of FTE per class code or job classification;*
- *a comparison of the average length of retention of individuals in regular positions, and retention of individuals in FTE with similar classifications;*
- *by classification, the amount of training time needed to onboard an individual in a contractual FTE compared with a regular position, in a similar classification;*
- *the education and experience requirements for contractual FTE, reported separately by classification and indicating how these requirements compare to the equivalent regular positions; and*
- *a discussion of the department's strategy in using FTE in each administration.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on use of contractual FTE</i>	<i>DHS</i>	<i>October 15, 2022</i>

N00F00
Office of Technology for Human Services
Department of Human Services

Committee Narrative

N00F00.04 General Administration

Catalog of Available Data Reports: Major goals of the Maryland Total Human-services Integrated Network (MD THINK) Major Information Technology Development Project (MITDP) include simplified data entry processes for caseworkers, reduced silos among human services systems, enhanced user features to improve service delivery, and additional data collection and reporting capabilities. As the MITDP prepares to conclude at the end of fiscal 2022, the committees are interested in the new data reporting advantages experienced with the new system and estimated data reporting timelines going forward. The committees request that the Department of Human Services (DHS) submit a report that includes:

- a full catalog listing each type of data reports now available through the new MD THINK shared platform systems;
- for each system, a timeline indicating when DHS expects to complete testing each data report for reliability;
- for each system, an approximation of the time lag between the time data is collected for a specific program to the time data is expected to be ready for publication; and
- a description of any data reporting issues experienced at the time of submission and an estimated date at which each issue is expected to be resolved.

Information Request	Author	Due Date
Catalog of available data reports	DHS	October 1, 2022

N00G00
Local Department Operations
Department of Human Services

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 maintenance 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).

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.

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) 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 current within 70 days:

- intake screening;

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- 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 committees also request that DHS discuss specific actions taken by the department and local departments of social services to reallocate positions, including the number of positions reallocated by type (caseworker or supervisor) between jurisdictions and identifying the jurisdictions that these positions were transferred from and to, in order to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors.

In addition to caseload data, the committees also request that the report contain an update on the status of work done by CWLA to implement new workload standards for child welfare and the status of efforts by DHS to complete a workload study based off of these new workload standards. DHS should indicate when it anticipates that the new CWLA workload standards will be available, as well as an anticipated timeline for completing a workload study based off of these new standards. If available at the time of the report, DHS should also include a summary of findings from its workload study regarding what revisions or improvements can be made to caseload standards to better account for case workload.

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Information Request	Author	Due Date
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types	DHS	December 1, 2022

Impacts of Economic Instability on Child Maltreatment and Removals into Care: The COVID-19 pandemic has had significant impacts on the rates of child maltreatment reporting and removals into foster care. The committees are interested in examining the impacts of economic instability caused by the COVID-19 pandemic on child maltreatment and removals into care, specifically in the area of child neglect. In order to evaluate the potential impacts on economic stability-related neglect, the committees request that the Department of Human Services (DHS) submit a report including data on:

- the removals into care by reason specifically for fiscal 2020, 2021, and 2022 separately by jurisdiction, with separate identification or a discussion of causes behind removals into care due to a finding of neglect during fiscal 2020, 2021, and 2022 that could be related to economic hardship;
- proposed actions that could be taken or have been taken by the department to provide additional support to families experiencing financial hardship as a result of the COVID-19 pandemic to reduce the number of children entering care or reentering care; and
- a discussion of actions that have and can be taken to prevent child neglect and maltreatment from going unreported, or reported prior to cases increasing in level of severity, reflecting continued rates of maltreatment reporting and foster care caseloads far below prepandemic levels through the first half of fiscal 2022.

Information Request	Author	Due Date
Report on the impacts of economic instability on child neglect and efforts to prevent cases of child maltreatment from going unreported	DHS	November 1, 2022

N00G00

N00G00.08 Assistance Payments

Application Processing Times, Denials, and Case Closures: The committees remain interested in tracking the timeliness of application processing as well as reasons for denials and case closures. The committees request that the Department of Human Services (DHS) submit quarterly reports that contain:

- the number of applications processed by benefit type for Temporary Cash Assistance (TCA), Supplemental Nutrition Assistance Program (SNAP), and Temporary Disability Assistance Program (TDAP) separately by month;
- the average number of days to process applications by benefit type for TCA, SNAP, and TDAP separately by month;
- the percentage of applications processed in 0 to 30 days, 31 to 45 days, and longer than 45 days by benefit type for TCA, SNAP, and TDAP separately by month of application;
- the number and percentage of applications denied by benefit type for TCA, SNAP, and TDAP separately by month;
- the number and percentage of applications denied by reason for denial and by benefit type for TCA, SNAP, and TDAP separately by month;
- the number of case closures by benefit type for TCA, SNAP, and TDAP separately by month; and
- the reasons for case closure by benefit type for TCA, TDAP, and SNAP separately by month.

The first report should include data for April through July 2022, and each subsequent report should provide data for the appropriate quarter.

Information Request	Author	Due Date
TCA, TDAP, and SNAP applications and case closures	DHS	September 30, 2022 December 30, 2022 March 30, 2023 June 30, 2023

N00G00

Children Served in the Summer Supplemental Nutrition Assistance Program (SNAP):

Chapters 635 and 636 of 2019 created a supplemental benefit for children receiving the Summer SNAP in jurisdictions that chose to implement the program. The chapters mandated \$200,000, which was the funding level provided for the program in fiscal 2021 and 2022. Although benefits were provided through the program, implementation has been impacted by the federal Pandemic-Electronic Benefit Transfer program, delaying summer benefit distribution in each year. In addition, the fiscal 2023 allowance increases funding to \$5 million. The committees are interested in continuing to monitor the implementation of the program with a more typical benefit distribution and the impact of the increased funding on participation rates. The committees request that the Department of Human Services (DHS) provide two reports with the following information:

- the number of children served by participating jurisdiction;
- the benefit level provided by jurisdiction;
- the number of children in participating jurisdictions that are not able to receive benefits due to insufficient funding by jurisdiction; and
- participation rates by jurisdiction.

In addition, the first report should also provide information on the number of jurisdictions that applied for the program funding; how the determination for funding was made by jurisdiction; the total funding available for benefits, including the local match by jurisdiction; and how jurisdictions determined which children would receive the benefit.

The first report should cover the summer portion of the program (June, July, and August 2022), while the second report should cover the winter portion of the program (December 2022).

Information Request	Author	Due Date
Children receiving benefits through the Summer SNAP for Children Act	DHS	October 1, 2022 February 1, 2023

Pandemic-Electronic Benefit Transfer (P-EBT) Spending: The committees remain interested in understanding the impact of the P-EBT program on the Supplemental Nutrition Assistance Program budget. Given the uncertainty around whether the program will continue for the 2021-2022 school year and summer 2022 and how this will impact spending in fiscal 2022 and 2023, the committees request that the Department of Human Services (DHS) and the Department of Budget and Management (DBM) separately identify in subprogram detail spending related to the P-EBT program in the fiscal 2022 actual; and, to the extent applicable, the fiscal 2023 working appropriation.

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Information Request	Author	Due Date
P-EBT costs	DHS DBM	With the submission of the fiscal 2024 allowance

Employment Incentive Benefit Programs: The Department of Human Services (DHS) began providing a transitional benefit for cases leaving Temporary Cash Assistance (TCA) due to employment or income too high in fiscal 2020. After the initial implementation of the program, from October 2019 through May 2021, the number of recipients averaged just under 1,900, with the highest month (December 2020) having 2,736 recipients. Beginning in June 2021, the number of recipients has exceeded 10,000 in three of seven months; with the remaining four months greater than 4,500, despite the low number of case closures. The committees are interested in understanding more about the program, including how individuals gain access to the program and why the number of recipients is higher than case closures would indicate. In addition, DHS plans to offer job retention bonuses for TCA recipients maintaining employment at four and six months through one-time federal stimulus funds. The committees request that DHS submit a report describing:

- the reason for the increased utilization of the TCA Cliff program beginning in June 2021, including any temporary or ongoing changes in policy that led to this increase;
- how individuals access the TCA cliff benefit;
- how cases are terminated from this benefit after reaching the end of the three-month period of the TCA cliff benefit;
- how DHS identified recipients of the job retention bonuses; and
- whether and how DHS plans to continue the job retention bonuses after the federal stimulus funds from the Pandemic Emergency Assistance Fund are fully utilized.

In addition, the committees request a copy of the evaluation of the TCA cliff program that DHS indicates is expected to be completed in June 2022.

Information Request	Author	Due Date
Employment incentive programs	DHS	August 1, 2022

N00H00
Child Support Administration
Department of Human Services

Committee Narrative

N00H00.08 Child Support – State

Report on State Enforcement Measures: As the new Child Support Management System (CSMS) was still being developed and implemented in fiscal 2022, data on enforcement actions that were not automatically triggered in the legacy child support enforcement system has been unavailable. With the completion of the new CSMS, the committees are interested in data on enforcement activity including both automated enforcement actions and enforcement actions manually applied by Department of Human Services (DHS) staff. The committees request that DHS submit a report that provides:

- the number of cases for which an automated enforcement measure was applied during federal fiscal 2022 by type of enforcement activity;
- the number of cases for which a manually applied enforcement measure was applied during federal fiscal 2022 by type of enforcement activity;
- the number of cases for which an enforcement measure was applied in federal fiscal 2022 by reason for applying the enforcement measure; and
- the number of cases with an automated or manually applied enforcement action (excluding wage withholdings) by type of enforcement measure that reports separately the number of cases for which no collections were received in federal fiscal 2022, the number of cases that received collections on current support in federal fiscal 2022, and the number of cases that received collections on arrears in federal fiscal 2022.

Information Request	Author	Due Date
Report on State enforcement measures	DHS	December 1, 2022

Child Support Services Performance Reports: The federal government evaluates states' performance against five measures to determine federal incentive payments: paternity establishment; support order establishment; collections on current support; cases paying toward arrears; and cost effectiveness. Baltimore City, the only privatized jurisdiction in the State, comprises the greatest share of the State's child support caseload. The committees request that the Department of Human Services (DHS) submit three reports on performance. The report submitted November 1, 2022, should include data for the period July 1, 2022, through September 30, 2022, and state whether any incentives or liquidated damages were assessed to

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the Baltimore City Office of Child Support Services (BCOCSS) vendor at the conclusion of the federal fiscal year and also state the cost effectiveness achieved for Baltimore City, each county, and the State overall in federal fiscal 2022. The report submitted February 1, 2023, should include data for the period October 1, 2022, through December 31, 2022. The report submitted May 1, 2023, should include data for the period January 1, 2023, through March 31, 2023. Each report should include the following:

- a discussion of factors affecting performance in the quarter;
- the State's aggregate performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- each county's performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- the number of cases in each jurisdiction in the quarter;
- the BCOCSS performance set against four performance measures used to determine federal incentive payments (paternity establishment, support order establishment, collections on current support, and cases paying toward arrears);
- a statement of the BCOCSS privatization contract's minimum service levels, incentive payment goals, and BCOCSS average year-to-date performance; and
- a discussion of any changes to BCOCSS' privatization contract and the method used to make the change.

Information Request	Author	Due Date
Child Support Services performance reports	DHS	November 1, 2022 February 1, 2023 May 1, 2023

Participation in the Child Support Lien Network (CSLN): *CSLN allows states to work with insurance companies to match personal injury and workers' compensation insurance claimants against individuals with past due child support. CSLN indicates that throughout its existence, a total of \$2 billion has been intercepted for children and families nationwide, and that on average, CSLN collections on insurance interceptions average approximately \$2,100 per case. More than half of states (28) participate in CSLN, including each jurisdiction bordering Maryland. In its testimony, the Department of Human Services (DHS) indicated that it intends*

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to pursue participation with CSLN, or a similar service if available, upon statutory authority pending a future legislative bill and adherence to procurement rules. The committees are interested in the department's plans to introduce a bill during the 2023 legislative session to become a CSLN member state and any impact on operations if the State began to participate. The committees request DHS submit a report that includes:

- *a timeline delineating how DHS would approach applying to become a CSLN member state or use a similar service;*
- *DHS' plan for adjusting child support administration practices to accommodate this new service;*
- *information on the cost per fiscal year of participating in CSLN or a similar service;*
- *an estimate of the amount of support anticipated to be intercepted each year by participating in CSLN or a similar service;*
- *the anticipated average amount of support intercepted per case;*
- *for comparison, the average amount of an arrearage payment in fiscal 2022; and*
- *DHS' plan for partnering with insurance companies in the State, including how DHS would approach informing insurance companies of the State's intention to intercept a portion of insurance claims for child support arrears and how the department will encourage insurance companies' participation in this model.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Participation in CSLN</i>	<i>DHS</i>	<i>December 1, 2022</i>

Implementation of the Child Support Management System (CSMS): *The Department of Human Services (DHS) indicates that the implementation of the new CSMS component of the Maryland Total Human Services Integrated Network (MD THINK) will conclude by the end of fiscal 2022, the legacy system will be decommissioned by the end of fiscal 2022, and the new system will be in maintenance and operations in fiscal 2023. As a result, the committees are interested in the final steps in implementation of the system and the new capabilities offered by CSMS. The committees request that DHS submit a report that details:*

- *findings associated with any federal review of the new system, whether each finding was subsequently resolved, and the timeline for addressing findings that remain outstanding;*

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- *the department's training efforts to ensure child support staff are proficient in the new system prior to decommissioning of the legacy system, including the number of staff trained by jurisdiction;*
- *any difficulties or improvements from the access available in the legacy system that the new system offers in accessing data (such as child support obligor wage data from various sources) and matching obligors' or children's records with records in other State and federal programs; and*
- *each type of enforcement action that will be automated in the new system and whether any automated enforcement actions are newly available through CSMS.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Implementation of the Child Support Management System</i>	<i>DHS</i>	<i>July 1, 2022</i>

N00I00
Family Investment Administration
Department of Human Services

Committee Narrative

N00I00.04 Director's Office

Changes to Educational and Experience Requirements for Family Investment Specialists:

The Department of Human Services (DHS) has indicated that in an effort to address high vacancy levels within the Family Investment Specialist positions the agency is working with the Department of Budget and Management (DBM) to remove the requirement that entry-level Family Investment Specialist positions have a bachelor's degree and to allow for a wide range of experience to count towards the experience qualification. The department indicated that this is expected to broaden the pool of candidates. The committees are interested in understanding more about this plan and how it will impact the department's recruitment and retention. The committees request that DHS submit a report describing:

- detail on the proposed changes including a comparison of the current and new education criteria and current and new experience criteria;
- the timeline for implementing the change in requirements including when the change is expected to be approved by DBM and when recruitments will begin using the new criteria;
- the number of positions impacted by the change;
- how the department will accommodate candidates entering with different education and experience levels within the current salary schedule, including whether candidates with bachelor's degrees or more experience meeting the current requirements would enter at a different step than those with the altered requirements;
- any impacts on current employees hired under prior qualifications based on the altered education and experience qualification criteria; and
- a comparison of education and experience qualifications for positions comparable to Family Investment Specialists in other states.

Information Request
Report on changes to
educational and experience
requirements for Family
Investment Specialists

Author
DHS

Due Date
August 15, 2022

N00I00

N00I00.06 Office of Home Energy Programs

Energy Assistance Applications Processing Times and Denial Rates: The committees are interested in continuing to monitor the local administering agencies (LAA) energy assistance application processing times and overall program denial rates. The committees request that the Department of Human Services (DHS) provide by LAAs:

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

In addition, the committees request that DHS provide application denial rates separately by benefit type as well as the share of application denials by reason separately by benefit type. Data should also include the number of applications initially denied due to incomplete information that were subsequently cured by applicants providing missing information within the additional three months after denial, as allowed for under Chapters 638 and 639 of 2021. Fiscal 2021 and 2022 end-of-year actual data for denial rates should be included in the report due December 31, 2022, as well as fiscal 2023 data current through November 1, 2022.

Each report should note the date of the data. The data should be current through November 1, 2022, for the report due December 31, 2022, and current through May 1, 2023, for the report due June 30, 2023.

Information Request	Author	Due Date
Application processing times and denial rates	DHS	December 31, 2022
Application processing times and denial rates	DHS	June 30, 2023

Implementation of Categorical Eligibility for Energy Assistance Programs: The Department of Human Services (DHS) Office of Home Energy Programs (OHEP) has begun to take steps necessary to implement categorical eligibility for energy assistance programs in order to reduce administrative costs, simplify the application process, and reduce denial rates. The committees continue to be interested in administrative changes to energy assistance programs and request that DHS submit a report providing an update on the status of the implementation of categorical eligibility for energy assistance. In addition, the report should include updates on the following:

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- the status of the integration of the OHEP Data Management System with DHS's new Enrollment and Eligibility system;
- the status of establishment of a centralized administrative model through local departments of social services (LDSS) for energy assistance programs;
- the anticipated role that non-LDSS local administering agencies will continue to have in providing outreach and other assistance following the transition of program administration to the LDSS model; and
- the budgetary impacts of the implementation of categorical eligibility, including actual or estimated cost savings for administration resulting from a centralized administrative model.

Information Request	Author	Due Date
Report on the status of implementation of categorical eligibility and other administrative changes	DHS	December 31, 2022

Low Income Household Water Assistance Program: The committees are interested in understanding the new Low Income Household Water Assistance Program (LIHWAP) funded through federal stimulus funds. The committees request that the Department of Human Services (DHS) Office of Home Energy Programs submit a report on LIHWAP, with a specific discussion of (1) the steps taken by DHS to implement the program in Maryland; (2) the date(s) when the program began or is estimated to begin accepting applications and when the first benefits were or will be paid to recipients; (3) the use of federal stimulus funds for the program, including if additional need for funding is projected once these funds are expended or the anticipated end date of the program if it is not expected to continue beyond the availability of these funds; and (4) the number of applications and households receiving benefits under the program, including the average benefit size.

Information Request	Author	Due Date
Report on LIHWAP water assistance program	DHS	November 1, 2022

S00A
Department of Housing and Community Development

Committee Narrative

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.01 Neighborhood Revitalization

***Homelessness Solutions Program:** The fiscal 2023 budget includes an increase of \$5 million in general funds for the Department of Housing and Community Development's (DHCD) Homelessness Solutions Program compared to the fiscal 2022 appropriation. The committees are interested in understanding how these supplemental funds will be used. DHCD should prepare a report that describes in detail how local Continuums of Care (CoC) spent the fiscal 2022 awards and the plan to spend their fiscal 2023 awards from the State. The report should include the amount of funding awarded to each CoC separately by fiscal year. The report should clearly indicate the impact of the additional funding provided in fiscal 2023. Further, the report should include a summary of how local non entitlement jurisdictions spent their allocations of federal Emergency Solutions Grant funding available from the Coronavirus, Aid, Relief, and Economic Security Act, including the amount of funding awarded by DHCD to each jurisdiction.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on use of Homelessness Solutions Program funding</i>	<i>DHCD</i>	<i>November 15, 2022</i>

N00G00
Local Department Operations
Department of Human Services

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Committee Narrative

N00G00.03 Child Welfare Services

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) report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America's (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.

N00G00

The committees also request that DHS discuss specific actions taken by the department and local departments of social services to reallocate positions, including the number of positions reallocated by type (caseworker or supervisor) between jurisdictions and identifying the jurisdictions that these positions were transferred from and to, in order to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors. *It is the intent of the committees that DHS establish a partnership with the University System of Maryland and Morgan State University for the recruitment of Master of Social Work graduates into open child welfare caseworker positions.*

In addition to caseload data, the committees also request that the report contain an update on the status of work done by CWLA to implement new workload standards for child welfare and the status of efforts by DHS to complete a workload study based off of these new workload standards. DHS should indicate when it anticipates that the new CWLA workload standards will be available, as well as an anticipated timeline for completing a workload study based off of these new standards. *The committees request that to complete this study, DHS establish a workgroup to include employees' union representatives for child welfare caseworker positions and other relevant stakeholders.* If available at the time of the report, DHS should also include a summary of findings from its workload study regarding what revisions or improvements can be made to caseload standards to better account for case workload.

Lastly, the report should include a comprehensive list of states that have implemented revised caseload or workload standards for child welfare to improve outcomes for children and families.

Information Request	Author	Due Date
Report on caseload data and filled positions assigned by jurisdiction for specified caseload types	DHS	December 1, 2022

S00A
Department of Housing and Community Development

Color Page 2

Committee Narrative

S00A20.01 Office of the Secretary

***Adaptive Reuse of Vacant Commercial Spaces:** The committees are interested in the potential to increase the availability of affordable housing stock in the State through the conversion of vacant or underutilized commercial spaces into residential or mixed-use spaces. The Department of Housing and Community Development (DHCD) should study the feasibility and limitations of an adaptive reuse program and report the findings to the committees. The report should include:*

- *potential sources of State funds available to award to developers for the conversion of vacant spaces for affordable housing purposes, including any conditions related to the receipt and use of those funds;*
- *information on programs developed in other states to convert commercial spaces into affordable housing; and*
- *recommendations regarding legislation necessary to facilitate the conversion of vacant or underutilized commercial spaces into residential or mixed-use spaces.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on adaptive reuse of vacant commercial spaces</i>	<i>DHCD</i>	<i>November 15, 2022</i>



Report of the
**Public Safety and
Administration Subcommittee**
To the House Appropriations Committee

2022 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 290

General Assembly of Maryland

House Appropriations Committee

Public Safety and Administration Subcommittee

2022 Session Membership Roster

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Delegate Susie Proctor, Vice Chairman

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Recommended Reductions
Public Safety and Administration 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>
2023 Budget Request						
Judiciary	\$6,721,951	\$0	\$0	\$0	\$6,721,951	
<i>Subtotal Fiscal 2023 Regular Budget</i>	<i>\$6,721,951</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$6,721,951</i>	
Fiscal 2023 Total Budget	\$6,721,951	\$0	\$0	\$0	\$6,721,951	
Grand Total Budget Bill	\$6,721,951	\$0	\$0	\$0	\$6,721,951	

C00A00 Judiciary

Budget Amendments

Add the following language to the general fund appropriation:

Provided that \$12,502,610 in general funds made for the purpose of providing judicial compensation enhancements are reduced to bring available funds in line with the recommendations of the Judicial Compensation Commission. The Chief Judge is authorized to allocate this reduction across programs within the Judiciary.

Explanation: This action reduces funds in the fiscal 2023 budget to bring judicial compensation enhancements in line with the Judicial Compensation Commission's recommendations. This includes a \$10,000 salary increase in fiscal 2023 for all judges.

Committee Narrative

Appointed Attorney Program Costs and Utilization: The committees remain interested in the costs and operations of the Appointed Attorney Program. The committees request a report, to be submitted by October 1, 2022, detailing the fiscal 2022 costs and utilization of the Appointed Attorney Program.

Information Request	Author	Due Date
Appointed Attorney Program costs and utilization	Judiciary	October 1, 2022

Judgeship Need for Fiscal 2024: The committees remain interested in the judgeship needs at the Judiciary. The committees request a report, to be submitted by December 1, 2022, detailing the fiscal 2024 judgeship needs.

Information Request	Author	Due Date
Judgeship need for fiscal 2024	Judiciary	December 1, 2022

C00A00

Budget Amendments

C00A00.04 District Court

Add the following language to the general fund appropriation:

, provided that \$8,250,000 of this appropriation made for the purpose of providing attorneys for required representation at initial appearances before District Court Commissioners consistent with the holding of the Court of Appeals in DeWolfe v. Richmond may be expended only for that purpose. 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: This language restricts the use of \$8.25 million of the Judiciary's general fund appropriation for the implementation of DeWolfe v. Richmond.

C00A00.06 Administrative Office of the Courts

Add the following language to the general fund appropriation:

, provided that \$6,400,000 in general funds are added to the appropriation for the Maryland Legal Services Corporation within the Administrative Office of the Courts. These funds shall be transferred to the Access to Counsel in Evictions Special Fund for the purpose of funding the Access to Counsel in Evictions program.

Explanation: This action adds funds to the fiscal 2023 Judiciary appropriation for the purpose of funding the Access to Counsel in Evictions program in accordance with Chapter 746 of 2021. These funds are added to the Administrative Office of the Courts budget and should be transferred to the Access to Counsel in Evictions Special Fund, which is administrated by the Maryland Legal Services Corporation.

Add the following language to the general fund appropriation:

Further provided that \$500,000 of this appropriation made for the purposes of administrative expenses may not be expended until the Judiciary submits a report on annual court performance measures. The report shall be submitted by January 1, 2023, 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: This language restricts funds pending the submission of the annual report on Judiciary court performance measures.

C00A00

Information Request	Author	Due Date
Judiciary report on court performance measures	Judiciary	January 1, 2023

Committee Narrative

Access to Counsel in Evictions Quarterly Reports: The committees are interested in the operations of the Access to Counsel in Evictions program administered by the Maryland Legal Services Corporation (MLSC). The committees request quarterly reports, the first to be submitted October 15, 2022, detailing the planned fiscal 2023 budget for the Access to Counsel in Evictions program. Subsequent reports should include an update on the implementation of the program.

The first quarterly report should include:

- the fiscal 2023 budget for the Access to Counsel in Evictions program; and
- the pay structure for attorneys participating in the program.

The subsequent quarterly reports should include:

- the number of cases represented by attorneys in the program broken out by case type, including nonpayment of rent, breach of lease, and tenant holdover cases;
- the amount of funds paid to attorneys per case;
- the geographic distribution of cases;
- data on case dispositions that were decided during the relevant quarter;
- the amount of State and federal funds allocated to each grantee; and
- how many individuals, if any, received legal representation for multiple cases during the relevant quarter.

Information Request	Author	Due Date
Access to Counsel in Evictions quarterly reports	MLSC	October 15, 2022 January 15, 2023 April 15, 2023 July 15, 2023

C00A00

Budget Amendments

C00A00.10 Clerks of the Circuit Court

Add the following language to the general fund appropriation:

, provided that \$619,341 in general funds are reduced to eliminate excess funds for circuit court clerk salary increases. The Chief Judge is authorized to allocate this reduction across the Judiciary.

Explanation: This action reduces funds in the fiscal 2023 budget to bring circuit court clerk salary increases in line with the fiscal note for SB 74 or HB 519 of 2022.

Add the following language to the general fund appropriation:

Further provided that \$719,389 of this appropriation made for the purpose of circuit court clerks salary increases is contingent on enactment of SB 74 or HB 519, which provides an increase in the maximum salaries for circuit court clerks.

Explanation: This action makes \$719,389 in funding for circuit court clerk salary increases contingent on the passage of SB 74 or HB 519.

Committee Narrative

Vacant Properties Circuit Court Report: The committees are interested in the presence of vacant properties and the ability of Baltimore City to clear privately owned vacant houses. The committees request a report, to be submitted by October 1, 2022, detailing the feasibility of creating a specific expedited track for Tax Lien Foreclosure cases brought by the Mayor and City Counsel of Baltimore City. The report should include information on nuisance properties and receivership properties. Additionally, this should include information on Rem Foreclosures and Tax Sale Foreclosures that involve vacant properties.

Information Request	Author	Due Date
Vacant properties circuit court report	Judiciary	October 1, 2022

C00A00

C00A00.12 Major Information Technology Development Projects

Judiciary Status Report on Major Information Technology Development: The committees remain interested in the Judiciary's Major Information Technology Development Projects (MITDP). The committees request a report, to be submitted by December 15, 2022, detailing MITDPs being undertaken by the Judiciary.

Information Request	Author	Due Date
Judiciary status report on MITDPs	Judiciary	December 15, 2022

Maryland Electronic Courts (MDEC) Baltimore City Rollout: *The committees are interested in the projected rollout of MDEC in Baltimore City. The committees request a report, to be submitted September 1, 2022, detailing the planned rollout of MDEC in Baltimore City. The report should include:*

- *the plan for the rollout of MDEC in Baltimore City, including costs and the current status of the project;*
- *challenges that the Judiciary faces to implementation of MDEC in Baltimore City;*
- *social and legal issues that MDEC will help Baltimore City address;*
- *the equity impacts of MDEC for Marylanders who lack access and/or the ability to access the internet; and*
- *the planned implementation of other major information technology projects, including Courthouse eReadiness, and the benefits that it will bring to Baltimore City.*

Information Request	Author	Due Date
MDEC Baltimore City Rollout	Judiciary	September 1, 2022

C80B00
Office of the Public Defender

Committee Narrative

Attorney Applicant, Hiring, and Separations Report: The committees are concerned about the high vacancy and turnover rates at the Office of the Public Defender (OPD). The committees request a report, to be submitted by October 1, 2022, detailing for fiscal 2018 to 2022 the number of applicants for attorney positions, the classification of newly hired attorneys, the number of separations by classification, and the reason for each separation.

Information Request	Author	Due Date
Attorney applicant, hiring, and separations report	OPD	October 1, 2022

Information Technology Security Conditions Report: The committees are concerned about the ongoing impacts of the cybersecurity attack on the Office of the Public Defender (OPD) in March 2020. The committees request a report, to be submitted by August 1, 2022, detailing the cybersecurity conditions within OPD and what steps OPD is taking to implement the remaining three recommendations made by the Department of Information Technology based on its investigation of the March 2020 attack.

Information Request	Author	Due Date
Information technology security conditions report	OPD	August 1, 2022

C81C
Office of the Attorney General

Committee Narrative

C81C00.11 Independent Investigations Division

Independent Investigations Division (IID): The committees are interested in the work of the newly established IID within the Office of the Attorney General (OAG). The committees request a report, to be submitted by November 1, 2022, detailing the work of the division during its first year of operations. This report should include monthly data on the number of potential cases, the number of complete investigations, the outcome of these investigations, and information on the adequacy of current personnel levels. Additionally, OAG should include data on IID's work in its annual Managing for Results (MFR) submission beginning with the fiscal 2024 budget.

Information Request	Author	Due Date
IID report	OAG	November 1, 2022
IID MFR submission	OAG	With the fiscal 2024 budget submission

Office of the Attorney General (OAG) Vacancy Report: The committees are concerned about the impact that a high vacancy rate is having on the operations of OAG. The committees request a report, to be submitted by August 1, 2022, detailing the categories of positions experiencing elevated vacancies, an explanation for the difficulty in attracting qualified candidates, possible solutions, any measurable impact that these vacancies are having on the successful operations of OAG, and caseload data for OAG attorneys in each division.

Information Request	Author	Due Date
OAG vacancy report	OAG	August 1, 2022

C96J00 Uninsured Employers' Fund

Budget Amendments

C96J00.01 General Administration

Add the following language to the special fund appropriation:

, provided that since the Uninsured Employers' Fund (UEF) has had serious findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$250,000 of this agency's special fund appropriation may not be expended unless:

- (1) UEF provides a status report to OLA describing the corrective action that it has taken with respect to all audit findings on or before November 1, 2022; and
- (2) a report is submitted to the budget committees by OLA listing each audit finding along with a determination that each finding was corrected. The budget committees shall have 45 days from the date of the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2023.

Explanation: Due to audit findings regarding a lack of oversight of UEF's third-party administrator, a portion of its budget will be withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit reports 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

D05E01
Board of Public Works

Committee Narrative

Maryland Zoo Operational Reporting: In continuance of the practice that began in July 2008, the committees request that the Maryland Zoological Society submit audited financial statements for fiscal 2022 and quarterly reports showing monthly attendance figures for the zoo for fiscal 2023 by visitor group. This should include a breakdown of the kinds of passes allocated.

Information Request	Author	Due Date
Audited financials	Maryland Zoological Society	November 1, 2022
Quarterly reports showing monthly attendance	Maryland Zoological Society	Quarterly report by July 15, 2022 October 15, 2022 January 15, 2023 April 15, 2023

Justice Thurgood Marshall Center: To support the operations of the Justice Thurgood Marshall Center, the Board of Public Works' appropriation includes a new grant totaling \$1.75 million. This is expected to be an ongoing grant. The National Park Service (NPS) is preparing a Special Resource Study to determine if Justice Marshall's school (Public School 103) should be designated as a national park. The criteria for recommending this designation are that the location (1) contains nationally significant natural or cultural resources; (2) represents a resource that is not adequately represented; (3) is sufficient in size and has appropriate configuration to ensure long-term protection and visitor enjoyment; and (4) requires direct NPS management that is clearly superior to other management approaches. The center should report to the committees on the status of NPS' Special Resource Study and how the center will use the State grant funds.

Information Request	Author	Due Date
Report on status of NPS study and use of grant funds	Justice Thurgood Marshall Center	December 2, 2022

D15A05

Boards, Commissions, and Offices

Committee Narrative

D15A05.03 Governor's Office of Small, Minority & Women Business Affairs

Training and Outreach Data: The committees are concerned with the continued low Minority Business Enterprise (MBE) participation rate in State procurement. The committees direct the Governor's Office of Small, Minority, and Women Business Affairs (GOSBA) to report on its efforts to train vendors on the State procurement practices, particularly on MBE goals. This report should include monthly data related to GOSBA's technical training programs for business and its GOSBA-hosted small business events, with attention paid to whether attendees are MBEs or become MBEs, for fiscal 2021 through 2023.

Information Request	Author	Due Date
Training and outreach data	GOSBA	June 15, 2023

Agency Minority Business Enterprise (MBE) Participation Attainment and Liaison Surveys: The committees are concerned by the overall low MBE attainment in State procurement and that Small Business Reserve and MBE program liaison positions remain vacant in some State agencies. The committees request that the Governor's Office of Small, Minority, and Women Business Affairs (GOSBA), in consultation with the Department of General Services (DGS), continue to administer the Agency MBE Participation and Liaison surveys. In addition to the existing survey questions, the Agency Liaison survey should inquire how much time the MBE liaison spends administering the MBE program. GOSBA should report the results, by agency, to the committees on December 1, 2022.

Information Request	Author	Due Date
Agency MBE participation attainment and liaison surveys	GOSBA DGS	December 1, 2022

D15A05.20 State Commission on Criminal Sentencing Policy

Evaluation of Racial Bias in Sentencing: The committees are concerned with the role that racial biases may contribute to sentencing in the State. The committees request that the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) develop a plan for studying the extent to which racial bias is present in sentences assigned through Maryland's Judicial system. The report, at a minimum, should identify a structure for the study, available data, a timeline, potential impediments, and estimated costs and resources needed to complete the evaluation.

Information Request	Author	Due Date
Evaluation of racial bias in sentencing	MSCCSP	July 15, 2022

D21
Governor's Office of Crime Prevention, Youth, and Victim Services
Budget Amendments

ADMINISTRATIVE HEADQUARTERS

D21A01.01 Administrative Headquarters

Amend the following language:

, provided that ~~\$100,000~~\$125,000 of this appropriation made for the Administrative Headquarters may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) submits a report to the budget committees reporting on Managing for Results data for the percentage of grants in a regular status, the percentage of grants in risk status audited, the percentage of closed grants with above average compliance with conditions and regulations of grants, the percentage of unused federal funds returned, and the percentage of unused State funds returned. GOCPYVS shall submit fiscal 2021 and 2022 actual data for each measure, along with estimated data for fiscal 2023 and 2024 in a draft report no later than November 1, 2022. The official submission shall be provided with the fiscal 2024 budget. 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: Public reporting of data and Managing for Results (MFR) is one of the primary tools that the legislature and the public have for evaluating the performance of GOCPYVS. The Department of Legislative Services recommends that the office return to reporting five MFR measures that were previously included in its annual submission.

Information Request	Author	Due Date
Draft report on grants management MFR data	GOCPYVS	November 1, 2022
Grants management MFR	GOCPYVS	With the fiscal 2024 budget submission

Amendment No. _____

D21

Add the following language:

Provided that \$750,000 of the appropriation made for the purpose of grant expenditures may only be used to provide an operating grant to the National Center for Victims of Crime. Funds not expended for this purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled or revert to the General Fund.

Explanation: This language restricts grant funding to be directed to the National Center for Victims of Crime.

Amendment No. _____

Add the following language to the general fund appropriation:

Further provided that no funding provided under the federal Victims of Crime Act (VOCA) provided through the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) may be awarded to State agencies, programs, or held in reserve until each victim services provider who received funding during fiscal 2022 has been awarded funding at no less than the same level as fiscal 2022 to continue services to victims of crime during fiscal 2023. For the purposes of identifying a State agency or program, it is the intent of the budget committees that higher education institutions, the Baltimore Police Department, and other quasi-State entities be excluded from that definition and be included in the category of non-State victim services providers.

Further provided that if funding under VOCA is reduced, funding shall be awarded in the following manner:

- (1) victim services providers who received funding during fiscal 2022 shall receive all available VOCA funds, and funding for each provider may be reduced only by the same percentage as other providers, unless a provider submits a grant request for a lower amount; and
- (2) in the event that funding is not available, each grant shall be reduced by the same percentage unless a provider has requested reduced funding. Non-State providers shall be fully funded prior to any award to a State agency and prior to the retention of reserve funds. If additional State or federal funding becomes available as a result of COVID-19 relief, changes in the federal VOCA allocations to states, or otherwise, such cuts shall be restored.

No VOCA funding may be awarded by GOCPYVS except in a manner that gives priority to continuing funding for non-State victim services providers who received funding during fiscal 2022 and have the capacity to continue to provide services to victims.

D21

Further provided that \$500,000 of the general fund appropriation for GOCPYVS made for the purposes of general administration may not be expended until, prior to providing fiscal 2023 awards and no later than August 1, 2022, GOCPYVS reports to the budget committees on:

- (1) each proposed grant award;
- (2) how priority has been given to non-State victim services providers;
- (3) whether each grant is equal to fiscal 2022 awards and, if it is not, the identification of the difference in funding and justification for this difference; and
- (4) the amount of VOCA funding held in reserve.

In addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services (DLS). The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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 if the report is not submitted.

Further provided that \$500,000 of the general fund appropriation for the purposes of administration may not be expended until GOCPYVS submits a report by November 1, 2022, regarding the federal VOCA funding. The report shall include:

- (1) total active VOCA grant awards as of January 1, 2022, including grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;
- (2) for each VOCA grant award in item (1) and for any other VOCA grant awards made subsequently, a description of whether for the federal fiscal year beginning October 1, 2022, the award was continued, awarded, or otherwise funded, including the grant number, implementing agency, project title, start date, end date, amount of award, jurisdiction of implementation, and the brief description/abstract of the grant;
- (3) for each VOCA grant award in items (1) and (2) identification of any decrease or other change in victim services funding between items (1) and (2), the justification for each grant award change, and the impact on the continuity of crime victim services;
- (4) the amount of unexpended funds for each open three-year VOCA grant and the reason funds are unexpended, including whether they are held in reserve for future grants;
- (5) identification of the respective amount of funds expended for the purpose of direct provision of services, administration, and that which went unobligated for the federal fiscal 2018 and 2019 three-year funding cycles;

D21

- (6) identification of the legislative appropriation for VOCA and the actual level of spending for each State fiscal year, beginning with State fiscal 2016 through 2022; and
- (7) identification of any decrease or other change between the legislative appropriation for VOCA and the actual level of spending for VOCA for each State fiscal year identified in item (6) and the reason for any and all disparities that may exist between the legislative appropriation and the actual spending level.

In addition to the official report, data shall be provided in an electronic format subject to the concurrence of DLS. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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 if the report is not submitted.

Further provided that \$500,000 of the general fund appropriation made for the purposes of administration may not be expended until GOCPYVS publishes the total amount of funding from federal VOCA funds on GOCPYVS's website, including funds available from prior years and including the specific amounts held in reserve from each federal three-year award. GOCPYVS shall provide the budget committees with a letter, no later than November 1, 2022, indicating that this data has been made available on its website and providing the web address to this data. The budget committees shall have 45 days from the date of the receipt of the report to review and comment. 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 if the report is not submitted.

Further provided that GOCPYVS is authorized to process a budget amendment recognizing additional State or federal funds to restore funding cuts to victim services providers if additional State or federal funding becomes available as a result of COVID-19 relief or changes in the federal VOCA allocations to states or otherwise.

Further provided that, upon request by a grantee and unless expressly prohibited by federal law, GOCPYVS shall permit grantees to carry over grant funds from one federal fiscal year to the next for up to six months. GOCPYVS shall take any steps needed to maximize the ability of grantees to carry over grant funds, including by requesting no-cost extensions for expenditure of federal funds granted to the State.

Further provided that it is the intent of the budget committees that the primary purpose of the programs funded through the VOCA grant awards be to ensure continuity of trauma-informed, high-quality services for victims of crime as the COVID-19 pandemic progresses.

Explanation: There have been several concerns among members of the General Assembly and the advocacy community that reductions in federal VOCA funding will result in a loss of services for victims of crime in Maryland. Questions have arisen surrounding the impact of declining federal awards, the allocation of grant awards, and the levels of unspent funding.

D21

This language requires the State fiscal 2023 VOCA awards to be awarded at a level equal to that of fiscal 2022 in order to ensure the continuity of victim services. Further, in the event that available funding is reduced or not available, priority shall be given to non-State service providers, and funding for all non-State providers must be reduced by the same percentage. Additionally, grantees will be able to request that grant funds may be carried over from one federal fiscal year to the next for up to six months.

The language restricts funds pending the submission of a report by GOCPYVS detailing how non-State providers were given funding priority and proposed VOCA awards for the fiscal 2023 grant cycle.

The language restricts an additional \$1.0 million pending the submission of VOCA data by November 1, 2022. Of this funding, \$500,000 shall be released pending submission of a report providing information for all active VOCA grants as of January 1, 2022. The report should detail whether each of the grant recipients received the same level of VOCA funding during the federal fiscal 2021 VOCA grant cycle and the information on each of the grant programs receiving such funds. For each open three-year grant cycle (federal fiscal 2020, 2021, and 2022), GOCPYVS should report the amount of currently unexpended funds, the reason these funds remain unspent, and whether they will be held in reserve.

The report should provide further detail regarding the expenditure of funds for the two most recently completed funding cycles: 2018 and 2019. Finally, the report should identify any differences between the legislative appropriation and actual spending levels for each closed out fiscal year, beginning with State fiscal 2016: State fiscal 2016; 2017; 2018; 2019; 2020; 2021; and 2022. For any differences between the authorized and actual spending levels during the aforementioned State fiscal years, the report should identify and discuss the reasons for these disparities.

An additional \$500,000 shall be released pending submission of a letter, no later than November 1, 2021, confirming that data related to available VOCA fund reserves is published to GOCPYVS's agency website.

Information Request	Author	Due Date
Report on proposed VOCA grant awards	GOCPYVS	August 1, 2022
Letter on VOCA data publication	GOCPYVS	November 1, 2022
Report of VOCA funding, expenditures, and continuity of service	GOCPYVS	November 1, 2022

D21

Committee Narrative

Update on the Implementation of Office of Program Evaluation and Government Accountability (OPEGA) Performance Audit Recommendations: The committees are interested in ensuring that the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) has the capacity to meet its complex vision and mission. As such, the committees direct GOCPYVS to submit a one-year update detailing its implementation or further response to the recommendations identified in the OPEGA performance evaluation of the office. The report should also identify any funding associated with the implementation of these recommendations in the fiscal 2022 and 2023 budgets.

Information Request	Author	Due Date
Update on the implementation of OPEGA performance audit recommendations	GOCPYVS	December 31, 2022

~~**Funding for Police Athletic Leagues (PAL):** The committees are interested in better understanding the role PALs may play in preventing juvenile crime and violence by providing mentorship, civic/service, athletic, recreational, enrichment and educational opportunities to Maryland's communities. The committees direct the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) to provide a report on funding currently provided to PALs along with a description of the populations serviced, programs supported by the funding, and outcomes used to measure the effectiveness of the programming. Furthermore, the report should also provide options for improving and expanding the use of PALs to continue to address the issue of juvenile crime. The report is to be submitted to the committees no later than August 1, 2022.~~

Information Request	Author	Due Date
State support for PALs	GOCPYVS	August 1, 2022

Pretrial Services Program Grant Fund: Chapter 771 of 2018 established the Pretrial Services Program Grant (PSPG) Fund to provide grants to eligible counties to establish or improve pretrial services programs. Under Chapter 771, the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) is granted the authority to administer the special nonlapsing PSPG Fund. The statute does not mandate an annual appropriation into the grant fund but allows for appropriations through the General Fund. Funding for the PSPG does not appear in the Fiscal 2023 Governor's Budget Books for fiscal 2022 or 2023.

D21

The committees request that GOCPYVS provide a report detailing the actual annual expenditures from this grant fund in fiscal 2019 through 2023 expenditures year to date and the list of grant recipients and respective grant award amounts for each fiscal year. The report should also detail the program's mandate, the program's total funding for fiscal 2019 through 2023, the process that GOCPYVS uses for awarding grants from the PSPG Fund and confirmation that these funds are properly expended each year, or explanation for why the expenditures are not occurring. Finally, this report should address how the PSPG Fund and spending for the PSPG program appear in the relevant Governor's budget book to explain why allowance and actual amounts have varied so greatly. This report should be submitted no later than December 1, 2022.

Information Request	Author	Due Date
Report on the pretrial services program	GOCPYVS	December 1, 2022

Budget Amendments

D21A01.02 Local Law Enforcement Grants

Add the following language to the general fund appropriation:

, provided that \$50,000 of the appropriation made for the purpose of the Baltimore City Police Department's (BPD) portion of the Local Law Enforcement grants funding program may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) and BPD provide a report on recent arrest warrants that BPD has related to a violation of probation. The report shall include:

- (1) the number of open arrest warrants that BPD had each month for a violation of probation for calendar 2017, 2018, 2019, 2020, and 2021; and
- (2) the number of arrest warrants served for a violation of probation that BPD had each month for calendar 2017, 2018, 2019, 2020, and 2021.

The report shall be submitted by July 1, 2022, 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: The budget committees are seeking additional information about arrest warrants for those in violation of probation that BPD is responsible for. This language withholds a portion of the award made to BPD under the Local Law Enforcement grants funding program until GOCPYVS and BPD submit a report on warrants related to a violation of probation in calendar 2017, 2018, 2019, 2020, and 2021.

D21

Information Request	Author	Due Date
Report on warrants related to a violation of probation	GOCPYVS BPD	July 1, 2022

D21A01.03 State Aid for Police Protection

Add the following language to the general fund appropriation:

, provided that \$45,878,143 of this appropriation made for the purpose of State Aid for Police Protection funding made for the purpose of supporting the Administration's Re-Fund the Police Initiative and increasing funding for the counties and Baltimore City may be distributed only in a manner that allocates funds proportionally based on the number of reported total violent crime offenses in the 2020 Maryland Uniform Crime Report. 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 Administration's Re-Fund the Police Initiative proposes to increase funding provided through the State Aid for Police Protection Program (SAPP) by 50%, including an \$8 million appropriation to Baltimore City. However, the manner proposed for awarding those funds does not reflect a distribution in line with where the highest instances of violent crime are occurring across the State. This language requires that the enhanced portion of the SAPP funding be distributed to jurisdictions in proportion to the number of reported violent crimes per the most recent official crime report for the State – the 2020 Maryland Uniform Crime Report.

Add the following language to the general fund appropriation:

Further provided that \$100,000 of the appropriation made for the purpose of Baltimore County's portion of the State Aid for Police Protection funding program may not be expended until the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) and the Baltimore County Police Department (BCPD) provide an update on the implementation of recommendations made in the Baltimore County Equitable Policing Advisory Group's Report of Initial Findings and Recommendations submitted December 4, 2020. The report shall include:

- (1) a specific response to each of the 13 community police relations recommendations, each of the 10 officer training recommendations, each of the 10 officer complaint process recommendations, and each of the 3 data accountability and transparency recommendations that BCPD has implemented fully or partially; and
- (2) an explanation for why any of the remaining recommendations have not been or cannot be implemented by BCPD.

D21

The report shall be submitted by July 1, 2022, 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.

Information Request	Author	Due Date
Report on equitable policing	GOCPYVS	July 1, 2022

Committee Narrative

Police Aid Detail for Counties and Municipalities: The committees are concerned that the Governor’s budget books do not provide sufficient detail to allow local governments to determine the level of police aid allocated to municipal governments as compared with county governments. This information is necessary for updating local government revenue estimates. It is the intent of the committees that, beginning with the Fiscal 2024 Budget Books and each year thereafter, the Governor’s Office for Crime Prevention, Youth, and Victim Services (GOCPYVS) separately detail State Aid for Police Protection (SAPP) funding allocations for county governments and municipal governments, similar to the format used by the State Highway Administration’s County and Municipality Funds.

Information Request	Author	Due Date
Reporting county and municipal SAPP funding detail	GOCPYVS	With submission of the Governor’s Fiscal 2024 Budget Books

Children and Youth Division

D21A02.01 Children and Youth Division

Expenditures for Children’s Programs: *The Governor’s Office for Children was moved to the now Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) in December 2018 and transformed into the Children and Youth Division (CYD). CYD seeks to improve child well-being in Maryland and has seven priorities as set by the Children’s Cabinet: reduce the impact of incarceration on children, families, and communities; improve outcomes for disconnected/opportunity youth; reduce childhood hunger; reduce youth homelessness; using community-based programs and services to achieve juvenile justice system diversion; using trauma-informed practices and preventing adverse childhood experiences; and prevention of out-of-state placements.*

D21

The committees request that GOCPYVS provide a report detailing the actual annual expenditures to address each of those strategic goals and the percentage of funding that reached children under the age of 16 for fiscal 2020, 2021, and 2022. In addition, the committees request information on any funds that are used to provide mental health services to children and youth.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on expenditures for children's programs</i>	<i>GOCPYVS</i>	<i>September 1, 2022</i>

Victim Services Unit

D21A03.01 Victim Services Unit

Maryland Sexual Assault Evaluation Fund: Chapter 422 of 2018 transferred the Maryland Sexual Assault Evaluation Fund from the Maryland Department of Health to the Victim Services Unit of the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) in 2018. This fund is used to reimburse the cost of sexual abuse and assault evaluations, including medical exams and forensic interviews, for children and adults regardless of insurance or ability to pay. A qualified provider can bill \$80 per hour, for a maximum of 5 hours, for forensic services for victims of sexual abuse and assault. The five-hour limitation includes both medical exams and forensic interviews.

The committees are concerned that the program's reimbursement rate and framework have not been recently evaluated for sufficiency in assuring appropriate and timely access to care. To ensure that the program is providing adequate reimbursement for medical exams and forensic interviews necessary to ensure timely access to these essential services, the committees request that GOCPYVS submit a report, no later than December 1, 2022, that includes the following information:

- a description of how the reimbursement program is administered by the office;
- the last time the reimbursement rate and maximum timeframe for medical exams and forensic services were updated as well as the last time the maximum hours for reimbursement was evaluated;
- what the hourly reimbursement rate would be if inflation since the last rate change was accounted for;
- what other surrounding states pay for comparable services;
- which counties are not currently billing for services and an explanation for why they are not billing; and

D21

- any plans the office has to review the program, its funding, and the fee structure.

Information Request	Author	Due Date
Report on sexual abuse and assault evaluation reimbursement for forensic services	GOCPYVS	December 1, 2022

D38I01 State Board of Elections

Committee Narrative

D38I01.03 Major Information Technology Development Projects

Quarterly Reports on Pollbook Major Information Technology Development Project (MITDP) Activities and Spending: The committees request that the State Board of Elections (SBE) submit quarterly reports on the Pollbook MITDP activities and expenditures. The report submitted on July 15, 2022, should include projected costs in each month of fiscal 2023, a description of project milestones and the date that each milestone is planned to be achieved, and a description of anticipated contingency planning activities throughout the year. In addition, each report should include the following:

- a description of activities undertaken in the quarter, complete with dates identifying whether project milestones were achieved or if delays were experienced, and an assessment of the resulting effect any delays experienced in the quarter have on the project's overall timeline;
- actual project spending in each month of the quarter;
- an assessment of future risks to the project's timeline and how SBE plans to mitigate those risks; and
- a summary of SBE's contingency planning activities throughout the quarter.

Information Request	Author	Due Date
Quarterly reports on Pollbook MITDP activities and spending	SBE	July 15, 2022 October 15, 2022 January 15, 2023 April 15, 2023

D52

Department of Emergency Management

Committee Narrative

D52A01.01 Maryland Department of Emergency Management

Improving Emergency Management Performance Measures: The committees are concerned that the current Managing for Results (MFR) data reported by the newly established Maryland Department of Emergency Management (MDEM) does not include measures for the Maryland 9-1-1 Board and does not offer adequate insight into the agency's objectives and performance. As such, the committees direct MDEM to develop more detailed agency objectives and performance measures for the MFR section of the Fiscal 2024 Budget Books and for subsequent fiscal years. The committees also direct MDEM to submit a draft of the department's MFR submission not later than October 31, 2022. *The department should consult with the Commission to Advance Next Generation 9-1-1 Across Maryland to develop its objectives and performance measures.* At a minimum, these measures should include:

- all measurements submitted with the fiscal 2023 allowance;
- the ratio of grant monitors to grants from the federal emergency grant support provided to local jurisdictions;
- the ratio of grant monitors to grants from the State portion of the 9-1-1 telephone surcharge;
- the funds awarded to each jurisdiction from the State portion of the 9-1-1 telephone surcharge; and
- the total number of 9-1-1 calls from each jurisdiction using Public Safety Answering Points statistics.

Information Request	Author	Due Date
Emergency management performance MFR	MDEM	October 31, 2022
		With submission of the fiscal 2024 allowance

Task Force on Preventing and Countering Domestic Terrorism: *It is the intent of the General Assembly that the Maryland Department of Emergency Management (MDEM) shall hold regular meetings of the Task Force on Preventing and Countering Domestic Terrorism that was first convened in October 2021 to determine how to effectively oppose domestic terrorism in Maryland including, but not limited to, countering online extremism while mindful of*

D52

First Amendment rights. The membership of this task force shall continue to consist of representatives from the legislature, the Executive Branch, and other interested parties who served on the task force in 2021. The task force shall be asked to review domestic terrorism threats from all potential sources and offer suggestions and guidance to MDEM on such areas as the following: coordinating with federal, State, and local agencies; consulting with the academic community; working with public health professionals; seeking new grant opportunities for the State; identifying trends in domestic terrorism; and collecting and implementing best practices.

The budget committees request that MDEM provide a summary report on the task force's work and recommendations to the budget committees, the House Judiciary Committee, and the Senate Judicial Proceedings Committee no later than December 1, 2022. This report should also identify the task force's members.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Task Force on Preventing and Countering Domestic Terrorism report</i>	<i>MDEM</i>	<i>December 1, 2022</i>

D52A01.02 Maryland 911 Board

Adding 9-1-1 Revenue Estimate Detail to the Governor's Budget Books: The committees are concerned that the Governor's budget books do not provide sufficient detail to allow local governments to determine their level of 9-1-1 aid in the allowance. This information is necessary for updating local government revenue estimates. It is the intent of the committees that beginning with the Fiscal 2024 Budget Books and each year thereafter, the Maryland Department of Emergency Management (MDEM) detail 9-1-1 revenue by county for the actual, working appropriation, and allowance.

Information Request	Author	Due Date
Reporting county 9-1-1 revenue estimates	MDEM	With submission of the Governor's Fiscal 2024 Budget Books

D55P00
Department of Veterans Affairs

Budget Amendments

D55P00.05 Veterans Home Program

Add the following language to the federal fund appropriation:

, provided that \$2,000,000 of this appropriation made for the purpose of grants to the Charlotte Hall Veterans Home (CHVH) contractor may not be expended until the Maryland Department of Veterans Affairs submits a report to the budget committees on CHVH's response to the COVID-19 pandemic, including justification for continued revenue support for the contractor in fiscal 2023. The report shall be submitted by October 1, 2022, 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 be canceled if the report is not submitted to the budget committees.

Explanation: CHVH is the only such facility currently operated by the State. The facility's care of elderly veterans made it uniquely impacted and susceptible to the challenges of the COVID-19 pandemic. The committees are interested in gaining insight into the impact that the COVID-19 pandemic has had on CHVH's residents, staff, and operations. The committees request that Maryland Department of Veterans Affairs (MDVA) and CHVH submit a report that conveys and reflects the difficulties faced by CHVH throughout the COVID-19 crisis thus far. This report should include a discussion of strategies and best practices for infection control used by the facility. Further, the report should include a detailed discussion of the impact that resident census has on revenue and facility operations and the methodology used for determining revenue supports. The report should further address the continued need for revenue support in fiscal 2023. Additionally, the report should include a discussion of the COVID-19 vaccination rollout, both among staff and residents; any initiatives or incentives to increase vaccination rates; and the impact that the vaccine availability has had on CHVH operations.

Information Request	Author	Due Date
COVID-19 impact on CHVH operations and contractor revenue	MDVA	October 1, 2022

E00A

Comptroller of Maryland

Committee Narrative

Major Information Technology Development Project (MITDP) Status Update: The committees remain interested in the progress of the development of the Integrated Tax System (ITS) and the new Central Payroll Bureau (CPB) Payroll and Financial Management System Modernization MITDPs. The committees request that the Comptroller of Maryland submit a report providing an update on each of the projects' current statuses, cost projections, and timelines. The report should detail the use of the fiscal 2023 budgets and project development costs as well as any changes in scope or timeline.

Information Request	Author	Due Date
Report on the ITS and CPB projects	Comptroller of Maryland	December 1, 2022

Newborn Savings Accounts: The committees are interested in examining options for implementing a newborn savings account. The committees request that the Comptroller's Office submit a report on these options that includes:

- a review of programs operated in other states, including a discussion of program administration, eligibility requirements, eligible expenses, and enforcement of the expense requirements;
- a discussion of the appropriate State entity to administer the program, including the State Treasurer, the Comptroller's Office, or an independent board;
- an estimate of the number of potentially eligible children for the program if eligibility is determined by family income at or below 200% of the Federal Poverty Level (FPL) or receipt of Medicaid;
- a discussion of how to authorize and encourage ongoing contributions to the account by the account holder or other individuals on their behalf;
- options for enforcement of requirements to limit access for withdrawals until a certain age or limiting withdrawals for certain purposes;
- options for including a requirement related to completion of financial literacy education for the account holder prior to accessing the funds;
- an estimate of the annual fiscal impact of a program for Medicaid-eligible infants or for a program serving children with a family income at or below 200% of the FPL; and

E00A

- recommendations for encouraging participation in the program through marketing, including marketing to participants in other benefit programs including the Maryland Children's Health Program; Special Supplemental Nutrition Program for Women, Infants, and Children; Earned Income Tax Credit; or other similar programs.

Information Request	Author	Due Date
Report on newborn savings study	Comptroller of Maryland	December 15, 2022

Report on Compliance with National Incident-Based Reporting System (NIBRS): All state law enforcement agencies were required to comply with NIBRS by January 2021. However, recent information indicates that the Comptroller's Field Enforcement Bureau (FEB) has not initiated a transition to NIBRS. The committees request that the Comptroller's Office submit a report detailing where FEB is in this transition to and compliance with NIBRS. The report should provide a timeline to reach full compliance.

Information Request	Author	Due Date
Update on NIBRS compliance	Comptroller of Maryland	August 15, 2022

E50C
State Department of Assessments and Taxation

Committee Narrative

E50C00.02 Real Property Valuation

Real Property Valuation Staffing: The committees continue to be concerned about reports of the vacancies within the Real Property Valuation Program due to noncompetitive salaries and a high number of employees leaving State service. While the State Department of Assessments and Taxation (SDAT) has reported on this issue quarterly, the committees wish to remain briefed on this situation. The committees request that SDAT continue to submit quarterly reports, which should outline SDAT's efforts to increase hiring, improve training processes, and provide information by employee class title and jurisdiction for the quarter preceding the due date of the report:

- the number of employees in the program that have left State service;
- the number of new hires;
- the number of positions posted;
- the number of qualifying applicants received in response to each posting;
- the length of time from the posting of each position to the acceptance of an offer of employment; and
- the amount of time it takes for the average hire to finish the training and probationary period.

Information Request	Author	Due Date
Status updates on staffing in the Real Property Valuation Program	SDAT	July 15, 2022 October 15, 2022 January 15, 2023 April 15, 2023

Homeowners' and Renters' Tax Credits: Given the decline in eligible applicants for the Homeowners' and Renters' Tax Credits, the committees request that the State Department of Assessments and Taxation (SDAT) submit a report detailing the cause of the decline in the share of applicants determined eligible for these tax credits in fiscal 2021 despite increased applications.

Information Request	Author	Due Date
Report on decline in eligible applicants for various tax credits	SDAT	August 1, 2022

E80E
Property Tax Assessment Appeals Boards

Budget Amendments

E80E00.01 Property Tax Assessment Appeals Boards

Amend the following language to the general fund appropriation:

, provided that \$50,000 of this appropriation made for the purpose of the Property Tax Assessment Appeals Boards may not be expended until the Property Tax Assessment Appeals Board submits a report regarding the plan to address the backlog at the Prince George's County Property Tax Assessment Appeals Board and board member appointments and communication. The report shall include:

- (1) a timeline for when the backlog in Prince George's County will be addressed; and
- (2) a plan for addressing the backlog in Prince George's County from the Property Tax Assessment Appeals Board, including additional resources being provided to the Prince George's County Property Tax Assessment Appeals Board to address the backlog as well as other steps and strategies being implemented; and
- (3) information regarding the recruitment, appointment, and removal of board members for all jurisdictions as well as the communication to potential and current appointees during these processes.

The report shall be submitted by August 1, 2022, 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: The Property Tax Assessment Appeals Boards (PTAAB) has had difficulty throughout the pandemic ensuring that all property tax assessment appeals boards are able to maintain a timely appeals process, with some facing a large backlog of appeals that are passing the constitutional requirement for timely return. In particular, Prince George's County has had difficulties in processing appeals. This language restricts funding budgeted for PTAAB until the agency submits a report to the committees on steps taken to remedy the backlog of appeals.

Information Request	Author	Due Date
Report on the Prince George's County PTAAB appeals backlog	PTAAB	August 1, 2022

Amendment No. _____

F50
Department of Information Technology

Committee Narrative

Managing for Results (MFR) Goals and Indicators for Services to State Agencies: The Department of Information Technology's (DoIT) fourth MFR goal is to provide efficient and high-quality information technology services to State agencies. DoIT also has indicators that measure the workload and efficiency. However, the goal does not address value, and there are no indicators for costs. Many of the services that DoIT provides are comparable to services provided by the private sector and other organizations. DoIT should expand its MFR goals to include value and add indicators that measure costs and value. The department should report these indicators with the fiscal 2024 budget.

Information Request	Author	Due Date
MFR indicators for value and costs of DoIT's services to State agencies	DoIT	With the fiscal 2024 budget submission

Plan for Spending Cybersecurity Funds Appropriated in the Dedicated Purpose Account (DPA): The Department of Information Technology (DoIT) will have access to up to \$110 million in funding in the DPA to support cybersecurity efforts. DoIT advises that these funds will fund the next phase of the cybersecurity assessments, including ongoing cybersecurity, vulnerability risk and reduction assessments, privacy impact assessments, and implementation of remediation recommended by the assessments. Additionally, the funding will support security incident response efforts, like the ransomware attack at the Maryland Department of Health. Audit findings have noted that it is too common for legacy systems to have cybersecurity risks. DoIT should report on its plans to spend funds in the DPA. This should include discussions of how and when the funds will be spent; lessons learned from assessments; and progress made securing State information technology hardware, software, and systems. It should also include an update on efforts made to address cybersecurity risks in legacy systems.

Information Request	Author	Due Date
Report on spending DPA funds	DoIT	December 16, 2022

Update Remote Workforce Enablement Major Information Technology Development Project (MITDP): Audits from 2020 have four audit findings in which agencies have issues associated with virtual private networks (VPN). A survey of information technology professionals released by SolarWinds estimates that more staff will be teleworking often or always in the future than during the COVID-19 pandemic. It is reasonable to expect that State agencies that are currently teleworking will continue to telework. To reduce cybersecurity risks

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and improve teleworking productivity, the Department of Information Technology's (DoIT) fiscal 2023 budget includes \$7.9 million for the Remote Workforce Enablement MITDP, which develops a VPN that provides a single, secure network for State agencies on DoIT's enterprise system. The department should report to the committees on the status of the Remote Workforce Enablement MITDP. This update should include a timeline for implementing the project, a list of agencies that will be using the VPN, and if any agencies not on DoIT's enterprise system will be using the new VPN.

Information Request	Author	Due Date
Report on Remote Workforce Enablement MITDP	DoIT	January 3, 2023

Infrastructure Investment and Jobs Act (IIJA) Funding and Reporting: The federal IIJA creates the State and Local Cybersecurity Grant Program. Early estimates are that Maryland will receive \$16 million from this fund from federal fiscal 2022 to 2025. The State is required to give at least 80% of these funds to local governments and 25% of the local grants (or 20% of total grants) to rural areas. The Act also requires that the State have a cybersecurity planning committee. The committee should prepare a plan that includes (1) information about existing plans to address cybersecurity risks; (2) an explanation of how the State will monitor and track threats; (3) an overview of plans to enhance preparation, response, and resilience to information technology systems against risks; and (4) how the State will implement a process of continuous cyber vulnerability assessments and threat mitigation policies. The department should submit a status report to the budget committees that identifies how these grants will be distributed, when the cybersecurity planning committee will begin its work, any efforts made preparing the plan, and when the department anticipates the plan will be ready.

Information Request	Author	Due Date
Report on IIJA funding and planning	Department of Information Technology	November 18, 2022

Pricing Maryland Public Television (MPT) Tower Resource Sharing Agreements (RSA): In December 2011, the Department of Information Technology (DoIT), the Maryland Department of Transportation, and MPT developed a standard pricing schedule for cell phone tower RSAs. Pricing is a function of the amount of traffic around a tower and the type of equipment on the tower. This has been effective in standardizing revenues from cell phone tower RSAs. In recent years, factors such as digitized broadcast signals and additional channels from broadcasters have contributed to increased antenna television viewership. In calendar 2021, MPT entered into an RSA with a television broadcaster for its Anne Arundel County tower. In February 2022, DoIT notified the Legislative Policy Committee of a proposal to renew an RSA with a radio station using the Salisbury tower. The Anne Arundel County MPT tower, which has strong signals to both the Baltimore and Washington, DC television markets, was priced based

F50

on the vehicle traffic around the tower even though the tower's signals reach well beyond this traffic. The pricing for the radio station will be below the amount recommended by the standard pricing schedule. DoIT and MPT should develop pricing strategies and schedules for MPT towers for both radio and television. The agencies should consider factors like distance that the signal covers, size of the market, and broadcaster's market share.

Information Request	Author	Due Date
Report on standard pricing schedules for MPT RSAs	DoIT MPT	December 2, 2022

State Chief Data Officer and State Chief Privacy Officer: Executive orders in July 2021 created the positions of State Chief Data Officer and State Chief Privacy Officer. The positions will develop, monitor, and direct State policies concerning data availability and privacy. These positions are appointed by the Governor. The order also created agency data officers and agency privacy officers in State agencies that work with the State officers. The Department of Information Technology's (DoIT) fiscal 2023 budget also includes \$3.4 million in new contracts to support these positions. To inform the committees, the Governor's Office and DoIT should report to the committees on the role of these new positions, policies developed by these positions, progress made toward accomplishing objectives set in the executive orders creating the positions, and spending plans for the funds budgeted to support these positions.

Information Request	Author	Due Date
Report on State Chief Data Officer and State Chief Privacy Officer	Governor's Office DoIT	September 30, 2022

H00 Department of General Services

Budget Amendments

Add the following language:

Provided that \$500,000 of the appropriation made for reducing budgeted turnover across various programs within the Department of General Services (DGS) may not be expended for that purpose but instead may be used in the Office of Design, Construction, and Energy (program H00G01.01) only to support (1) facility renewal projects funded in the Dedicated Purpose Account appropriated for Facilities Renewal – State Agencies; or (2) general obligation bond authorizations in excess of \$35,000,000 that are authorized for the Facility Renewal Fund in SB 291 or HB 301. Funds from other programs in DGS may be transferred by budget amendment to the Office of Design, Construction, and Energy (program H00G01.01) to support (1) and (2). 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: General funds for turnover expectancy increase DGS' budget by approximately \$1,145,000 in the fiscal 2023 allowance. While additional funding to fill vacant positions may be helpful, DGS has a long history of vacancies and is unlikely to need this entire amount to fill vacant positions. The fiscal 2023 budget also includes \$75 million for facility renewal in addition to the \$35 million in the capital budget. This is a substantial workload. Additional funds are needed to manage more than tripling the facility renewal workload. This language restricts \$500,000 in funds allocated to reduce vacant positions to instead be used specifically for addressing the greater need of managing this substantial increase in facility renewal funding.

OFFICE OF THE SECRETARY

H00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation made for the purpose of Executive Direction may not be expended until the Department of General Services submits a report to the budget committees on the status of State Center. The report should include an update on the State Center litigation, planned agency moves, parking for agencies moving into leased space, cost and operational issues associated with depopulating State Center, potential future uses of the State Center property when it is vacant, and opportunities for the community and General Assembly to provide input regarding future uses of the State Center property. The report shall be submitted by September 30, 2022, 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.

H00

Explanation: The Department of General Services (DGS) is moving agencies out of State Center and into leased space in Baltimore City. The language requires that DGS update the committees on the status of State Center and potential future uses of the property.

Information Request	Author	Due Date
Report on State Center	DGS	September 30, 2022

Committee Narrative

Emergency Procurements Reporting to the Board of Public Works: A review of emergency procurements in calendar 2021 not related to the COVID-19 pandemic showed that only 6 of 54 Board of Public Works (BPW) agenda items were brought to BPW within 45 days of awarding the contract, as required by law. As the procurement control agency, the Department of General Services (DGS) should examine emergency procurements to determine why such a large share of them were reported to BPW beyond the 45-day timeframe and what can be done so that more emergency procurements are reported within the time required by State law.

Information Request	Author	Due Date
Review of emergency procurements reported late to BPW	DGS	December 23, 2022

Managing for Results (MFR) Goals for Employee Training and Retention: In response to high employee vacancies and turnover rates, the budget bill includes a \$300,000 deficiency appropriation for the Department of General Services (DGS) to create a training program for DGS employees. The training program will be a multitiered training program that is expected to have a tier for (1) supervisors and employees wanting to become supervisors; (2) managers such as unit chiefs, deputy directors, and directors; and (3) senior or executive level staff and employees whose goal it is to move into such a role. DGS' first MFR goal is to provide best value for customer agencies and taxpayers. This training program is consistent with this goal. As such, DGS should add an objective to its first goal about employee retention and appropriated training. DGS should consider performance measures like (1) the number of employees in the program; (2) retention rates of employees that do and do not participate in the program; (3) career paths of employees that do and do not participate in the program; and (4) other measures of the training program's effectiveness.

Information Request	Author	Due Date
MFR indicators for employee training	DGS	With the fiscal 2024 budget submission

Q00A
Administration and Offices
Department of Public Safety and Correctional Services

Budget Amendments

Amend the following language:

Provided that ~~\$500,000~~\$1,000,000 of this appropriation made for the purpose of personnel may only be used to increase employment within the Information Technology and Communications Division and Division of Capital Construction and Facilities Maintenance. 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: Staffing is low in the executive programs of the Department of Public Safety and Correctional Services (DPSCS) responsible for carrying out information technology, capital construction, and facilities maintenance projects. Staffing deficiencies have led to project delays and cost increases. This language requires DPSCS to use new personnel funds to increase employment in the Information Technology and Communications Division and Division of Capital Construction and Facilities Maintenance.

Amendment No. _____

Q00A01.01 General Administration

Strike the following language:

~~, provided that \$100,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on recovering unsupported medical payments. The report shall provide information on the following:~~

- ~~(1) — actions taken by DPSCS to examine and review medical payments made during the March 2020 to June 2020 emergency contract modification;~~
- ~~(2) — activities taken by DPSCS to recover medical payments identified by the DPSCS Office of the Inspector General (OIG) as being unsupported by vendor documentation, including the status of such recoveries; and~~
- ~~(3) — the policies and procedures recommended to prevent unsupported overpayments in the future.~~

~~The report shall be submitted to the budget committees no later than August 1, 2022. The budget committees shall have 45 days to review and comment following submission of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or~~

Q00A

otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

~~**Explanation:** In compliance with fiscal 2022 budget bill language, the DPSCS Office of the Inspector General performed an audit of expense documentation provided by DPSCS and the medical contractor, Corizon, Inc. The results showed approximately \$944,000 in payments were made without proper documentation or supporting evidence that the expenses indeed occurred. This budget bill language requires DPSCS to report on the results of efforts to recover these overpayments and provide information on ways to avoid unsupported payments in the future.~~

Information Request	Author	Due Date
Report on unsupported medical payments	DPSCS	August 1, 2022

Amendment No. _____

Committee Narrative

Justice Reinvestment Act (JRA) Report: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by December 1, 2022, on the following items:

- annual updates on the number of offenders petitioning and approved for the JRA provisions including, but not limited to, administrative release, medical/geriatric parole, certificates of rehabilitation, and graduated sanctions;
- the number of offenders affected by the JRA diminution and earned compliance credit rules; and
- annual JRA cost savings updates along with any efforts/initiatives to increase savings.

Information Request	Author	Due Date
JRA report	DPSCS	December 1, 2022

Report on Recidivism: The committees are interested in the impact of incarceration on the future outcomes of returning offenders. The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by November 15, 2022, on the following:

Q00A

- three-year recidivism numbers for the fiscal 2019 release cohorts; and
- an analysis of recent recidivism trends, including a comparison to past years and a comparison to other states.

Information Request	Author	Due Date
Recidivism report	DPSCS	November 15, 2022

Report on Contraband: The committees request that the Department of Public Safety and Correctional Services (DPSCS) submit a report by October 15, 2022, on overall trends in contraband finds, including:

- an analysis of trends in contraband finds using data from at least three fiscal years;
- a review of departmental rules and procedures regarding contraband detection;
- a review of recent changes to contraband detection, including a discussion of COVID-19; and
- an analysis of personnel in the Canine Unit, including the impact of high vacancies on the ability to carry out tactical contraband searches.

Information Request	Author	Due Date
Contraband report	DPSCS	October 15, 2022

Report on Overtime Pay Errors: *The committees have been concerned with reports that the Department of Public Safety and Correctional Services (DPSCS) has underpaid staff due to faulty accounting of overtime earnings. A report shall be submitted to the committees no later than July 15, 2022, and shall include:*

- *the number of employees affected by overtime underpayments;*
- *the length of time these employees were affected;*
- *the total, average, and median amount that these employees were underpaid; and*
- *the results of efforts to identify cases of underpayments and correct those underpayments.*

Q00A

Information Request

Author

Due Date

Report on overtime pay errors

DPSCS

July 15, 2022

Q00B
Corrections
Department of Public Safety and Correctional Services

Budget Amendments

Q00B01.01 General Administration

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services submits the second of four quarterly hiring and attrition reports to the budget committees. The reports shall include a breakdown of all hires and separations for each of the three months in question by category of employee (correctional officer, community supervision agent, or administrative employee) and by reason for separation. The report shall also include narrative summarizing all hiring events and changes to the hiring process that occurred during the quarter; the quantity, type, and cost of bonuses disbursed; as well as overall applications received, tested, and interviewed. The first quarterly report shall be submitted to the budget committees no later than October 12, 2022, and the second report shall be submitted to the budget committees no later than January 12, 2023. The budget committees shall have 45 days to review and comment following submission of the second quarterly report. 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: Hiring within the Department of Public Safety and Correctional Services (DPSCS) has improved after years of unsustainable employment decline. The quarterly reports requested in fiscal 2023 will continue the cooperation between DPSCS and the budget committees to track all departmental hiring, the success of recent initiatives, and the impact of COVID-19 on public safety staffing.

Information Request	Author	Due Date
Quarterly hiring and attrition reports	DPSCS	October 12, 2022 January 12, 2023 April 12, 2023 July 12, 2023

Strike the following language:

~~Further provided that \$150,000 of this appropriation made for the purpose of management studies and consultants may only be used for project planning and design for a women's prerelease unit. 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.~~

Q00B

~~**Explanation:** The General Assembly passed legislation in 2020 and overrode an executive veto in 2021 to require the establishment of a new Women's Prerelease Center. The Department of Public Safety and Correctional Services receives \$150,000 in fiscal 2023 to begin planning for this project. This language requires the funds to be spent on this purpose or be reverted to the General Fund. Funds may not be moved to other departmental expenses.~~

Amendment No. _____

Q00C
Community Supervision
Department of Public Safety and Correctional Services

Budget Amendments

Q00C01.01 General Administration and Hearings

Add the following language to the general fund appropriation:

, provided that \$250,000 of this appropriation may not be expended until the Department of Public Safety and Correctional Services (DPSCS) submits a report on offender victimization while on supervision. The report shall provide information on the following:

- (1) activities taken by DPSCS to reduce the number of murders involving offenders who are supervised by the Division of Parole and Probation (DPP);
- (2) actions taken by DPSCS to examine and review murders involving offenders who are supervised by DPP;
- (3) the policies and programs recommended to prevent such murders; and
- (4) the number of offenders supervised by DPP that were shooting victims, homicide victims, or charged with or identified as suspects in a homicide, nonfatal shooting, robbery, rape, police-involved shooting or any crime involving the offender's use of a firearm.

The report shall be submitted to the budget committees no later than October 15, 2022. The budget committees shall have 45 days to review and comment following submission of the report. 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.

Further provided that it is the intent of the General Assembly that DPP examine and review murders committed by offenders under the supervision of DPP and murders of offenders under the supervision of DPP for the purpose of advising the Secretary on policies and programs to prevent such murders.

Explanation: In compliance with fiscal 2022 Budget Bill language, DPSCS provided a summary of data regarding the number of DPP supervisees involved as a suspect or victim in a homicide or shooting from fiscal 2019 to 2021. In total, supervisees are about twice as likely to be victims compared to suspects of these two violent crimes. There was an average of 71 homicide suspects, 119 homicide victims, 73 shooting suspects, and 255 shooting victims per year who were on active DPP supervision, totally 1.15% of DPP supervisees. This budget bill language requires DPP to report on the number of supervisees involved in a murder or shooting and take action to reduce those cases. This language also includes legislative intent that DPP make recommendations to policies and procedural changes that would improve tracking, analysis, and safeguarding of murder-involved supervisees.

Q00C

Information Request	Author	Due Date
Supervisee victimization report	DPSCS	October 15, 2022

Committee Narrative

Q00C02.01 Division of Parole and Probation – Support Services

Division of Parole and Probation (DPP) Caseload Report: In recent fiscal years, DPP has been working to reduce caseloads to a manageable level for its parole and probation agents. Caseload ratios improved, but vacancies worsened in fiscal 2021. The budget committees request a report due by September 15, 2022, from DPP on the following:

- the recommended average caseload ratio in each region *and office* based on American Parole and Probation Association standards;
- the exact breakdown of support staff and general supervision caseloads by office into DPP supervision levels for fiscal 2022;
- *the exact breakdown of case closures by reason, region, and office;*
- an evaluation of staff realignment between regions; and
- a review and analysis of monthly fiscal 2022 DPP agent and Drinking Driver Monitor Program monitor new hires, separations, and vacancies.

Information Request	Author	Due Date
DPP caseload report	DPP	September 15, 2022

Q00T04
Division of Pretrial Detention and Services
Department of Public Safety and Correctional Services

Budget Amendments

Add the following language:

Further provided that \$9,815,178 of the appropriation for substance use disorder (SUD) treatment services subprograms may only be expended in those subprograms. Funds may be transferred between SUD treatment services subprograms throughout the Department of Public Safety and Correctional Services. Funds unexpended for this purpose at the end of the fiscal year shall revert to the General Fund or be canceled.

Explanation: Chapter 532 of 2019 directs the Department of Public Safety and Correctional Services (DPSCS) to create a medication assisted treatment program within the confines of the Baltimore Pretrial Complex as well as apply for funding to support local detention centers required to create their own treatment programs. DPSCS has historically underspent the appropriation for SUD services and does not have a contract in place for these services. This language ensures that funds for SUD services will only be spent for that purpose or shall revert to the General Fund or be canceled at the end of the fiscal year.

Committee Narrative

Inmate Behavioral Health Report: The committees have been concerned with the state of mental health care provided to inmates in the custody of the Department of Public Safety and Correctional Services (DPSCS). Recent spending for substance use disorder treatment services has fallen far below the appropriation, and mental health services in Baltimore City are still deemed inadequate by a court-appointed monitor. In this report, DPSCS shall provide information on the behavioral health component of mental health care. The report shall be submitted to the committees no later than August 20, 2022, and shall:

- describe the process for determining the behavioral health needs of an inmate;
- provide the assessment forms used during this process;
- provide trends and summary statistics for behavioral health needs seen in the inmate population;
- provide an example of a plan of care for an inmate with acute behavioral health needs;
- identify how many staff at each facility is dedicated to inmate behavioral and mental health care; and

Q00T04

- identify the reentry needs of inmates with behavioral health issues, along with the resources provided to or referred to such inmates.

Information Request	Author	Due Date
Inmate behavioral health report	DPSCS	August 20, 2022

V00A
Department of Juvenile Services

Committee Narrative

OFFICE OF THE SECRETARY

V00D01.01 Office of the Secretary

Adding Educational Outcome Performance Measures: The committees are interested in securing the best educational outcomes for all youth in Department of Juvenile Services (DJS) detention and residential facilities. Chapter 147 of 2021 transfers the responsibility of implementing educational programming from the Maryland State Department of Education to the Juvenile Services Education Board and Program (JSEP). As such, the committees direct DJS to develop objectives specific to JSEP and educational outcome performance measures for the Managing for Results (MFR) section of the Governor's Fiscal 2024 Budget Books and for subsequent fiscal years. The committees also direct DJS to submit a draft of the department's MFR submission not later than October 31, 2022.

Information Request	Author	Due Date
Educational outcome performance MFR	DJS	October 31, 2022 With submission of the fiscal 2024 allowance

Budget Amendments

DEPARTMENTAL SUPPORT

V00D02.01 Departmental Support

Add the following language to the general fund appropriation:

. provided that \$250,000 of this appropriation made for the purpose of providing administrative support may not be expended until the Department of Juvenile Services (DJS) submits a report to the budget committees detailing updates on the operations of the Baltimore City Strategic Partnership. This report shall:

- (1) identify the entities participating in this partnership and the respective role and responsibilities of each;
- (2) detail the processing of cases under this partnership;

V00A

- (3) identify performance measures demonstrating the efficacy of this partnership and provide relevant performance data;
- (4) comment on how the partnership will impact juvenile caseloads; and
- (5) identify the funding associated with this partnership in DJS's fiscal 2021, 2022, and 2023 budgets.

The report shall be submitted by December 31, 2022, 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: Governor Lawrence J. Hogan, Jr. and DJS announced the Baltimore City Strategic Partnership in December 2019 with the goal to improve early intervention efforts for low-offending youth. This language requests an update on the operations of this partnership, its impact on juvenile caseloads, relevant performance data, and the amount of departmental funds directed toward partnership programming.

Information Request	Author	Due Date
Update on the Baltimore City Strategic Partnership	DJS	December 31, 2022

W00A
Department of State Police

Supplemental Budget No. 1 – Fiscal 2022 Deficiency

W00A01.04 Support Services Bureau

Add the following language to the general fund appropriation:

, provided that \$3,367,558 of this appropriation made for the purpose of helicopter maintenance in fiscal 2022 may be expended only for that purpose. 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: This language restricts general funds provided in Supplemental Budget No. 1 for the purposes of helicopter maintenance to only be used for that purpose. General funds are appropriated for this purpose in lieu of special funds in order to extend the solvency of the Maryland Emergency Medical System Operations Fund.

Supplemental Budget No. 1

W00A01.04 Support Services Bureau

Add the following language to the general fund appropriation:

, provided that \$3,367,558 of this appropriation made for the purpose of helicopter maintenance in fiscal 2023 may be expended only for that purpose. 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: This language restricts general funds provided in Supplemental Budget No. 1 for the purposes of helicopter maintenance to only be used for that purpose. General funds are appropriated for this purpose in lieu of special funds in order to extend the solvency of the Maryland Emergency Medical System Operations Fund.

Committee Narrative

Implementation of the Workforce Diversity Action Plan: During the 2021 session, the General Assembly expressed concern with the allegations of racial insensitivity and lack of diversity among the Department of State Police (DSP) workforce. DSP was directed to convene a diversity study group to develop an action plan to address these concerns containing specific and measurable goals and to submit the action plan to the General Assembly, along with metrics detailing the current degree of diversity in the department. In continuing to monitor the department's progress in addressing this issue, the committees request an update on the further development and implementation of the Workforce Diversity Action Plan, providing the following information:

W00A

- progress that has been made related to implementing the four recommendations of the diversity study group that met in 2021;
- specific and measurable goals for achieving diversity among civilian and sworn employees based on the feedback that the department receives from its internal focus groups and external focus groups with community partners, including a date or dates by which the department hopes to achieve these goals;
- a demographic breakdown of the department's civilian and sworn employees for the previous year *for each division, including sworn employees who staff the Governor's security detail and fleet*;
- a demographic breakdown of the department's attrition rate for the previous year;
- a demographic breakdown of the department's managerial and leadership positions for the previous year;
- a demographic breakdown of the Maryland State Police Academy classes for the previous year;
- the number of reported incidents of racially insensitive behavior among departmental personnel for the previous three years; and
- a demographic breakdown of the disciplinary actions for civilian and sworn personnel over the previous year.

In any instance where "demographic" data is requested, this should include data categorized by both race and gender. In addition to the official report, data shall be provided in an electronic format subject to the concurrence of the Department of Legislative Services.

Additionally, to create a greater understanding of the Workforce Diversity Action Plan's impact on departmental diversity, equity, and inclusion, the committees request that specific outcome performance measures be developed for the Managing for Results (MFR) section of the Governor's Fiscal 2024 Budget Books and for subsequent fiscal years.

The first report on the implementation of the action plan is to be submitted to the committees on September 1, 2022, with the draft of the department's diversity performance measures to be submitted not later than October 31, 2022.

W00A

Information Request	Author	Due Date
Update on the implementation of the Workforce Diversity Action Plan	DSP	September 1, 2022
Draft diversity performance measures	DSP	October 31, 2022
Diversity MFR	DSP	With submission of the fiscal 2024 allowance

Sections

Budget Amendments

Amend the following section:

Section 36 Out-of-home Placements Report

SECTION 36. AND BE IT FURTHER ENACTED, That ~~\$100,000~~\$150,000 of the general fund appropriation made for the purpose of administrative expenses in D21A02.01 Governor's Office of Crime Prevention, Youth, and Victim Services' Children and Youth Division (CYD), \$100,000 of the general fund appropriation of the Department of Human Services Social Services Administration, \$100,000 of the general fund appropriation of the Department of Juvenile Services, \$100,000 of the general fund appropriation of the Maryland Department of Health Developmental Disabilities Administration, and \$100,000 of the general fund appropriation of the Maryland State Department of Education may not be expended until CYD submits a report on behalf of the Children's Cabinet to the budget committees on out-of-home placements containing:

- (1) the total number and one-day counts (as of January 1) of out-of-home placements and entries by jurisdiction, by agency, and by placement type for fiscal 2020, 2021, and 2022;
- (2) the total number and one-day counts (as of January 1) of out-of-state placements, including the number of family home, community-based, and non-community-based out-of-state placements for fiscal 2020, 2021, and 2022 categorized by state and by age category;
- (3) the costs associated with out-of-home placements;
- (4) an explanation of recent placement trends;
- (5) findings of child abuse and neglect occurring while families are receiving family preservation services or within one year of each case closure; and
- (6) areas of concern related to trends in out-of-home and/or out-of-state placements and potential corrective actions that the Children's Cabinet and local management boards can take to address these concerns.

Further provided that each agency or administration that funds or places children and youth in out-of-home placements shall assist CYD and comply with any data requests necessary for the timely production of the report. The report shall be submitted to the budget committees by January 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise for any other purpose. Should the report not be submitted by the requested date, the restricted funds shall revert to the General Fund.

Sections

Explanation: The out-of-home placements report is a report mandated by Human Services Article, Section 8-703(e). It is also annually requested to be submitted to the budget committees. This report is a useful evaluative tool to assess the well-being of Maryland's youth and families and to identify areas of concern related to youth placed out of home. This language restricts funds in each of the data reporting agencies and specifies the data of interest to the General Assembly, including agency-specific data for out-of-home and out-of-state placements.

Information Request	Author	Due Date
Out-of-home placements report	Governor's Office of Crime Prevention, Youth, and Victim Services Department of Human Services Department of Juvenile Services Maryland Department of Health Maryland State Department of Education	January 1, 2023

Amendment No. _____

Add the following section:

Section 37 Uniform Crime Report

SECTION 37. AND BE IT FURTHER ENACTED, That \$250,000 of the general fund appropriation within the Department of State Police (DSP) may not be expended until DSP submits the Crime in Maryland, 2021 Uniform Crime Report (UCR) to the budget committees. The budget committees shall have 45 days to review and comment following receipt of the report. 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.

Further provided that, if DSP encounters difficulty obtaining, or validating the accuracy of, the necessary crime data by November 1, 2022, from local jurisdictions who provide the data for inclusion in the UCR, DSP shall notify the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCYVS). From each jurisdiction's third quarterly State Aid for Police Protection (SAPP) disbursement, the office shall withhold a portion, totaling at least 15% but no more than 50%, of that jurisdiction's SAPP grant for fiscal 2023 upon receipt of notification from DSP. GOCYVS shall withhold SAPP funds until such a time that the jurisdiction submits its crime data to DSP, and DSP verifies the accuracy of the data. DSP and GOCYVS shall submit a report to the budget committees indicating any jurisdiction from which crime data was not received by November 1, 2022, and the amount of SAPP funding from each jurisdiction.

Sections

Explanation: The annual language was originally added because DSP had not been submitting its annual crime report in a timely manner due to issues related to receiving crime data from the local jurisdictions. The 2017 UCR was not submitted until March 2019, and the 2018 UCR was not submitted until March 2020. The 2019 UCR and 2020 UCR were the first reports submitted on time in several years.

This language withholds a portion of the general fund appropriation until the budget committees receive the 2021 UCR. The language also specifies that GOCPYVS, upon receipt of notification from DSP, must withhold a portion of a delinquent jurisdiction's SAPP grant until certain crime data is received by DSP. Finally, DSP and GOCPYVS must submit a report to the budget committees that includes information on any jurisdiction that did not report crime data by November 1, 2022, and the amount of SAPP funding that is withheld from each jurisdiction.

Information Request	Author	Due Date
2021 UCR data verification	DSP	November 1, 2022
2021 UCR	DSP	45 days prior to expenditure of funds

Add the following section:

Section 38 Youth-centered Behavioral Health Intervention and Prevention Programs

SECTION 38. AND BE IT FURTHER ENACTED, That \$50,000 of the general fund appropriation made for the purpose of administration in the Department of Juvenile Services (DJS) Office of the Secretary (V00D01.01), \$50,000 of the general fund appropriation made for the purposes of program direction in the Maryland Department of Health (MDH) – Behavioral Health Administration Program Direction (M00L01.01), and \$50,000 of the general fund appropriation made for the purpose of general operating expenses in the Governor's Office of Crime Prevention, Youth, and Victim Services Children and Youth Division (D21A02.01) may not be expended until the agencies submit a report on:

- (1) a review of current practices and youth preventative programs supporting the behavioral health needs of youth, including those at risk of incarceration or recidivism;
- (2) a review of youth-centered, youth co-designed behavioral health interventions and prevention models being implemented nationally and with evidence-based outcomes; and
- (3) recommendations for statutory, regulatory, or other changes that could allow for increased access and expansion of behavioral health programs in Maryland to best serve youth and families to prevent and divert from justice system involvement.

Sections

Further, DJS and MDH shall coordinate with the Behavioral Health and Criminal Justice Partnership and other stakeholders when applicable during the completion and submission of the report. The report shall be submitted by November 1, 2022, 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 or be canceled if the report is not submitted to the budget committees.

Explanation: The committees are interested in better understanding the role of youth-centered behavioral health intervention and preventive programs as an evidence-informed model to reduce and prevent juvenile justice system involvement. This language restricts funds in DJS and MDH – Behavioral Health Administration (BHA) pending the submission of a report on youth-centered behavioral health intervention and preventative programs. This report shall include a review of current practices in the State, other models being implemented nationwide, and recommendations around youth-centered behavioral health intervention and prevention programs. The agencies shall coordinate with the Behavioral Health and Criminal Justice Partnership and other appropriate stakeholders to submit this report.

Information Request	Author	Due Date
Report on youth-centered behavioral health intervention and prevention programs	DJS MDH BHA Governor's Office of Crime Prevention, Youth, and Victim Services	November 1, 2022

Add the following section:

Section 40 Home Detention Monitoring

SECTION 40. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Public Safety and Correctional Services (DPSCS) Central Home Detention Unit (Q00A02.05) and \$100,000 of the general fund appropriation made in the Judiciary Administrative Office of the Courts (C00A00.06) may not be expended until the agencies submit a report on:

- (1) total offenders under home detention supervision in Baltimore City by age, sex, and race;
- (2) the cost per person for monitoring devices in Baltimore City;
- (3) total offenders under home detention supervision statewide by age, sex, and race;

Sections

- (4) the cost per person for monitoring devices statewide;
- (5) rates of violation of supervision for offenders on home detention by type, including technical violations;
- (6) an update on the effect of COVID-19 on monitoring offenders, oversight processes, and home detention agent visits;
- (7) an analysis of home detention outcomes and how home detention may lower incarceration rates;
- (8) a description of the process and determining factors by which individuals are placed into home detention rather than in custody;
- (9) a comparison of home detention dispositions prior to and following the pandemic, including future projections;
- (10) a listing of Private Home Detention Monitoring Agencies (PHMDA) utilized in the State, including the amount dispersed to each company and the number of offenders served;
- (11) a description of how these companies monitor offenders and with what technology;
- (12) a description of the process by which these companies report parole/probation violations;
- (13) the policies and sanctions in place if a company fails to report and a discussion about any companies that have failed to report in recent fiscal years;
- (14) a copy of PHDMA reports received in the most recent fiscal quarter;
- (15) the amount of fiscal 2022 funding that was used to pay private home detention monitoring fees;
- (16) the number of individuals whose private home detention monitoring fees were waived; and
- (17) the overall benefit seen from the legislative initiative to cover private home detention monitoring fees in fiscal 2022, including a comparison of outcomes.

The report shall be submitted to the budget committees no later than November 1, 2022. The budget committees shall have 45 days to review and comment following submission of the report. 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.

Sections

Explanation: Home detention caseloads and walk-offs from home detention increased simultaneously in fiscal 2021. Additionally, funds have been allocated in fiscal 2022 to support private home detention monitoring costs for individuals. The budget committees are interested in receiving more information about the home detention process and seek data regarding caseloads, costs, legal decision making, and private home detention monitoring agencies that are contracted in the State to monitor offenders. DPSCS and the Judiciary shall consult with private companies to provide the requested information.

Information Request	Author	Due Date
Report on home detention monitoring	DPSCS Judiciary	November 1, 2022

Amendment No. _____

Add the following section:

Section 42 Women's Prerelease Progress Report

SECTION 42. AND BE IT FURTHER ENACTED, That \$125,000 of the general fund appropriation made for the purpose of general operating expenses in the Department of Public Safety and Correctional Services (DPSCS) Division of Correction General Administration (Q00B01.01) and \$125,000 of the general fund appropriation for the purpose of general operating expenditures in the Department of General Services (DGS) – Office of Design, Construction and Energy (H00G01.01) may not be expended until DPSCS submits the fiscal 2023 Prerelease Unit for Women Progress Report written by DPSCS in accordance with Chapter 16 of 2021 and DGS submits a letter approving the DPSCS report.

Further provided that it is the intent of the General Assembly that DGS provides project oversight for the women's prerelease center project. The letter of approval shall be submitted by January 15, 2023, 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.

Explanation: Construction of and reporting on a new women's prerelease center was required by Chapter 16. The committees are concerned with the project schedule and delays in preparing the Part I/Part II program. The fiscal 2022 report on the women's prerelease center was submitted late by DPSCS. This language restricts funds in DPSCS and DGS until DPSCS submits the fiscal 2023 Prerelease Unit for Women Progress Report and DGS submits a letter to the budget committees approving the report. This language also expresses legislative intent that DGS provide oversight for the project.

Sections

Information Request

Author

Due Date

*Letter of approval for the fiscal 2023
Prerelease Unit for Women Progress
Report*

DGS

January 15, 2023

Amendment No. _____



Report of the
**Transportation and the
Environment Subcommittee**
To the House Appropriations Committee

2022 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 290

General Assembly of Maryland

House Appropriations Committee

Transportation and the Environment Subcommittee

2022 Session Membership Roster

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Delegate Carol L. Krimm, Vice Chairman

Delegate Wendell R. Beitzel
Delegate Trent Kittleman
Delegate Jazz Lewis
Delegate Ric Metzgar

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C90G00

Public Service Commission

Committee Narrative

C90G00.01 General Administration and Hearings

Availability of Reporting of Complaints Filed Against Utilities: The committees continue to be interested in tracking complaints filed against utilities as a point of comparison to the data on complaints filed against energy suppliers currently reported by the Public Service Commission (PSC) on its website. The committees request that PSC provide an update on its implementation of its new complaint data management system, including the status of the availability of reporting of complaints filed against utilities. If not currently available on its website at the time of this report, PSC should indicate when this data will become available and provide an updated summary of complaint data by complaint type for utilities, suppliers, and other regulated entities as of the end of calendar 2021 and year-to-date data for calendar 2022.

Information Request	Author	Due Date
Report on the status of reporting availability for complaints filed against utilities	PSC	November 1, 2022

Energy Supplier Marketing Practices: Over the last several years, the committees have requested various data from the Public Service Commission (PSC) related to third-party energy supplier pricing and marketing practices as well as complaints filed against these suppliers. The committees are interested in continuing to monitor the marketing practices of energy suppliers in the State, particularly due to concerns that certain energy suppliers may be targeting certain communities with prohibited marketing practices through the use of door-to-door sales activity. The committees request that PSC submit a report with data on door-to-door sales and marketing activity reported by retail energy suppliers, including the number of suppliers reporting activities by zip code, for the period of November 2020 through October 30, 2022. The report should also include a description of consumer education and other outreach activities conducted by PSC in response to prohibited marketing practices as well as any actions taken against energy suppliers.

Information Request	Author	Due Date
Report on door-to-door sales and marketing activity by retail energy suppliers	PSC	December 15, 2022

D13A13

Maryland Energy Administration

Committee Narrative

D13A13.01 General Administration

Strategic Energy Investment Fund (SEIF) Revenue, Spending, and Fund Balance: The committees are interested in ensuring transparency in Regional Greenhouse Gas Initiative (RGGI) revenue assumptions and spending included in the budget as well as available fund balance. The committees request that the Department of Budget and Management (DBM) provide an annual report on the revenue from the RGGI carbon dioxide emission allowance auctions, set-aside allowances, and interest income in conjunction with the submission of the fiscal 2024 budget as an appendix to the Governor’s Fiscal 2024 Budget Books. The report shall include information on the actual fiscal 2022 budget, the fiscal 2023 working appropriation, and the fiscal 2024 allowance. The report shall detail:

- revenue assumptions used to calculate the available SEIF from RGGI auctions for each fiscal year, including the number of auctions, the number of allowances sold, the allowance price in each auction, and the anticipated revenue from set-aside allowances;
- interest income received on the SEIF;
- amount of the SEIF from RGGI auction revenue available to each agency that receives funding through each required statutory allocation, dues owed to RGGI, Inc., and transfers or diversions of revenue made to other funds; and
- fund balance for each SEIF subaccount for the fiscal 2022 actual, the fiscal 2023 working appropriation, and the fiscal 2024 allowance.

Information Request	Author	Due Date
Report on revenue assumptions and use of RGGI auction revenue	DBM	With the submission of the Governor’s Fiscal 2024 Budget Books

Maryland Gas Expansion Fund Activities: The fiscal 2023 allowance includes \$18.5 million of funds from the Maryland Gas Expansion Fund. This amount represents the vast majority of the unspent funds remaining in the fund that were restricted by the General Assembly in the fiscal 2022 Budget Bill for transfer to the Department of Human Services Office of Home Energy Programs for the purpose of bill payment assistance and arrearage retirement but were not released for that purpose. Fiscal 2022 spending from this fund is budgeted at \$7.5 million. Given the substantial increase in funding available to be distributed in fiscal 2023, the committees request that the Maryland Energy Administration (MEA) submit a report providing

D13A13

information on the status of the application process, including applications received, evaluation criteria, and awards made. Data should include final end-of-year data for fiscal 2022 as well as year-to-date information for fiscal 2023. If awards have not been made as of the submission of the report, it should instead include information about the planned timeline for determining awards.

Information Request	Author	Due Date
Maryland Gas Expansion Fund update	MEA	December 31, 2022

Budget Amendments

D13A13.08 Renewable and Clean Energy Programs and Initiatives

Add the following language to the special fund appropriation:

. provided that \$9,250,000 of this appropriation made for the purpose of the Maryland Energy Infrastructure Grant Program, including the Contributions in Aid of Construction Dispensation Fund, the Anchor Customer Program, and the Local Distribution Company Program, and technical assistance from the Maryland Gas Expansion Fund may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Human Services program N00I00.06 Office of Home Energy Programs to be used only for bill payment assistance and arrearage retirement for residential electric and natural gas customers. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This language restricts \$9.25 million of the \$18.5 million appropriation in the Renewable and Clean Energy Programs and Initiatives program of the Maryland Energy Administration from the Maryland Gas Expansion Fund created as a result of a condition of approval of the WGL Holdings, Inc. and AltaGas, Ltd. to be used in the Department of Human Services for bill payment or arrearage assistance for residential electric and natural gas customers.

Amendment No. _____

D40W01
Department of Planning

Committee Narrative

D40W01.04 Planning Coordination

Maryland Semiquincentennial Commission Funding Report: The fiscal 2023 allowance includes \$250,000 for the Maryland Semiquincentennial Commission created by Executive Order 01.01.2021.03 on January 14, 2021. The committees are concerned that there does not appear to be a long-term funding plan and scope for the commission's activities despite the commission's authority extending to December 31, 2027. Therefore, the committees request that the Maryland Department of Planning (MDP) submit a report by December 31, 2022, explaining the use of fiscal 2023 funding through December 31, 2022, the plan for the use of funding throughout the rest of fiscal 2023, and the long-term funding needs and scope of the commission's activities.

Information Request	Author	Due Date
Maryland Semiquincentennial Commission funding report	MDP	December 31, 2022

D70J00
Maryland Automobile Insurance Fund

Committee Narrative

Incentive Compensation: *The committees are interested in the incentive compensation provided to employees within the Maryland Automobile Insurance Fund (MAIF). The committees request that MAIF submit a report on the incentive compensation structure for the Insured and Uninsured Motorist divisions. The report should include what the compensation is tied to as well as the aggregate incentive compensation per division from fiscal 2017 through 2021.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on incentive compensation</i>	<i>MAIF</i>	<i>December 1, 2022</i>

J00
Department of Transportation

Budget Amendments

Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a “major project” under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (2) above; or moving projects from the development and evaluation program to the construction program shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

Explanation: This annual budget bill language requires the department to notify the budget committees of proposed changes to the transportation capital program that will add a new project that was not in the fiscal 2022 to 2027 Consolidated Transportation Program (CTP) or will increase a total project’s cost by more than 10%, or \$1 million due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP with each using the 2022 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

J00

Information Request	Author	Due Date
Capital budget changes from one CTP version to the next	Maryland Department of Transportation (MDOT)	With draft CTP With final CTP
Capital budget changes throughout the year	MDOT	45 days prior to the expenditure of funds or seeking Board of Public Works approval

Add the following language:

The Maryland Department of Transportation (MDOT) may not expend funds on any job or position of employment approved in this budget in excess of 9,057.5 positions and 115.0 contractual full-time equivalent (FTE) positions paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2023. The level of contractual FTE positions may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) business growth at the Helen Delich Bentley Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport that demands additional personnel; or
- (2) emergency needs that must be met, such as transit security or highway maintenance.

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the regular position ceiling approved by the Board of Public Works shall count against the Rule of 100 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2023 budget shall be subject to Section 7-236 of the State Finance and Procurement Article and the Rule of 100.

Explanation: This annual budget bill language establishes a position ceiling for MDOT each year to limit growth in regular positions and contractual FTEs.

Information Request	Author	Due Date
Need for additional regular or contractual positions	MDOT	As needed

J00A01
The Secretary's Office
Department of Transportation

Budget Amendments

J00A01.02 Operating Grants-In-Aid

Add the following language to the special fund appropriation:

, provided that no more than \$5,561,906 of this appropriation may be expended for operating grants-in-aid, except for:

- (1) any additional special funds necessary to match unanticipated federal fund attainments; or
- (2) any proposed increase either to provide funds for a new grantee or to increase funds for an existing grantee.

Further provided that no expenditures in excess of \$5,561,906 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees.

Explanation: This annual language caps the level of special funds provided for operating grants-in-aid. The cap may be increased to match unanticipated federal dollars or to provide new or expanded grant funding upon notification to the budget committees.

Information Request	Author	Due Date
Explanation of need for additional special funds for operating grants-in-aid	Maryland Department of Transportation	45 days prior to expenditure

J00A01.03 Facilities and Capital Equipment

Add the following language to the special fund appropriation:

, provided that no funds may be expended by the Secretary's Office for any system preservation or minor project with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2022 to 2027 Consolidated Transportation Program, except as outlined below:

- (1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of \$500,000, including the need and justification for the project and its total cost; and

J00A01

- (2) the budget committees shall have 45 days to review and comment on the proposed system preservation or minor project.

Explanation: This language provides legislative oversight of grants exceeding \$500,000 that are not listed in the current Consolidated Transportation Program (CTP).

Information Request	Author	Due Date
Notification of the intent to fund a capital grant exceeding \$500,000 that is not listed in the current CTP	Maryland Department of Transportation	45 days prior to expenditure

J00A04
Debt Service Requirements
Department of Transportation

Budget Amendments

Add the following language:

Consolidated Transportation Bonds may be issued in any amount, provided that the aggregate outstanding and unpaid balance of these bonds and bonds of prior issues may not exceed \$3,321,205,000 as of June 30, 2023.

Explanation: Section 3-202 of the Transportation Article requires the General Assembly to establish the maximum debt outstanding each year in the budget bill. The level is based on the outstanding debt as of June 30, 2021, plus projected debt to be issued during fiscal 2022 and 2023 in support of the transportation capital program.

Add the following language:

The Maryland Department of Transportation (MDOT) shall submit with its annual September and January financial forecasts information on:

- (1) anticipated and actual nontraditional debt outstanding as of June 30 of each year; and
- (2) anticipated and actual debt service payments for each outstanding nontraditional debt issuance from fiscal 2022 through 2032.

Nontraditional debt is defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond; such debt includes, but is not limited to, Certificates of Participation; debt backed by customer facility charges, passenger facility charges or other revenues; and debt issued by the Maryland Economic Development Corporation or any other third party on behalf of MDOT.

Explanation: The General Assembly is interested in monitoring the use of nontraditional debt by MDOT. The information requested provides the budget committees with additional information on the usage and annual costs of nontraditional debt.

Information Request	Author	Due Date
Nontraditional debt outstanding and anticipated debt service payments	MDOT	With the September forecast
Nontraditional debt outstanding and anticipated debt service payments	MDOT	With the January forecast

J00A04

Add the following language:

The total aggregate outstanding and unpaid principal balance of nontraditional debt, defined as any debt instrument that is not a Consolidated Transportation Bond or a Grant Anticipation Revenue Vehicle bond issued by the Maryland Department of Transportation (MDOT), exclusive of any draws on the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the Purple Line Light Rail Project, may not exceed \$1,382,690,000 as of June 30, 2023. The total aggregate outstanding and unpaid principal balance on the Purple Line TIFIA loan may not exceed \$1,760,500,000 as of June 30, 2023. Provided, however, that in addition to the limits established under this provision, MDOT may increase the aggregate outstanding unpaid and principal balance of nontraditional debt so long as:

- (1) MDOT provides notice to the Senate Budget and Taxation Committee and the House Appropriations Committee stating the specific reason for the additional issuance and providing specific information regarding the proposed issuance, including information specifying the total amount of nontraditional debt that would be outstanding on June 30, 2023, and the total amount by which the fiscal 2023 debt service payment for all nontraditional debt would increase following the additional issuance; and
- (2) the Senate Budget and Taxation Committee and the House Appropriations Committee have 45 days to review and comment on the proposed additional issuance before the publication of a preliminary official statement. The Senate Budget and Taxation Committee and the House Appropriations Committee may hold a public hearing to discuss the proposed increase and shall signal their intent to hold a hearing within 45 days of receiving notice from MDOT.

Explanation: This language limits the amount of nontraditional debt outstanding at the end of fiscal 2023 for non-TIFIA debt to the total amount that was outstanding from all previous nontraditional debt issuances as of December 31, 2021, plus an anticipated issuance of \$655 million of Private Activity Bonds for the Purple Line Project. TIFIA debt outstanding for the Purple Line Project is capped at the projected maximum debt outstanding level that will occur during the construction phase of the Purple Line Project. The language allows MDOT to increase the amount of nontraditional debt outstanding in fiscal 2023 by providing notification to the budget committees regarding the reason that the additional debt is required.

Information Request	Author	Due Date
Justification for increasing nontraditional debt outstanding	MDOT	45 days prior to publication of a preliminary official statement

J00B01
State Highway Administration
Department of Transportation

Budget Amendments

J00B01.01 State System Construction and Equipment

Add the following language to the special fund appropriation:

, provided that \$10,000,000 of this appropriation made for the purpose of funding system preservation projects may not be expended for that purpose but instead may be used only for the Route 5 Reconstruction Project at Great Mills in St. Mary's County. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: *This language restricts funds to be used only for the Route 5 Reconstruction Project at Great Mills that will address safety, congestion, access, and connectivity issues in St. Mary's County.*

Amendment No. _____

Committee Narrative

Governor Thomas Johnson Bridge Suicide Prevention Barriers: *By early February 2022, two people had died by jumping from the Governor Thomas Johnson Bridge over the Patuxent River. The budget committees request that the State Highway Administration (SHA) submit a report by July 1, 2022, detailing the estimated cost of installing suicide prevention barriers on the bridge and an estimated schedule for completing the installation.*

Information Request	Author	Due Date
<i>Report on costs and schedule for installing suicide prevention barriers on the Governor Thomas Johnson Bridge</i>	<i>SHA</i>	<i>July 1, 2022</i>

J00D00
Maryland Port Administration
Department of Transportation

Budget Amendments

J00D00.01 Port Operations

Add the following language to the special fund appropriation:

, provided that \$125,000 of this appropriation made for the purpose of reimbursing the Maryland Transportation Authority (MDTA) for policing services may not be expended for that purpose or any other purpose until MDTA submits a performance audit that allays concerns about ongoing issues with E-ZPass toll collections and accuracy. MDTA should competitively bid for a certified public accounting firm to conduct a performance audit consistent with professional auditing standards of the administrative and financial offices of MDTA to evaluate the efficiency and effectiveness of the E-ZPass tolling program. A certified public accounting firm that provides services to MDTA is not eligible to bid on the performance audit contract. On the award of the performance audit contract to a certified public accounting firm, the certified public accounting firm shall consult with the Joint Audit Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit. The performance audit shall include:

- (1) a full discussion billing issues and any related data;
- (2) statistics on customer call center wait times;
- (3) statistics on customer problems repaying tolls dues to errors;
- (4) MDTA's efforts to address the backlog of toll transactions;
- (5) any technological issues with toll facilities and billing; and
- (6) statistics on how MDTA resolves claims of billing errors.

Further provided that in submitting the aforementioned performance audit and requested data, MDTA shall also provide an update on the Customer Assistance program and any related statistics.

The report shall be submitted by December 15, 2022, and the budget committees shall have 45 days from 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: MDTA has had ongoing issues with of tolling errors and billing accuracy, particularly in its E-ZPass program. Being that MDTA is nonbudgeted, this language restricts

J00D00

funds within the Maryland Port Administration appropriated for the purpose of reimbursing MDTA for policing expenses incurred at the Port of Baltimore until a report is provided detailing the findings of the performance audit.

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>E-ZPass Performance Audit</i>	<i>MDTA</i>	<i>December 15, 2022</i>

Amendment No. _____

J00E00
Motor Vehicle Administration
Department of Transportation

Committee Narrative

J00E00.01 Motor Vehicle Operations

Digital Driver's License Report: The committees are interested in how the Motor Vehicle Administration (MVA) will address privacy concerns and the implementation of digital driver's licenses or mobile driver's licenses. The report should include:

- agency policies that will safeguard citizens' privacy as these electronic credentials are introduced and in future iterations;
- estimated costs for the necessary infrastructure to read/scan digital driver's licenses;
- proper training on how to use the associated technology; and
- necessary legislation needed to ensure a successful implementation.

Information Request	Author	Due Date
Report on digital driver's licenses and privacy concerns	MVA	September 1, 2022

J00H01
Maryland Transit Administration
Department of Transportation

Budget Amendments

J00H01.01 Transit Administration

Add the following language to the special fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on the policies it has and the procedures it uses to assist paratransit users when scheduled rides do not arrive within 30 minutes of the scheduled pick-up time. The report shall include the following information:

- (1) how stranded riders can contact the paratransit dispatch center to provide notification that a scheduled pickup is 30 minutes or more late;
- (2) how backup drivers and vehicles are made available;
- (3) for fiscal 2022:
 - (a) the number of paratransit trips scheduled;
 - (b) the number and percent of paratransit trips performed on time;
 - (c) the number and percent of paratransit trips performed late in 30-minute increments; and
- (4) for calendar 2022, the on-time percentage by month.

The report shall be submitted by January 16, 2023, 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 Maryland Transit Administration's (MTA) stated goal is achieving an on-time performance of 92%; however, MobilityLink on-time performance was well below this level during calendar 2021. This language requires MTA to report on how paratransit riders experiencing late service are assisted.

Information Request	Author	Due Date
Report on policies and procedures for dealing with delayed paratransit service	MTA	January 16, 2023

J00H01

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration (MTA) submits a report to the budget committees comparing itself with *peer agencies and* surrounding jurisdictions with respect to wage and salary levels, hiring and retention bonuses, and any other relevant metrics related to attracting and retaining employees for job classifications for which MTA is currently experiencing high vacancy rates. The report shall be submitted by October 1, 2022, 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: Transit service has suffered recently due to MTA's inability to maintain sufficient filled positions for several job classifications such as bus operators and vehicle maintenance workers. This language requires MTA to provide a report comparing itself to surrounding jurisdictions on hiring and retention factors for these job classifications.

Information Request	Author	Due Date
Report on hiring and retention comparison with <i>peer agencies and</i> surrounding jurisdictions	MTA	October 1, 2022

Amendment No. _____

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits a report to the budget committees on:

- (1) the level of reliable cellular and broadband access in stations and along transit rights-of-way for MARC, Light RailLink, and Metro SubwayLink; and
- (2) the extent to which, if any, there has been a review of reliable cellular and broadband access within transit-oriented development and surrounding communities.

The report shall be submitted by August 1, 2022, 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.

J00H01

Explanation: The committees are interested in learning the extent to which there is access to reliable cellular and broadband access for commuters within transit stations as well as those along rights-of-way, including within transit-oriented development.

Information Request	Author	Due Date
Report on cellular/broadband access	Maryland Transit Administration	August 1, 2022

Add the following language to the special fund appropriation:

Further provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Maryland Transit Administration submits five bimonthly construction status reports for the Purple Line project to the budget committees. The status reports shall provide:

- (1) the percent completion for the project as a whole and for each major category of work;
- (2) the running total amount expended for construction; and
- (3) an explanation of any material change to the total construction cost estimate or construction schedule as set forth in the revised P3 Agreement as amended to add Maryland Transit Solutions as the replacement design-build contractor for the project.

The first status report shall be submitted by July 1, 2022, and subsequent reports shall be submitted every second month thereafter, and the budget committees shall have 45 days from the date of the receipt of the final 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: This language restricts funds pending regular construction progress reports for the Purple Line Light Rail Project.

Information Request	Author	Due Date
Reports on Purple Line construction progress	Maryland Transit Administration	July 1, 2022, and bimonthly thereafter ending with the March 1, 2023 report.

Amendment No. _____

Committee Narrative

Baltimore Collegetown Network: The Baltimore Collegetown Network is a consortium of Baltimore-area colleges and universities that has expressed a desire for a dedicated transit service connecting each institution to replace individual systems run by member institutions that have some duplicative service, realize efficiencies, and improve transit services for students. The committees request that the Maryland Transit Administration provide technical assistance to the Baltimore Collegetown Network in planning the development of its unified transit system.

Linthicum Heights Light Rail Crossing: *In February 2022, a crash involving a light rail train and a motor vehicle near the intersection of MD 169 (West Maple Road) and MD 170 (Camp Meade Road) in Linthicum Heights resulted in the death of the motor vehicle operator. The committees request that the Maryland Transit Administration (MTA,) in conjunction with the State Highway Administration (SHA), provide a report by October 1, 2022, detailing the following:*

- *the agencies' policies related to regular inspection of rail crossing equipment such as crossing arms and warning lights and bells;*
- *the results of a safety review of the Linthicum Heights light rail crossing evaluating:*
 - *the current gate system with respect to proper functioning;*
 - *the feasibility of converting the crossing to a grade-separated crossing; and*
 - *whether the design of the crossing adheres to best practices;*
- *the findings of any previous studies of the Linthicum Heights crossing; and*
- *any barriers to converting the Linthicum Heights crossing to a grade-separated crossing and the steps that the Linthicum Heights community, in conjunction with SHA, MTA and Anne Arundel County, can take to facilitate the conversion to a grade-separated crossing.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on light rail crossing in Linthicum Heights</i>	<i>SHA MTA</i>	<i>October 1, 2022</i>

J00I00
Maryland Aviation Administration
Department of Transportation

Budget Amendments

J00I00.02 Airport Operations

Add the following language to the special fund appropriation:

, provided that \$150,000 of this appropriation may not be expended until the Maryland Aviation Administration (MAA) submits a report that provides updates on the Airport Noise Zone with current contours for 60 decibels (dBA), 55 dBA, 50 dBA, 45 dBA, and 40 dBA Day-Night Average Sound Levels (DNL) and 5-year and 10-year forecast DNL contours. This report shall include the following:

- (1) the process MAA uses to validate its noise modeling;
- (2) the physical validation of the noise model for 65, 60, 55, 50, 45 and 40 dBA DNL; and
- (3) the process used to physically validate the 65 to 40 dBA DNL contours.

This report shall be submitted by September 1, 2022, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted for this report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The committees remain interested in efforts that MAA is taking to mitigate the impact of aircraft noise on the lives of Marylanders. MAA has never been required to show any contours except the 65 dBA DNL. Many of the complaints received by MAA have been between DNL 65 and 40 dBA. The only available data is due to portable noise monitor studies requested by members of the public. This language restricts funds pending receipt of a report from MAA evaluating noise levels among contours for 40 to 65 dBA DNL.

Information Request	Author	Due Date
Report on Airport Noise Zone update	MAA	September 1, 2022

J00J00
Maryland Transportation Authority

Committee Narrative

J00J00.41 Operating Program

Tolling Concerns Report: The committees are concerned about the ongoing issues concerning the accuracy of the tolling equipment at the Maryland Transportation Authority's (MDTA) tolling facilities. The budget committees request that MDTA provide a report that addresses these concerns. It should include an accuracy study of the tolling equipment at its tolling facilities that covers a one-week period and details the occurrences of overbilling of drivers and cause of said overbillings. The report should also include details on MDTA's process to ensure that significant tolling issues are identified, stopped, and fixed.

Information Request	Author	Due Date
Tolling concerns	MDTA	December 1, 2022

K00A
Department of Natural Resources

Committee Narrative

WILDLIFE AND HERITAGE SERVICE

K00A03.01 Wildlife and Heritage Service

Female Black Bear Population Report: *The committees are concerned that insufficient information is known about the impact of the annual black bear hunt on the female black bear population in Maryland. For instance, the five-day hunt held October 25, 2022, through October 29, 2022, in Allegany, Frederick, Garrett, and Washington counties harvested 34 female bears as opposed to only 20 male bears. In addition, the last black bear population survey was conducted in 2011. Therefore, the committees request that the Department of Natural Resources (DNR) submit a report on the impact of the annual hunt on the female black bear population, including information from the statewide Sightings and Complaints Survey, the Black Bear Bait Station Survey, the Mortality Survey, and the Reproduction Survey. The report is requested to include information from the calendar 2022 annual black bear hunt and to be submitted by December 1, 2022.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Female black bear population report</i>	<i>DNR</i>	<i>December 1, 2022</i>

Budget Amendments

NATURAL RESOURCES POLICE

K00A07.01 General Direction

Add the following language to the general fund appropriation:

, provided that \$750,000 of this appropriation made for the purpose of general operating expenses may not be expended until the Department of Natural Resources, in consultation with the Natural Resources Police Force Black Officers Association and other stakeholders, submits a hiring and promotion plan to the budget committees. The hiring and promotion plan shall have an intermediate goal of achieving an improvement of at least 20% each year in representative composition compared to 2021 State demographics and a final goal of reflecting the demographics of the State by September 30, 2027. The hiring and promotion plan shall also have an ongoing goal that the Natural Resources Police be representative of State demographics for the immediately preceding calendar year. A status update shall be submitted by September 15, 2022, and the final hiring and promotion plan shall be submitted by December 15, 2022. The budget committees shall have 45 days from the receipt of the status

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update and the final plan to review and comment. Funds restricted pending the receipt of a status update and a final plan may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the status update and the final plan are not submitted to the budget committees.

Explanation: This language restricts funding pending the submission of a hiring and promotion plan with the goal of the composition of the Natural Resources Police (NRP) reflecting the demographics of the State by September 30, 2027.

Information Request	Author	Due Date
NRP hiring and promotion plan status	Department of Natural Resources (DNR)	September 15, 2022
NRP hiring and promotion final plan	DNR	December 15, 2022

Amendment No. _____

RESOURCE ASSESSMENT SERVICE

K00A12.06 Monitoring and Ecosystem Assessment

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Department of Natural Resources submits a report to the budget committees on the condition and needs of the 16 State lakes. The report shall include the action items needed to address invasive species, maintenance dredging, and to bring the 16 State lakes up to Use Class I for water contact recreation and protection of nontidal warmwater aquatic life. The report shall be submitted by December 1, 2022, and the budget committees shall have 45 days from 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: This action restricts funding until the Department of Natural Resources (DNR) submits a report on the condition and needs of the 16 State lakes.

K00A

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Condition and needs of the 16 State lakes report</i>	<i>DNR</i>	<i>December 1, 2022</i>

Amendment No. _____

CHESAPEAKE AND COASTAL SERVICE

K00A14.02 Chesapeake and Coastal Service

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Department of Natural Resources submits the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans to the budget committees. The annual work and expenditure plans shall be submitted with the fiscal 2024 budget submission as required by Section 8-2A-03(d) of the Natural Resources Article, and the budget committees shall have 45 days from the date of the receipt of the plans to review and comment. Funds restricted pending the receipt of annual work and expenditure plans may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the annual work and expenditure plans are not submitted to the budget committees.

Explanation: Section 8-2A-03(d) of the Natural Resources Article requires the Governor to submit the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans to the General Assembly as part of the annual budget submission, but the Governor has not done so on a regular basis. This action restricts funding in the Department of Natural Resources' (DNR) budget until the annual work and expenditure plans are submitted with the fiscal 2024 budget submission.

Information Request	Author	Due Date
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annual work and expenditure plans	DNR	Fiscal 2024 budget submission

K00A

Committee Narrative

Summary of Chesapeake Bay Restoration Spending: The budget committees request that the Department of Budget and Management (DBM), the Department of Natural Resources (DNR), and the Maryland Department of the Environment (MDE) provide a report on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The scope of the report is as follows: Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2022 actual, fiscal 2023 working appropriation, and fiscal 2024 allowance to be included as an appendix in the fiscal 2024 budget volumes and submitted electronically in disaggregated form to DLS.

Information Request	Author	Due Date
Summary of Chesapeake Bay restoration spending for programs that have over 50% of their activities directly related to Chesapeake Bay restoration	DBM DNR MDE	Fiscal 2024 budget submission

L00A
Department of Agriculture

Committee Narrative

OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT

L00A14.04 Pesticide Regulation

***Integrated Pest Management in Schools Report:** The committees are concerned that insufficient information is known about the degree to which the integrated pest management law – Chapter 322 of 1999 (Public Schools – Integrated Pest Management) – is being enforced in school districts. Therefore, the committees request that the Maryland Department of Agriculture (MDA), in consultation with the Maryland State Department of Education (MSDE) and the Children’s Environmental Health and Protection Advisory Council (CEHPAC), submit a report on whether school districts are complying with the integrated pest management law. The report is requested to include the status of school districts developing and implementing integrated pest management systems for school interiors and grounds, and notifying parents on the pesticide notification list of planned pesticide applications. The report is requested to be submitted by December 1, 2022.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Integrated pest management in schools report</i>	<i>MDA MSDE CEHPAC</i>	<i>December 1, 2022</i>

U00A
Department of the Environment

Budget Amendments

LAND AND MATERIALS ADMINISTRATION

U00A06.01 Land and Materials Administration

Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of general administrative expenses in the Land and Materials Administration may not be expended pending the submission of the Maryland Scrap Tire annual report. The requested report shall be submitted no later than November 1, 2022. The budget committees shall have 45 days from the date that the report is received 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: This action restricts funding pending the submission by November 1, 2022, of the Maryland Scrap Tire Annual Report. Section 9-275(c) of the Environment Article specifies that an annual status report is due on or before November 1 of each year, which has not been consistently met.

Information Request	Author	Due Date
Maryland Used Tire Cleanup and Recycling Fund annual report	Maryland Department of the Environment	November 1, 2022

Amendment No. _____

Committee Narrative

AIR AND RADIATION ADMINISTRATION

U00A07.01 Air and Radiation Administration

Reduction of State Building Operating Costs and Greenhouse Gas Emissions Through District Energy: The committees are interested in learning more about how district energy – energy production and/or storage and distribution in a distributed manner – can be used as a tool to reduce both the operational costs and greenhouse gas emissions of the State’s building inventory. Therefore, the Maryland Department of the Environment (MDE), in consultation with the Department of General Services’ Maryland Green Building Council, the Department of

U00A

Budget and Management (DBM), and the Maryland Energy Administration (MEA), shall report on how district energy can do the following: reduce capital and operational costs of the State's buildings inventory; reduce costs of new State building construction; reduce greenhouse gas emissions from State buildings in support of the State's greenhouse gas reduction goals; and support Leadership in Energy and Environmental Design certification and Green Globe certification for State buildings. The report is also requested to include an inventory of existing district energy assets within Maryland and to be submitted by December 1, 2022.

Information Request	Author	Due Date
Reduction of State building operating costs and greenhouse gas emissions through district energy	MDE Maryland Green Building Council DBM MEA	December 1, 2022

Budget Amendments

COORDINATING OFFICES

U00A10.01 Coordinating Offices

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of general administrative expenses may not be expended until the Maryland Department of the Environment (MDE), in cooperation with the Department of Budget and Management, submits a confirmatory letter to the budget committees indicating that MDE's prior year actual personnel expenditures up to and including fiscal 2022 are budgeted in the correct statewide subobjects. The confirmatory letter shall be submitted with the fiscal 2024 budget submission, and the budget committees shall have 45 days from the date of the receipt of the confirmatory letter to review and comment. Funds restricted pending the receipt of a confirmatory letter may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the confirmatory letter is not submitted to the budget committees.

Explanation: MDE's fiscal 2021 actual budget data incorrectly reflects the allocation of funding for personnel expenditures despite 2021 Joint Chairmen's Report committee narrative requesting that the budget data be correctly reflected with the fiscal 2023 budget submission. The fringe benefit expenditures – health insurance, pension contributions, and turnover adjustments, among others – are almost entirely reflected as Social Security contributions, which makes it difficult to do historical data comparisons. Therefore, funding is restricted until MDE and the Department of Budget and Management (DBM) submit a confirmatory letter with the

U00A

fiscal 2024 budget submission indicating that prior year actual personnel expenditures up to and including fiscal 2022 are budgeted in the correct statewide subobjects.

Information Request	Author	Due Date
Budgeting of prior year actual personnel expenditures	MDE DBM	Fiscal 2024 budget submission

U10B00
Maryland Environmental Service

Committee Narrative

U10B00.41 General Administration

Maryland Environmental Service Funding Statement: The committees request that the Maryland Environmental Service (MES) continue to provide a report on the following:

- undesignated unrestricted net assets for fiscal 2022, 2023, and 2024 estimated and an explanation for any changes between each of these years, including revenues credited to and expenditures debited from the net assets;
- overhead rate for fiscal 2022, 2023, and 2024 estimated, including a separate calculation for the water and wastewater overhead rate for each fiscal year from fiscal 2016 through 2024;
- project reserve fund status by beginning balance, approved retainage, funds used, and interest earned for fiscal 2022 and 2023 for the State Reimbursable Project Contingency Fund, the Eastern Correctional Institution (ECI) Steam Turbine Contingency Fund, the Department of Natural Resources Project Contingency Fund, ECI Energy Upgrade Project Reserve Fund, and any other project reserve funds created by MES; and
- justification for the changes in reimbursable project funding for fiscal 2022, 2023, and 2024 estimated based on a discussion about how MES' undesignated unrestricted net assets allow for reducing MES' overhead rate for State reimbursable projects and how project reserve funds are available for any underbudgeting.

The report should be submitted in coordination with the Department of Budget and Management (DBM) with the fiscal 2024 budget submission.

Information Request	Author	Due Date
MES funding statement	MES DBM	Fiscal 2024 budget submission

Sections

Budget Amendments

Add the following section:

Section 35 Chesapeake Bay Restoration Spending Report

Section 35. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of Planning, \$200,000 of the general fund appropriation in the Department of Natural Resources, \$200,000 of the general fund appropriation in the Maryland Department of Agriculture, \$200,000 of the general fund appropriation in the Maryland Department of the Environment, and \$200,000 of the general fund appropriation in the Department of Budget and Management made for the purpose of general operating expenses may not be expended until the agencies provide a report to the budget committees on Chesapeake Bay restoration spending. The report shall be drafted subject to the concurrence of the Department of Legislative Services (DLS) in terms of both electronic format to be used and data to be included. The report shall include:

- (1) fiscal 2022 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (2) projected fiscal 2023 to 2025 annual spending by fund, fund source, program, and State government agency; associated nutrient and sediment reductions; and the impact on living resources and ambient water quality criteria for dissolved oxygen, water clarity, and “chlorophyll a” for the Chesapeake Bay and its tidal tributaries to be submitted electronically in disaggregated form to DLS;
- (3) an overall framework discussing the needed regulations, revenues, laws, and administrative actions and their impacts on individuals, organizations, governments, and businesses by year from fiscal 2022 to 2025 in order to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay, to be both written in narrative form and tabulated in spreadsheet form that is submitted electronically in disaggregated form to DLS;
- (4) an analysis of the various options for financing Chesapeake Bay restoration including public-private partnerships, a regional financing authority, nutrient trading, technological developments, and any other policy innovations that would improve the effectiveness of Maryland and other states’ efforts toward Chesapeake Bay restoration;
- (5) an analysis on how cost effective the existing State funding sources, such as the Bay Restoration Fund, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund, Water

Sections

Quality Revolving Loan Fund, and Clean Water Commerce Account among others, are for Chesapeake Bay restoration purposes; and

- (6) updated information on the Phase III Watershed Implementation Plan implementation and how the loads associated with the Conowingo Dam infill, growth of people and animals, and climate change will be addressed.

The report shall be submitted by December 1, 2022, 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: This language restricts funding in the Maryland Department of Planning (MDP), the Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA), the Maryland Department of the Environment (MDE), and the Department of Budget and Management (DBM) until the agencies provide a report by December 1, 2022, on recent and projected Chesapeake Bay restoration spending and associated impacts and the overall framework to meet the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay. In addition, the language expresses the intent that the report include information on policy innovations that improve the effectiveness of Maryland and other states' efforts toward Chesapeake Bay restoration; an analysis of how cost effective the State funding sources are that are being used; updated information on the Phase III Watershed Implementation Plan implementation; and how Conowingo Dam infill, people and animal growth, and climate change will be addressed.

Information Request	Author	Due Date
Historical and projected Chesapeake Bay restoration spending	MDP DNR MDA MDE DBM	December 1, 2022

Sections

Add the following section:

Section 41 Enforcement and Inspection Position Strength Assessment and Vacant Position Filling

SECTION 41. AND BE IT FURTHER ENACTED, That \$200,000 of the general fund appropriation in the Maryland Department of the Environment (MDE) and \$200,000 of the general fund appropriation in the Maryland Department of Agriculture (MDA) made for the purpose of general operating expenses may be expended only for the purpose of filling vacant compliance and enforcement positions provided, however, that no funds may be expended until MDE and MDA jointly prepare and submit quarterly reports on July 1, 2022; October 1, 2022; January 1, 2023; and April 1, 2023, which shall include:

- (1) an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments shall:
 - (a) provide information on the delegation of authority by the federal government to the departments, including any evaluations of this delegated authority, and on the delegation of authority by the departments to other entities; and
 - (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, responsibilities, and inspection workload of the departments' compliance and enforcement positions to neighboring or similar states;
- (3) a list of all inspection activities conducted by the MDE Water and Science Administration, the Land and Materials Administration, the Air and Radiation Administration, and the MDA Office of Resource Conservation;
- (4) the number of:
 - (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for fiscal 2013 through 2022 actuals; and
 - (b) fiscal 2023 current and fiscal 2024 estimated appropriations;
- (5) PINs and titles for all positions filled with restricted funding, and how the positions are being used; and
- (6) a description of the use of and outcomes from any next generation compliance techniques to increase compliance with Maryland's environmental regulations.

Sections

Further provided that funding restricted for this purpose may be released quarterly in \$50,000 installments for each agency upon receipt of the required quarterly reports by the budget committees. The budget committees shall have 45 days from the date of the receipt of the reports to review and comment. Funds restricted may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees and the released funding is not used to fill vacant compliance and enforcement positions.

Explanation: This language restricts funding until the submission of quarterly reports from MDE and MDA to the budget committees on compliance and enforcement inspections and positions and then further restricts the funding for filling vacant compliance and enforcement positions. The 2021 Joint Chairmen's Report included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration.

Information Request	Author	Due Date
Enforcement and inspection	MDA	July 1, 2022
position strength assessment	MDE	October 1, 2022
and vacant position		January 1, 2023
		April 1, 2023

Amendment No. _____



Report of the
Capital Budget Subcommittee
To the House Appropriations Committee

2022 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
Senate Bill 290

Maryland General Assembly

House Appropriations Committee

Capital Budget Subcommittee

2022 Session Membership Roster

Delegate Ben Barnes, Chairman
Delegate Mark S. Chang, Vice Chairman

Delegate Tony Bridges
Delegate Jefferson L. Ghrist
Delegate Marc Korman
Delegate Ric Metzgar
Delegate Susie Proctor
Delegate Kirill Reznik
Delegate Pat Young

Committee Staff

Michele Lambert

Subcommittee Coordinator

Laura H. Hyde

Support Staff

Katylee M. Cannon

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Housing and Community Development		
Department of Housing and Community Development.....	S00A	3

K00A
Department of Natural Resources

Budget Amendments

LAND ACQUISITION AND PLANNING

K00A05.10 Outdoor Recreation Land Loan

Strike the following language:

~~Further provided that \$1,000,000 of this appropriation made for the purpose of providing the \$6,000,000 Baltimore City Direct Grant from the Program Open Space State Share allocation may not be expended until the Department of Natural Resources, in collaboration with Baltimore City, provides to the budget committees and the members of the Baltimore City delegation editable electronic spreadsheets showing each year of Baltimore City Direct Grant funding, the projects funded by each year of funding broken down by projects specified by the legislature and specified by Baltimore City, and the status of each project in terms of reimbursement sought and project stage. The spreadsheets shall be provided quarterly on July 1, 2022; October 1, 2022; January 1, 2023; and April 1, 2023; and the budget committees shall have 45 days from the receipt of each quarterly submission of the spreadsheets to review and comment. Further provided that funding restricted for this purpose may be released quarterly in \$250,000 installments upon receipt of the required quarterly spreadsheets by the budget committees and the members of the Baltimore City delegation. Funds restricted pending the receipt of the spreadsheets may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the spreadsheets are not submitted to the budget committees and the members of the Baltimore City delegation.~~

~~**Explanation:** This action restricts Baltimore City Direct Grant funding until the submission of project status spreadsheets.~~

Information Request	Author	Due Date
Baltimore City Direct Grant	Department of Natural	July 1, 2022
project status spreadsheets	Resources	October 1, 2022
	Baltimore City	January 1, 2023
		April 1, 2023

Amendment No. _____

K00A

Add the following language to the special fund appropriation:

Further provided that \$6,000,000 of this appropriation made for the purpose of providing funding to Baltimore City through the Baltimore City Direct Grant from the Program Open Space State allocation shall be allocated as follows:

- (1) \$4,400,000 for projects that meet park purposes;
- (2) \$500,000 for planning for O'Donnell Heights Park;
- (3) \$500,000 for the Patterson Park Bathhouse;
- (4) \$350,000 for the Riverside Park Light Installation;
- (5) \$100,000 to study and evaluate repairs needed on the Patterson Park Pagoda; and
- (6) \$150,000 for Farring-Baybrook Park.

Further provided that \$100,000 of this appropriation made for the purpose of providing funding to Baltimore City through the Baltimore City Direct Grant from the Program Open Space State allocation may not be expended until Baltimore City Recreation and Parks submits a report to the budget committees. The report shall include information on the plans, next steps, and timeline to rebuild the Patterson Park Ice Rink as required by the Patterson Park Master Plan. In addition, the report shall include information on the next steps and timeline to fully fund the needs listed in the 2020 Baltimore City Recreation and Parks Swimming Pool Assessment and to provide adequate wages for lifeguards and staff to ensure full staffing for the calendar 2023 and future swimming seasons. The report shall be submitted by December 1, 2022, 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: Statute allocates \$6,000,000 for the Baltimore City Direct Grant from the Program Open Space State allocation in fiscal 2023. This action specifies how the funding is to be allocated and restricts funding pending the submission of a report.

Information Request	Author	Due Date
Patterson Park Ice Rink and Swimming Pool Assessment report	Baltimore City Recreation and Parks	December 1, 2022

Amendment No. _____

S00A
Department of Housing and Community Development

Budget Amendments

DIVISION OF NEIGHBORHOOD REVITALIZATION

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Add the following language to the general fund appropriation:

, provided that \$1,750,000 of this appropriation made for the purpose of the Project C.O.R.E. program in the Strategic Demolition Fund may only be used to provide grants as follows:

- (1) \$1,000,000 for the Baltimore City Department of Recreation and Parks for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Solo Gibbs Recreation Center project; and
- (2) \$750,000 for the Cherry Hill Development Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of community redevelopment projects in Cherry Hill.

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: This language restricts funding in the Strategic Demolition Fund for Project C.O.R.E. to be used only for the Solo Gibbs Recreation Center and Cherry Hill community redevelopment projects in Baltimore City.

Supplemental Budget No. 1

S00A24.02 Neighborhood Revitalization – Capital Appropriation

Add the following language to the federal fund appropriation:

, provided that \$900,000 of this appropriation made for the purpose of the Homeownership Works pilot program may not be expended until the Department of Housing and Community Development submits regulations to the Joint Committee on Administrative, Executive, and Legislative Review to establish an application process consistent with Chapters 702 and 703 of 2021 and submits a letter to the budget committees confirming the submission of regulations. The letter shall be submitted within 5 days of the submission of regulations, and the budget committees shall have 45 days from the date of the receipt of the letter to review and comment. Funds restricted pending the receipt of the letter may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the letter is not submitted to the budget

S00A

committees. Further provided that a budget amendment may not be authorized to replace the restricted funds if the regulations are not submitted.

Explanation: Chapters 702 and 703 established the Appraisal Gap From Historic Redlining Financial Assistance Program in the Department of Housing and Community Development (DHCD). This language restricts funding in Supplemental Budget No. 1 for the Homeownership Works pilot program until DHCD submits regulations to implement the program consistent with Chapters 702 and 703 and also submits a letter confirming the submission of regulations. This language also prohibits a budget amendment from being processed to replace the funding if the required regulations are not submitted.

Information Request	Author	Due Date
Letter confirming the submission of regulations related to Chapters 702 and 703	DHCD	Within 5 days of the submission of regulations

Decision Document

**House Appropriations – Full Committee
2022 Session**

A15000
Payments to Civil Divisions of the State

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

B75A01
General Assembly of Maryland

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
1. Concur with the budget as approved by the Legislative Policy Committee.			Concur.	Adopt.	

F10A
Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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1. Adopt the following narrative:

Concur.

Adopt.

Submission of Select Budget Detail: The committees request that the Department of Budget and Management (DBM) submit complete fiscal 2024 subobject detail by program for Comptroller Objects 08 and 12 by the third Wednesday of January 2023 in an electronic format subject to the concurrence of the Department of Legislative Services.

Information Request	Author	Due Date
Comptroller objects 08 and 12 budget detail	DBM	Tenth day of the 2023 legislative session

2. Add the following language to the general fund appropriation:

Disagree. The agency agrees to provide the required information, but disagrees with the restriction of funds. Modify, see below.

, provided that \$250,000 of this appropriation is contingent upon the Department of Budget and Management submitting two reports on the expenditure of federal funds available through the American Rescue Plan Act (ARPA). The reports shall list the amount available to the State through each federal grant, the amount expended to date, the remaining balance, and the date by which the funds must be encumbered under federal law. The reports are due September 15, 2022 and January 15, 2023. The budget committees shall have 45 days from the date of receipt of the first 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: American Rescue Plan Act (ARPA) funding provided \$3.9 billion in grants for eligible COVID-19 expenses. This language requires a full accounting of ARPA grants on a semiannual basis to increase transparency and oversight of federal fund spending.

F10A
Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
Information Request	Author	Due Date			
ARPA Funding Report	DBM	September 15, 2022, January 15, 2023			

First House Modification

Add the following language to the general fund appropriation:

Adopt.

, provided that \$250,000 of this appropriation is contingent upon the Department of Budget and Management submitting two reports on the expenditure of federal funds available through the American Rescue Plan Act. The reports shall list the amount available to the State through each federal grant, the amount expended to date, the remaining balance, and the date by which the funds must be encumbered under federal law. Additionally, the second report shall include the allocation of funds by State agency and a description of expenditures. The reports are due September 15, 2022, and January 15, 2023. The budget committees shall have 45 days from the date of receipt of the first 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: American Rescue Plan Act (ARPA) funding provided \$3.9 billion in grants for eligible COVID-19 expenses. This language requires a full accounting of ARPA grants on a semiannual basis to increase transparency and oversight of federal fund spending.

Information Request	Author	Due Date
ARPA funding report	DBM	September 15, 2022, January 15, 2023.

F10A
Department of Budget and Management – Secretary

**Amount
Reduction**

**Position
Reduction**

Agency Response Hearing Notes

**Senate
Decisions**

**House
Decisions**

3. Amend the following section:

SECTION 2. AND BE IT FURTHER ENACTED, That in order to carry out the provisions of these appropriations the Secretary of Budget and Management is authorized:

(a) To allot all or any portion of the funds herein appropriated to the various departments, boards, commissions, officers, schools and institutions by monthly, quarterly or seasonal periods and by objects of expense ~~and may place any funds appropriated but not allotted in contingency reserve available for subsequent allotment. Upon the Secretary's own initiative or upon the request of the head of any State agency, the Secretary may authorize a change in the amount of funds so allotted.~~

The Secretary shall, before the beginning of the fiscal year, file with the Comptroller of the Treasury ~~a schedule of allotments, if any a list limited to the appropriations restricted in this Act to be placed in contingency reserve.~~ The Comptroller shall not authorize any expenditure or obligation in excess of the allotment made and any expenditure so made shall be illegal.

~~(b) To allot all or any portion of funds coming into the hands of any department, board, commission, officer, school and institution of the State, from sources not estimated or calculated upon in the budget.~~

~~(e)~~ (b) To fix the number and classes of positions, including temporary and permanent positions, or person years of authorized employment for each agency, unit, or program thereof, not inconsistent with the Public General Laws in regard to classification of positions. The Secretary shall make such determinations before the beginning of the fiscal year and shall base them on the positions or person years of employment authorized in the budget as amended by approved budgetary position actions. No payment for salaries or wages nor any request for or certification of personnel shall be made except in accordance with the Secretary's determinations. At any time during the fiscal year the Secretary may amend the number and classes of positions or person years of employment previously fixed by the Secretary; the Secretary may delegate all or part of this authority. The governing boards of public institutions of

Disagree. The agency disagrees with limiting placements into contingency reserve because previous administrations did not face the same restrictions.

Adopt.

F10A
Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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higher education shall have the authority to transfer positions between programs and campuses under each institutional board's jurisdiction without the approval of the Secretary, as provided in Section 15-105 of the Education Article.

~~(d)~~ (c) To prescribe procedures and forms for carrying out the above provisions.

Explanation: This language limits the amount of appropriations that can be placed into contingency reserve to only those items restricted by the Maryland General Assembly.

4. Amend the following section:

SECTION 17. AND BE IT FURTHER ENACTED, That funds appropriated to the various State agency programs and subprograms in Comptroller Objects 0152 (Health Insurance), 0154 (Retirees Health Insurance Premiums), 0175 (Workers' Compensation), 0217 (Health Insurance), 0305 (DBM Paid Telecommunications), 0839 (HR Shared Services), 0874 (Office of Attorney General Administrative Fee), 0876 (DoIT IT Services Allocation), 0894 (State Personnel System Allocation), 0897 (Enterprise Budget System Allocation), and 1303 (rent paid to DGS) are to be utilized for their intended purposes only. ~~The expenditure or transfer of these funds for other purposes requires the prior approval of the Secretary of Budget and Management.~~ Notwithstanding any other provision of law, the Secretary of Budget and Management may transfer amounts appropriated in Comptroller Objects 0152, 0154, 0217, 0305, and 0876 between State departments and agencies by approved budget amendment in fiscal 2022 and fiscal 2023. All funds budgeted in or transferred to Comptroller Objects 0152 and 0154 and any funds restricted in this budget for use in the employee and retiree health insurance program that are unspent shall be credited to the fund as established in accordance with Section 2-516 of the State Personnel and Pensions Article.

Disagree. The agency disagrees with the limitations placed on restricted objects because previous administrations did not face the same restrictions. Adopt.

Further provided that each agency that receives funding in this budget in any of the restricted Comptroller Objects listed within this section shall establish within the State's accounting system a structure of accounts to separately identify for each restricted Comptroller Object, by fund source, the legislative appropriation, monthly transactions, and final expenditures. It is the intent of the General Assembly that an accounting detail

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be established so that the Office of Legislative Audits may review the disposition of funds appropriated for each restricted Comptroller Object as part of each closeout audit to ensure that funds are used only for the purposes for which they are restricted and that unspent funds are reverted or canceled.

Explanation: This language pertaining to restricted objects of expenditures is amended to disallow transfers to other purposes and makes it possible for the Office of Legislative Audits to track the disposition of funds in restricted statewide subobjects.

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| 5. Add the following section: | Concur. | Adopt. |
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Section 22 Executive Long-term Forecast

SECTION 22. AND BE IT FURTHER ENACTED, That the Governor’s budget books shall include a forecast of the impact of the executive budget proposal on the long-term fiscal condition of the General Fund, the Transportation Trust Fund, the Blueprint for Maryland’s Future Fund, and higher education Current Unrestricted Fund accounts. This forecast shall estimate aggregate revenues, expenditures, and fund balances in each account for the fiscal year last completed, the current year, the budget year, and four years thereafter. Expenditures shall be reported at such agency, program or unit levels, or categories as may be determined appropriate after consultation with the Department of Legislative Services. A statement of major assumptions underlying the forecast shall also be provided, including but not limited to general salary increases, inflation, and growth of caseloads in significant program areas.

Explanation: This annual language provides for the delivery of the executive’s General Fund, transportation, Blueprint for Maryland’s Future Fund, and higher education forecasts and defines the conditions under which they are to be provided.

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Information Request

Author

Due Date

Executive forecasts	Department of Budget and Management	With submission of the Governor's Fiscal 2024 Budget Books
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| 6. Add the following section: | Concur. | Adopt. |
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Section 23 Across-the-board Reductions and Higher Education

SECTION 23. AND BE IT FURTHER ENACTED, That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.

Explanation: This section explicitly applies reductions intended for the full Executive Branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College unless their exclusion is specifically stated.

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| 7. Add the following section: | Concur. | Adopt. |
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Section 24 Reporting Federal Funds

SECTION 24. AND BE IT FURTHER ENACTED, That the Governor's budget books shall include a summary statement of federal revenues by major federal program sources supporting the federal appropriations made therein along with the major assumptions underpinning the federal fund estimates. The Department of Budget and Management (DBM) shall exercise due diligence in reporting this data and ensure that they are updated as appropriate to reflect ongoing congressional action on the federal budget. In addition, DBM shall provide to the Department of Legislative Services (DLS) data for the actual, current, and budget years listing the components of each

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Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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federal fund appropriation by Catalog of Federal Domestic Assistance number or equivalent detail for programs not in the catalog. Data shall be provided in an electronic format subject to the concurrence of DLS.

Explanation: This annual language provides for consistent reporting of federal monies received by the State.

Information Request	Author	Due Date
Reporting components of each federal fund appropriation	DBM	With submission of the Governor's Fiscal 2024 Budget Books

8. Add the following section: Concur. Adopt.

Section 25 Federal Fund Spending

SECTION 25. AND BE IT FURTHER ENACTED, That in the expenditure of federal funds appropriated in this budget or subsequent to the enactment of this budget by the budget amendment process:

- (1) State agencies shall administer these federal funds in a manner that recognizes that federal funds are taxpayer dollars that require prudent fiscal management, careful application to the purposes for which they are directed, and strict attention to budgetary and accounting procedures established for the administration of all public funds.
- (2) For fiscal 2023, except with respect to capital appropriations, to the extent consistent with federal requirements:
 - (a) when expenditures or encumbrances may be charged to either State or federal fund sources, federal funds shall be charged before State funds are charged except that this policy does not apply to the Department

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Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
<u>of Human Services with respect to federal Temporary Assistance for Needy Families funds to be carried forward into future years;</u>						
(b)	<u>when additional federal funds are sought or otherwise become available in the course of the fiscal year, agencies shall consider, in consultation with the Department of Budget and Management (DBM), whether opportunities exist to use these federal revenues to support existing operations rather than to expand programs or establish new ones; and</u>					
(c)	<u>DBM shall take appropriate actions to effectively establish the provisions of this section as policies of the State with respect to the administration of federal funds by executive agencies.</u>					

Explanation: This annual language defines the policies under which federal funds shall be used in the State budget.

9. Add the following section: Concur. Adopt.

Section 26 Reporting on Budget Data and Organizational Charts

SECTION 26. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that all State departments, agencies, bureaus, commissions, boards, and other organizational units included in the State budget, including the Judiciary, shall prepare and submit items for the fiscal 2024 budget detailed by Comptroller subobject classification in accordance with instructions promulgated by the Comptroller of Maryland. The presentation of budget data in the Governor’s budget books shall include object, fund, and personnel data in the manner provided for in fiscal 2023 except as indicated elsewhere in this Act; however, this may not preclude the placement of additional information into the budget books. For actual fiscal 2022 spending, the fiscal 2023 working appropriation, and the fiscal 2024 allowance, the budget detail shall be available from the Department of Budget and Management (DBM) automated data system at the subobject level by subobject codes and classifications for all agencies. To the extent possible, except for public higher education institutions, subobject

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Amount
Reduction

Position
Reduction

Agency Response Hearing Notes

Senate
Decisions

House
Decisions

expenditures shall be designated by fund for actual fiscal 2022 spending, the fiscal 2023 working appropriation, and the fiscal 2024 allowance. The agencies shall exercise due diligence in reporting this data and ensuring correspondence between reported position and expenditure data for the actual, current, and budget fiscal years. This data shall be made available on request and in a format subject to the concurrence of the Department of Legislative Services (DLS). Further, the expenditure of appropriations shall be reported and accounted for by the subobject classification in accordance with the instructions promulgated by the Comptroller of Maryland.

Further provided that due diligence shall be taken to accurately report full-time equivalent (FTE) counts of contractual FTEs in the budget books. For the purpose of this count, contractual FTEs are defined as those individuals having an employee-employer relationship with the State. This count shall include those individuals in higher education institutions who meet this definition but are paid with additional assistance funds.

Further provided that DBM shall provide to DLS with the allowance for each department, unit, agency, office, and institution, a one-page organizational chart in Microsoft Word or Adobe PDF format that depicts the allocation of personnel across operational and administrative activities of the entity.

Further provided that for each across-the-board reduction to appropriations or positions in the fiscal 2024 Budget Bill affecting fiscal 2023 or 2024, DBM shall allocate the reduction for each agency in a level of detail not less than the three-digit R*Stars financial agency code and by each fund type.

Further provided that DBM shall provide to DLS special and federal fund accounting detail for the fiscal year last completed, current year, and budget year for each fund. The account detail, to be submitted with the allowance, should at a minimum provide revenue and expenditure detail, along with starting and ending balances.

Further provided that DBM shall provide to DLS by September 1, 2022, a list of subprograms used by each department, unit, agency, office, and institution, along with a brief description of the subprograms' purpose and responsibilities.

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<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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Explanation: This annual language provides for consistent reporting of fiscal 2022, 2023, and 2024 budget data and provides for the submission of department, unit, agency, office, and institutions’ organizational charts to DLS with the allowance. It also requires DBM to allocate across-the-board reductions to positions or funding to ensure transparency in budget allocations approved by the General Assembly. Finally, it requires DBM to provide information on special and federal fund accounts as well as a list and description of all subprograms used by State entities.

Information Request	Author	Due Date
Agency organizational charts and special and federal fund accounting detail	DBM	With submission of the Governor’s Fiscal 2024 Budget Books
List of subprograms	DBM	September 1, 2022

10. Add the following section: Concur. Adopt.

Section 27 Interagency Agreements

SECTION 27. AND BE IT FURTHER ENACTED, That on or before August 1, 2022, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2022 between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:

- (1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;
- (2) the starting date for each agreement;

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	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(3)	<u>the ending date for each agreement;</u>				
(4)	<u>a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;</u>				
(5)	<u>a description of the nature of the goods and services to be provided;</u>				
(6)	<u>the total number of personnel, both full- and part-time, associated with the agreement;</u>				
(7)	<u>contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement;</u>				
(8)	<u>total indirect cost recovery or facilities and administrative (F&A) expenditures authorized for the agreement;</u>				
(9)	<u>the indirect cost recovery or F&A rate for the agreement and brief description of how the rate was determined;</u>				
(10)	<u>actual expenditures for the most recently closed fiscal year;</u>				
(11)	<u>actual base expenditures that the indirect cost recovery or F&A rate may be applied against during the most recently closed fiscal year;</u>				
(12)	<u>actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and</u>				
(13)	<u>total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.</u>				

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2022, that contains information on all agreements between State agencies and any public institution of

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Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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higher education involving potential expenditures in excess of \$100,000 that were in effect at any time during fiscal 2022.

Further provided that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 may be entered into during fiscal 2023 without prior approval of the Secretary of Budget and Management.

Explanation: This annual language requires DBM to report on all interagency agreements between State agencies and public institutions of higher education having a total potential expenditure over the term of the agreement in excess of \$100,000. This applies only to agreements for the purchase of goods and/or services and does not apply to grants or space agreements. Further, it requires that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 be entered into during fiscal 2023 without prior approval of the Secretary of Budget and Management.

Information Request	Author	Due Date
Consolidated report on interagency agreements	DBM	December 1, 2022

11. Add the following section: Concur. Adopt.

Section 28 Budget Amendments

SECTION 28. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Prevention, Youth, and Victim Services or the Maryland Department of Emergency Management made in Section 1 of this Act shall be subject to the following restrictions:

(1) This section may not apply to budget amendments for the sole purpose of:

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Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(a)	<u>appropriating funds available as a result of the award of federal disaster assistance; and</u>				
(b)	<u>transferring funds from the State Reserve Fund – Economic Development Opportunities Account for projects approved by the Legislative Policy Committee (LPC).</u>				
(2)	<u>Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until:</u>				
(a)	<u>that amendment has been submitted to the Department of Legislative Services (DLS); and</u>				
(b)	<u>the budget committees or LPC has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full-time equivalent payroll requirements.</u>				
(3)	<u>Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:</u>				
(a)	<u>restore funds for items or purposes specifically denied by the General Assembly;</u>				
(b)	<u>fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation (MDOT) shall be restricted as provided in Section 1 of this Act;</u>				

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Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(c)	<u>increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS, and the budget committees have considered and offered comment to the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to MDOT; and</u>				
(d)	<u>provide for the additional appropriation of special, federal, or higher education funds of more than \$100,000 for the reclassification of a position or positions.</u>				
(4)	<u>A budget may not be amended to increase a federal fund appropriation by \$100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.</u>				
(5)	<u>No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.</u>				
(6)	<u>Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.</u>				
(7)	<u>Budget amendments for new major information technology projects, as defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A-308 of the State Finance and Procurement Article.</u>				
(8)	<u>Further provided that the fiscal 2023 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2023 and the supporting electronic detail may not include appropriations for budget</u>				

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Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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amendments that have not been signed by the Governor, exclusive of the MDOT pay-as-you-go capital program.

- (9) Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2024 allowance, the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.

Explanation: This annual language defines the process under which budget amendments may be used.

COLOR PAGE ITEM

CP1 Add the following section:

Concur.

Section 28 Budget Amendments

SECTION 28. AND BE IT FURTHER ENACTED, That any budget amendment to increase the total amount of special, federal, or higher education (current restricted and current unrestricted) fund appropriations, or to make reimbursable fund transfers from the Governor's Office of Crime Prevention, Youth, and Victim Services or the Maryland Department of Emergency Management made in Section 1 of this Act shall be subject to the following restrictions:

- (1) This section may not apply to budget amendments for the sole purpose of:
- (a) appropriating funds available as a result of the award of federal disaster assistance; and

F10A
Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(b)	<u>transferring funds from the State Reserve Fund – Economic Development Opportunities Account for projects approved by the Legislative Policy Committee (LPC).</u>				
(2)	<u>Budget amendments increasing total appropriations in any fund account by \$100,000 or more may not be approved by the Governor until:</u>				
(a)	<u>that amendment has been submitted to the Department of Legislative Services (DLS); and</u>				
(b)	<u>the budget committees or LPC has considered the amendment or 45 days have elapsed from the date of submission of the amendment. Each amendment submitted to DLS shall include a statement of the amount, sources of funds and purposes of the amendment, and a summary of the impact on regular position or contractual full-time equivalent payroll requirements.</u>				
(3)	<u>Unless permitted by the budget bill or the accompanying supporting documentation or by any other authorizing legislation, and notwithstanding the provisions of Section 3-216 of the Transportation Article, a budget amendment may not:</u>				
(a)	<u>restore funds for items or purposes specifically denied by the General Assembly;</u>				
(b)	<u>fund a capital project not authorized by the General Assembly provided, however, that subject to provisions of the Transportation Article, projects of the Maryland Department of Transportation (MDOT) shall be restricted as provided in Section 1 of this Act;</u>				
(c)	<u>increase the scope of a capital project by an amount 7.5% or more over the approved estimate or 5.0% or more over the net square footage of the approved project until the amendment has been submitted to DLS, and the budget committees have considered and offered comment to</u>				

F10A
Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
	<u>the Governor or 45 days have elapsed from the date of submission of the amendment. This provision does not apply to MDOT; and</u>				
	<u>(d) provide for the additional appropriation of special, federal, or higher education funds of more than \$100,000 for the reclassification of a position or positions.</u>				
(4)	<u>A budget may not be amended to increase a federal fund appropriation by \$100,000 or more unless documentation evidencing the increase in funds is provided with the amendment and fund availability is certified by the Secretary of Budget and Management.</u>				
(5)	<u>No expenditure or contractual obligation of funds authorized by a proposed budget amendment may be made prior to approval of that amendment by the Governor.</u>				
(6)	<u>Notwithstanding the provisions of this section, any federal, special, or higher education fund appropriation may be increased by budget amendment upon a declaration by the Board of Public Works that the amendment is essential to maintaining public safety, health, or welfare, including protecting the environment or the economic welfare of the State.</u>				
(7)	<u>Budget amendments for new major information technology projects, as defined by Sections 3A-301 and 3A-302 of the State Finance and Procurement Article, must include an Information Technology Project Request, as defined in Section 3A-308 of the State Finance and Procurement Article.</u>				
(8)	<u>Further provided that the fiscal 2023 appropriation detail as shown in the Governor's budget books submitted to the General Assembly in January 2023 and the supporting electronic detail may not include appropriations for budget amendments that have not been signed by the Governor, exclusive of the MDOT pay-as-you-go capital program.</u>				

F10A
Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(9)	<u>Further provided that it is the policy of the State to recognize and appropriate additional special, higher education, and federal revenues in the budget bill as approved by the General Assembly. Further provided that for the fiscal 2024 allowance, the Department of Budget and Management shall continue policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation.</u>					
(10)	<u>EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SECTION or as authorized in House Bill 1322 enacted at the 2022 session of the General Assembly, AN AMENDMENT OF A FEDERAL FUND APPROPRIATION MAY NOT PERMIT THE EXPENDITURE OF MONEY FROM THE FEDERAL GOVERNMENT IF THE FEDERAL FUNDS ARE APPROPRIATED BY CONGRESS IN THE INFRASTRUCTURE INVESTMENT AND JOBS ACT.</u>					

Explanation: This annual language defines the process under which budget amendments may be used. *This action also adds language which alters the budget amendment process for certain federal funds allocated to Maryland.*

12. Add the following section:

Concur.

Adopt.

Section 29 Maintenance of Accounting Systems

SECTION 29. AND BE IT FURTHER ENACTED, That:

- (1) The Secretary of Health shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2022 in program M00Q01.03 Medical Care Provider Reimbursements and M00Q01.10 Medicaid Behavioral Health Provider Reimbursements have been disbursed for services provided in that fiscal year and shall prepare and submit the monthly reports by fund type required under this section for that program.
- (2) The State Superintendent of Schools shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2022 to program R00A02.07 Students With Disabilities for nonpublic placements

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Department of Budget and Management – Secretary

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
	<u>have been disbursed for services provided in that fiscal year and to prepare monthly reports as required under this section for that program.</u>				
(3)	<u>The Secretary of Human Services shall maintain the accounting systems necessary to determine the extent to which funds appropriated for fiscal 2022 in program N00G00.01 Foster Care Maintenance Payments have been disbursed for services provided in that fiscal year, including detail by placement type for the average monthly caseload, average monthly cost per case, and the total expended for each foster care program, and to prepare the monthly reports required under this section for that program.</u>				
(4)	<u>For the programs specified, reports must indicate by fund type total appropriations for fiscal 2022 and total disbursements for services provided during that fiscal year up through the last day of the second month preceding the date on which the report is to be submitted and a comparison to data applicable to those periods in the preceding fiscal year.</u>				
(5)	<u>Reports shall be submitted to the budget committees, the Department of Legislative Services, the Department of Budget and Management, and the Comptroller beginning August 15, 2022, and submitted on a monthly basis thereafter.</u>				
(6)	<u>It is the intent of the General Assembly that general funds appropriated for fiscal 2022 to the programs specified that have not been disbursed within a reasonable period, not to exceed 12 months from the end of the fiscal year, shall revert.</u>				

Explanation: This annual language requires the maintenance of accounting systems for certain programs, states the intent of the General Assembly that general funds not disbursed be reverted, and requires reporting of disbursements by the Maryland Department of Health (MDH), the Maryland State Department of Education (MSDE), and the Department of Human Services (DHS).

F10A
Department of Budget and Management – Secretary

		<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
Information Request	Author	Due Date				
Report on appropriations and disbursements in M00Q01.03, M00Q01.10, R00A02.07, and N00G00.01	MDH MSDE DHS	August 15, 2022, and monthly thereafter				

F10A
Department of Budget and Management – Secretary

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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ADDITONAL FIRST HOUSE ACTION

1. Adopt the following narrative:

Adopt.

Report on Infrastructure Investment and Jobs Act (IIJA) Funds: The committees request that the Department of Budget and Management (DBM) submit a report on the federal IIJA by December 15, 2022. The report should include:

- the amount available to the State through each federal grant, including the administering State agency and a description of funding uses;
- the amount of competitive grants for which the State has applied, including the amount approved, the administering State agency, and a description of funding uses;
- the amount expended to date and the remaining balance by federal grant and administering State agency; and
- the date by which the funds must be encumbered under federal law.

Information Request	Author	Due Date
Report on IIJA funds	DBM	December 15, 2022

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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1. Add the following language to the general fund appropriation:

Concur.

Adopt.

, provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Department of Budget and Management (DBM) develops a plan for the rebasing of the State employee salary scale that would be effective July 1, 2023, and submits a report on the plans for rebasing.

DBM shall determine the appropriate methodology for rebasing the scales with the intention of the base steps providing adequate salary to attract candidates to State positions while also incentivizing veteran employees to remain in State employment. DBM shall provide a report detailing the following:

- (1) the methodology used to rebase the salary scales;
- (2) the revised salary scales; and
- (3) the estimated cost of new salary scales for fiscal 2024.

The report shall be submitted by December 1, 2022, and the budget committees shall have 45 days from 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.

It is the intent of the General Assembly that the Governor should regularly include increments in annual compensation actions in order to avoid salary compression among State employees.

Explanation: High levels of vacancies have led to State agencies hiring new employees at steps well above base. While necessary to attract new employees, the practice compresses the lower end of the salary scale which can lead to increased turnover.

F10A02
Department of Budget and Management – Personnel

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
Information Request	Author	Due Date			
Report on rebasing of salary scales	DBM	December 1, 2022			

COLOR PAGE ITEM

CP2 *Add the following section:*

Section XX Rebasing State Salary Scales

SECTION XX. AND BE IT FURTHER ENACTED, That \$100,000 of the general fund appropriation in the Department of Budget and Management (DBM) and \$100,000 of the special fund appropriation in the Maryland Department of Transportation (MDOT) made for the purpose of general operating expenses may not be expended until DBM and MDOT develop a plan for the rebasing of the State employee and MDOT salary scales that would be effective July 1, 2023, and submit a report on the plans for rebasing.

DBM and MDOT shall determine the appropriate methodology for rebasing the scales with the intention of the base steps providing adequate salary to attract candidates to State positions while also incentivizing veteran employees to remain in State employment. DBM and MDOT shall each provide a report detailing the following:

- (1) the methodology used to rebase the salary scales;
- (2) the revised salary scales; and
- (3) the estimated cost of new salary scales for fiscal 2024.

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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The report shall be submitted by December 1, 2022, and the budget committees shall have 45 days from 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.

It is the intent of the General Assembly that the Governor should regularly include increments in annual compensation actions in order to avoid salary compression among State employees.

Explanation: High levels of vacancies have led to State agencies hiring new employees at steps well above base. While necessary to attract new employees, the practice compresses the lower end of the salary scale which can lead to increased turnover.

Information Request	Author	Due Date
Report on rebasing of salary scales	DBM MDOT	December 1, 2022

2. Add the following language to the general fund appropriation: Concur. Adopt.

Further provided that \$100,000 of this appropriation made for the purpose of agency administration may not be expended until the Department of Budget and Management and Maryland Department of Transportation (MDOT) submit a report detailing formal procedures for performing Annual Salary Reviews in the State Personnel and Management System and MDOT.

The procedures shall include timelines for when reviews are performed, methodologies for determining the employee classes eligible for review, and methods for determining the amount of funds available to allocate annually for a salary review.

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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The report shall be submitted by November 1, 2022, and the budget committees shall have 45 days from 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: There is currently no formal procedure for conducting Annual Salary Reviews (ASR). This language restricts funds until a procedure is created for the State Personnel Management System and MDOT employees and a report detailing the procedure is submitted to the budget committees.

Information Request	Author	Due Date
Report on a procedure for ASRs	Department of Budget and Management MDOT	November 1, 2022

3. Adopt the following narrative:	Concur.	Adopt.
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Health Insurance Account Closeout Report: The committees request a report on the fiscal 2022 closeout of the Employee and Retiree Health Insurance Account. This report shall include (1) closing fiscal 2022 fund balance; (2) actual provider payments due in the fiscal year broken out by medical payments for active employees, medical payments for non-Medicare-eligible retirees, medical payments for Medicare-eligible retirees, prescription drug payments for active employees, prescription drug payments for non-Medicare-eligible retirees, and prescription drug payments for Medicare-eligible retirees; (3) State employee and retiree contributions, broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; (4) an accounting of rebates, recoveries, and other costs, broken out into rebates, recoveries, and other costs associated with active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; (5) any closeout transactions processed after the fiscal year ended; and (6) actual incurred but not received costs.

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response</u>	<u>Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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Information Request	Author	Due Date
Report on fiscal 2022 closeout data for the Employee and Retiree Health Insurance Account	Department of Budget and Management	October 1, 2022

4. Adopt the following narrative: Concur. Adopt.

Quarterly Prescription Drug Plan Performance: The State entered into a pharmacy benefit manager contract with CVS Caremark effective January 1, 2018. The committees request that the Department of Budget and Management (DBM) provide quarterly prescription drug plan performance data to the committees in order to monitor the trends of prescription drug utilization and costs. The report should provide information on the highest cost prescription drugs by category of treatment; the prescription drugs accounting for the largest increases in drug spending; the top 25 most costly individual prescription drugs in generic, brand, biologics, and specialty drug categories; recent drug patent expirations; and upcoming new drug patent approvals. Additionally, the reports should include data on the cost drivers and drug trends by actives, non-Medicare retirees, and Medicare retirees.

Information Request	Author	Due Date
Quarterly State prescription drug plan performance	DBM	September 15, 2022 December 15, 2022 March 15, 2023 June 15, 2023

5. Adopt the following narrative: Concur. Adopt.

Quarterly Medical and Dental Plan Performance: In recent years, the State has implemented different strategies to contain medical costs. The committees request that the Department of Budget and Management (DBM) submit quarterly reports on plan performance of the State's medical and dental plans. Reports should provide utilization and cost data broken out by plans as well as actives, non-Medicare-eligible retirees, and

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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Medicare-eligible retirees. The reports should include utilization per 1,000 plan participants; unit cost and per member costs for hospital inpatient services; hospital outpatient services; professional inpatient services; professional outpatient services; and ancillary services, provided by the State's health plans.

Information Request	Author	Due Date
Quarterly medical and dental plan performance reports	DBM	September 15, 2022 December 15, 2022 March 15, 2023 June 15, 2023

6. Add the following section: Concur. Adopt.

Section 30 Injured Workers' Insurance Fund Accounts

SECTION 30. AND BE IT FURTHER ENACTED, That the General Accounting Division of the Comptroller of Maryland shall establish a subsidiary ledger control account to debit all State agency funds budgeted under subobject 0175 (Workers' Compensation) and to credit all payments disbursed to the Injured Workers' Insurance Fund (IWIF) via transmittal. The control account shall also record all funds withdrawn from IWIF and returned to the State and subsequently transferred to the General Fund. IWIF shall submit monthly reports to the Department of Legislative Services concerning the status of the account.

Explanation: This section provides continuation of a system to track workers' compensation payments to IWIF for payments of claims, current expenses, and funded liability for incurred losses by the State.

Information Request	Author	Due Date
Report on the status of ledger control account	IWIF	Monthly beginning on July 1, 2022

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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7. Add the following section:

Concur.

Adopt.

Section 31 The “Rule of 100”

SECTION 31. AND BE IT FURTHER ENACTED, That the Board of Public Works (BPW), in exercising its authority to create additional positions pursuant to Section 7-236 of the State Finance and Procurement Article, may authorize during the fiscal year no more than 100 positions in excess of the total number of authorized State positions on July 1, 2022, as determined by the Secretary of Budget and Management. Provided, however, that if the imposition of this ceiling causes undue hardship in any department, agency, board, or commission, additional positions may be created for that affected unit to the extent that an equal number of positions authorized by the General Assembly for the fiscal year are abolished in that unit or in other units of State government. It is further provided that the limit of 100 does not apply to any position that may be created in conformance with specific manpower statutes that may be enacted by the State or federal government nor to any positions created to implement block grant actions or to implement a program reflecting fundamental changes in federal/State relationships. Notwithstanding anything contained in this section, BPW may authorize additional positions to meet public emergencies resulting from an act of God and violent acts of man that are necessary to protect the health and safety of the people of Maryland.

BPW may authorize the creation of additional positions within the Executive Branch provided that 1.25 contractual full-time equivalents (FTE) are abolished for each regular position authorized and that there be no increase in agency funds in the current budget and the next two subsequent budgets as the result of this action. It is the intent of the General Assembly that priority is given to converting individuals that have been in contractual FTEs for at least two years. Any position created by this method may not be counted within the limitation of 100 under this section. The numerical limitation on the creation of positions by BPW established in this section may not apply to positions entirely supported by funds from federal or other non-State sources so long as both the appointing authority for the position and the Secretary of Budget and Management certify for each position created under this exception that:

F10A02
Department of Budget and Management – Personnel

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(1)	<u>funds are available from non-State sources for each position established under this exception; and</u>				
(2)	<u>any positions created will be abolished in the event that non-State funds are no longer available. The Secretary of Budget and Management shall certify and report to the General Assembly by June 30, 2023, the status of positions created with non-State funding sources during fiscal 2020 through 2023 under this provision as remaining, authorized, or abolished due to the discontinuation of funds.</u>				

Explanation: This annual language, the Rule of 100, limits the number of positions that may be added after the beginning of the fiscal year to 100 and provides exceptions to the limit.

Information Request	Author	Due Date
Certification of the status of positions created with non-State funding sources during fiscal 2020 through 2023	Department of Budget and Management	June 30, 2023

8. Add the following section: Concur. Adopt.

Section 32 Annual Report on Authorized Positions

SECTION 32. AND BE IT FURTHER ENACTED, That immediately following the close of fiscal 2022, the Secretary of Budget and Management shall determine the total number of full-time equivalent (FTE) positions that are authorized as of the last day of fiscal 2022 and on the first day of fiscal 2023. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2022 and 2023, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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The Department of Budget and Management shall also prepare a report during fiscal 2023 for the budget committees upon creation of regular FTE positions through Board of Public Works action and upon transfer or abolition of positions. This report shall also be provided as an appendix in the Governor’s Fiscal 2024 Budget Books. It shall note, at the program level:

- (1) where regular FTE positions have been abolished;
- (2) where regular FTE positions have been created;
- (3) from where and to where regular FTE positions have been transferred; and
- (4) where any other adjustments have been made.

Provision of contractual FTE information in the same fashion as reported in the appendices of the Governor’s Fiscal 2023 Budget Books shall also be provided.

Explanation: This annual language provides reporting requirements for regular positions and contractual FTEs.

Information Request	Author	Due Date
Total number of FTEs on June 30 and July 1, 2022	Department of Budget and Management (DBM)	July 14, 2022
Report on the creation, transfer, or abolition of regular positions	DBM	As needed

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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9. Add the following section:

Concur.

Adopt.

Section 33 Positions Abolished in the Budget

SECTION 33. AND BE IT FURTHER ENACTED, That no position identification number assigned to a position abolished in this budget may be reassigned to a job or function different from that to which it was assigned when the budget was submitted to the General Assembly. Incumbents in positions abolished may continue State employment in another position.

Explanation: This language prevents employees from being moved into positions abolished in the budget. It also allows that incumbents in abolished positions may continue State employment in another position.

10. Add the following section:

Concur.

Adopt.

Section 34 Annual Report on Health Insurance Receipts and Spending

SECTION 34. AND BE IT FURTHER ENACTED, That the Secretary of Budget and Management shall include as an appendix in the Governor's Fiscal 2024 Budget Books an accounting of the fiscal 2022 actual, fiscal 2023 working appropriation, and fiscal 2024 estimated revenues and expenditures associated with the employees' and retirees' health plan. The data in this report should be consistent with the budget data submitted to the Department of Legislative Services. This accounting shall include:

- (1) any health plan receipts received from State agencies, as well as prescription rebates or recoveries, or audit recoveries, and other miscellaneous recoveries;
- (2) any health plan receipts received from employees and retirees, broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees;
- (3) any premium, capitated, or claims expenditures paid on behalf of State employees and retirees for any health, mental health, dental, or prescription

F10A02
Department of Budget and Management – Personnel

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
<u>plan, as well as any administrative costs not covered by these plans, with health, mental health, and prescription drug expenditures broken out by medical payments for active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees, and prescription drug expenditures broken out by active employees, non-Medicare-eligible retirees, and Medicare-eligible retirees; and</u>				

(4) any balance remaining and held in reserve for future provider payments.

Explanation: This language provides an accounting of the health plan revenues received and expenditures made on behalf of State employees and retirees. The language proposes that the language in the report be consistent with the budget data submitted with the budget bill.

Information Request	Author	Due Date
Accounting of the employee and retiree health plan revenues and expenditures	Department of Budget and Management	With submission of the Governor’s Fiscal 2024 Budget Books

G20J01
State Retirement Agency

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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1. Concur with Governor's allowance.

Concur.

Reject.

G20J01
State Retirement Agency

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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ADDITIONAL FIRST HOUSE ACTIONS

1. Adopt the following narrative:

Adopt.

Report on COVID-19-related Disability Claims: The committees are interested in the number of disability applications and disability awards related to COVID-19 the State Retirement Agency is processing. The report should include the following information:

- the number of disability applications referencing COVID-19 as a cause or contributing cause of the disability.
- the number of disability applications citing long COVID-19 as the disabling condition.
- the number of disability benefit awards where COVID-19 caused or contributed to the disabling condition.
- the number of disability benefits awarded where long COVID-19 is the disability.
- general information on the best practices in place at other public systems with regards to the handling of COVID-19-related disability claims.
- general information on the reasons why State Retirement and Pension System disability claims citing COVID-19 have been approved or rejected.

Information Request	Author	Due Date
Report on COVID-19-related disability claims	SRA	October 1, 2022

G20J01
State Retirement Agency

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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CP3. *Adopt the following narrative:*

Retirement Date Flexibility: *The budget committees are concerned about the lack of flexibility for members of the State pension systems in choosing retirement dates, as it is required that members retire on the first of the month. The committees request that the State Retirement Agency (SRA) provide a report on the impacts of allowing members to choose a retirement date other than the first of the month. The report should include:*

- *a summary of the changes necessary to allow for more choice in retirement dates;*
- *an estimate of the costs of implementing changes necessary to allow for more choice in retirement dates; and*
- *an explanation of the impact on State pension systems' members retirement benefits, including retiree health care benefits if applicable.*

Explanation: *This narrative requests a report from SRA on the impacts of allowing for more flexibility in the choice of pension system members' retirement dates.*

<i>Information Request</i>	<i>Author</i>	<i>Due Date</i>
<i>Report on increasing flexibility in retirement dates</i>	<i>SRA</i>	<i>September 1, 2022</i>

G50L00
Maryland Supplemental Retirement Plans

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
1. Concur with Governor's allowance.			Concur.	Adopt.	

X00A00
Public Debt

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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1.	Concur with Governor's allowance.	Concur.	Adopt.	
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Y01A
State Reserve Fund

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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1. Concur with Governor's allowance.

Concur.

Reject.

Y01A
State Reserve Fund

<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
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ADDITIONAL FIRST HOUSE ACTIONS

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| 1. Add the following language to the general fund appropriation: | Adopt. |
|--|--------|

, provided that \$1,307,998,000 of this appropriation made for the purpose of increasing the fund balance in the Revenue Stabilization Account (Rainy Day Fund) may not be expended for that purpose and instead may only be transferred as follows:

- (1) \$700,000,000 to Program D06E02.01 Public Works Capital Appropriation to be transferred by budget amendment to the appropriate pay-as-you-go (PAYGO) budget code to fund the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping for the following capital projects with PAYGO funds:
- (a) \$9,582,000 for the Maryland School for the Deaf Veditz Building renovation project on the Frederick Campus;
 - (b) \$12,011,000 for the Historic St. Mary's Commission Maryland Heritage Interpretive Center visitor center project;
 - (c) \$10,292,000 for the Baltimore City Juvenile Justice Center Education Expansion project;
 - (d) \$66,020,000 for the new Health and Human Services Building project at Morgan State University;
 - (e) \$10,776,000 for High Temperature Distribution and Perimeter Security Improvements at the Eastern Correctional Institution in Westover;
 - (f) \$3,076,000 for the Jessup Regional Electrical Infrastructure Upgrade project;

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(g)	<u>\$28,884,000 for renovations to 2100 Guilford Avenue and the adjacent parking structure;</u>				
(h)	<u>\$11,145,000 for the New Berlin Barrack, Forensic Lab, and Garage project;</u>				
(i)	<u>\$16,138,000 for the Central Electric Substation and Electrical Infrastructure Upgrades project at the University of Maryland, Baltimore Campus;</u>				
(j)	<u>\$57,817,000 for the Chemistry Building Wing 1 Replacement project at the University of Maryland, College Park Campus;</u>				
(k)	<u>\$73,247,000 for the Communication Arts and Humanities Building project at Bowie State University;</u>				
(l)	<u>\$2,500,000 for the Percy Julian Science Building Renovation for the College of Business at Coppin State University;</u>				
(m)	<u>\$88,695,000 for the New College of Health Professions Building project at Towson University;</u>				
(n)	<u>\$51,500,000 for the Maryland Port Administration Howard Street Tunnel project;</u>				
(o)	<u>\$17,344,000 for the Maryland Environmental Service Infrastructure Improvement Fund project for State institutions;</u>				
(p)	<u>\$9,090,000 for the Maryland Department of Emergency Management Headquarters Renovation and Expansion project at the Camp Fretterd Military Reservation in Reisterstown;</u>				
(q)	<u>\$7,040,000 for the New Science Center Phase II project at Morgan State University;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(r)	<u>\$25,805,000 for the Shillman Building Conversion project at 500 North Calvert Street in Baltimore City for the Baltimore City District Court;</u>				
(s)	<u>\$3,888,000 for the Department of State Police New Tactical Operations Building project;</u>				
(t)	<u>\$9,389,000 for the Chesapeake Analytics Collaborative Building project in Solomons Island;</u>				
(u)	<u>\$3,505,000 for the Maryland Archaeological Conservation Laboratory Expansion and Renovation project at the Jefferson Patterson Park and Museum;</u>				
(v)	<u>\$2,186,000 for the Learning Commons Renovation and Addition project at Baltimore City Community College;</u>				
(w)	<u>\$13,945,000 for the Therapeutic Treatment Center project at the Baltimore City Correctional Complex;</u>				
(x)	<u>\$12,000,000 for site acquisition for the New Harford County District Court project in Bel Air;</u>				
(y)	<u>\$6,066,000 for the Smith Hall Renovation project at Towson University;</u>				
(z)	<u>\$1,940,000 for the Blackwell Hall Renovation project at Salisbury University;</u>				
(aa)	<u>\$67,035,000 for the Community College Construction Grant Program, including the following projects:</u>				
	(i)	<u>Carroll Community College – Systemic Renovations;</u>			

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(ii)			<u>Chesapeake College – Learning Resource Center – Chiller and Roof Replacement;</u>		
(iii)			<u>College of Southern Maryland – Hughesville – Center for Health Sciences;</u>		
(iv)			<u>College of Southern Maryland – La Plata – Student Resource Center;</u>		
(v)			<u>Community College of Baltimore County – Catonsville – Student Services Center and Expansion;</u>		
(vi)			<u>Community College of Baltimore County – Dundalk – Student Services Center Renovation;</u>		
(vii)			<u>Community College of Baltimore County – Essex – Wellness and Athletics Center Renovation and Addition;</u>		
(viii)			<u>Community College of Baltimore County – Multiple Building Roof Replacement;</u>		
(ix)			<u>Hagerstown Community College – Second Entrance Widening;</u>		
(x)			<u>Harford Community College – Chesapeake Welcome Center Renovation and Addition;</u>		
(xi)			<u>Howard Community College – Mathematics and Athletics Complex;</u>		
(xii)			<u>Montgomery College – Catherine and Isiah Leggett Math and Science Building;</u>		

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(xiii)	<u>Montgomery College – Takoma Park/Silver Spring – Library Renovation;</u>				
(xiv)	<u>Prince George’s Community College – Marlboro Hall Renovation and Addition; and</u>				
(xv)	<u>Wor-Wic Community College – Applied Technology Building;</u>				
(ab)	<u>\$13,084,000 for the Department of Information Technology Public Safety Communications System project;</u>				
(ac)	<u>\$25,000,000 for the University of Maryland Medical System Comprehensive Cancer and Organ Transplant Treatment Center project;</u>				
(ad)	<u>\$25,000,000 for the Maryland Department of the Environment Conowingo Dam dredging and Watershed Implementation Plan project;</u>				
(ae)	<u>\$6,000,000 for the Maryland Environmental Service Conowingo Dam capacity recovery and dredge material reuse project; and</u>				
(af)	<u>\$10,000,000 for the Frostburg State University Facilities Renewal program;</u>				
(2)	<u>\$104,800,000 to provide a 4% provider rate increase for health and human services providers, to be allocated as follows:</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(a)	<u>\$40,050,000 to program M00Q01.03 Medical Care Provider Reimbursements for nursing home, medical day care, personal care, private duty nursing, home- and community-based services, Community First Choice, and rare and expensive case management providers;</u>				
(b)	<u>\$29,350,000 to program M00M01.02 Community Services for developmental disabilities community services providers to be applied equally to services paid through Long Term Services and Supports and Provider Consumer Information System 2;</u>				
(c)	<u>\$16,350,000 to program M00Q01.10 Medical Behavioral Health Provider Reimbursements for behavioral health community providers;</u>				
(d)	<u>\$9,100,000 to program M00L01.02 Community Services for behavioral health providers;</u>				
(e)	<u>\$6,000,000 to program N00G00.01 Foster Care Maintenance Payments for providers who have rates set by the Interagency Rates Committee;</u>				
(f)	<u>\$2,550,000 to program M00L01.03 Community Services for Medicaid State Fund Recipients for behavioral health providers; and</u>				
(g)	<u>\$1,400,000 to program V00D01.01 Office of the Secretary for providers who have rates set by the Interagency Rates Committee;</u>				
(3)	<u>\$75,000,000 to program M00A01.01 Executive Direction for critical hospital workforce support to be allocated to acute and psychiatric care hospitals based on a plan developed by the Health Services Cost Review Commission;</u>				
(4)	<u>\$50,000,000 to program Y01A02.01 Dedicated Purpose Account to fund the multi-year efforts of the Maryland Department of Labor (MDL) to establish</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
	<u>and administer apprenticeship programs. Further provided that no more than \$250,000 shall be used to support fiscal 2023 administrative costs associated with public safety, transportation, health care, and higher education apprenticeship workgroups operated by MDL;</u>				
(5)	<u>\$50,000,000 to provide continued COVID-19 relief to the Arts and Tourism industries, with \$40,000,000 allocated to program T00G00.05 Maryland State Arts Council and \$10,000,000 allocated to program T00G00.02 Office of Tourism Development for the awarding of grants, of which \$8 million shall be allocated as grants to local tourism agencies. Funds allocated by the Maryland State Arts Council can include but should not be limited to entities traditionally funded by the council;</u>				
(6)	<u>\$50,000,000 to program N00G00.08 Assistance Payments to provide a \$65 per recipient per month additional benefit for Temporary Cash Assistance and Temporary Disability Assistance Program recipients;</u>				
(7)	<u>\$40,000,000 to provide funding to support an additional 1,800 slots under the Autism Waiver program, with \$10,000,000 allocated to program R00A02.07 Students with Disabilities and \$30,000,000 allocated to program Y01A02.01 Dedicated Purpose Account for future expenses. Further provided that funding is allocated with the intention that the Maryland Department of Health and the Maryland State Department of Education shall apply to the Centers for Medicare & Medicaid Services for an addendum to expand the current waiver by 1,800 slots;</u>				
(8)	<u>\$32,900,000 to program M00Q01.03 Medical Care Provider Reimbursements to provide comprehensive dental care for adults with household incomes up to 133% of the federal poverty level contingent on enactment of SB 150 or HB 6;</u>				
(9)	<u>\$25,000,000 to program M00A01.01 Executive Direction to fund COVID-19 Relief for Assisted Living facilities;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(10)	<u>\$25,000,000 to program M00A01.01 Executive Direction to provide one-time operating support for nursing homes and rehabilitation centers;</u>				
(11)	<u>\$20,000,000 to program T00F00.29 Rural Maryland Economic Development for a grant to the Western Maryland Economic Future Investment Board for the Western Maryland Economic Future Investment Fund to be used for grants and loans for capital infrastructure projects and business development projects that improve economic conditions in the region and expenses necessary to administer the grants and loans contingent upon enactment of SB 474 or HB 383 establishing the fund;</u>				
(12)	<u>\$20,000,000 to program D21A01.01 Administrative Headquarters to backfill shortfalls in federal Victims of Crime Act funding in order to maintain total annual funding of \$50,000,000 for victim service providers supported through the Governor's Office of Crime Prevention, Youth, and Victim Services;</u>				
(13)	<u>\$18,000,000 to support strategies for reducing statewide greenhouse gas emissions and addressing climate change, contingent upon the enactment of SB 528 to be allocated as follows:</u>				
(a)	<u>\$11,000,000 to program D13A13.08 Renewable and Clean Energy Programs for the Net Zero School Fund;</u>				
(b)	<u>\$5,000,000 to program D13A13.08 Renewable and Clean Energy Programs to be used for a grant to the Maryland Clean Energy Center to establish and administer the Climate Catalytic Capital Fund;</u>				
(c)	<u>\$1,500,000 to program K00A12.06 Monitoring and Ecosystem Assessment for a grant to the coordinating entity for the Maryland Climate Justice Corps; and</u>				
(d)	<u>\$500,000 to program L00A15.02 for the Maryland Healthy Soils Program;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(14)	<u>\$17,000,000 to program P00A01.01 Executive Direction, contingent on the enactment of SB 275, the Time to Care Act of 2022, establishing the Family and Medical Leave Insurance (FAMLI) program and FAMLI Fund;</u>				
(15)	<u>\$10,000,000 to program D40W01.12 Maryland Historic Revitalization Tax Credit to provide continued and expanded funding for the Historic Revitalization Tax Credit Program;</u>				
(16)	<u>\$10,000,000 to program R75T00.01 Support for State Supported Institutions of Higher Education for R30B37 Universities at Shady Grove for the implementation of the new strategic plan USG 2.0;</u>				
(17)	<u>\$8,900,000 to program R00A02.59 Child Care Assistance Grants to be allocated in the following manner:</u>				
	(e) <u>\$3,200,000 for child care stabilization grants and child care expansion grants;</u>				
	(f) <u>\$3,700,000 to increase the grant per child served by therapeutic child care programs to \$45,000;</u>				
	(g) <u>\$2,000,000 to cover the cost of waiving parental copays for qualifying families participating in the Child Care Subsidy Program, contingent on the enactment of SB 920;</u>				
(18)	<u>\$8,198,000 to support the effort to reduce crime statewide, to be allocated in the following manner:</u>				
	(a) <u>\$3,400,000 to program W00A01.03 Criminal Investigation Bureau to establish the Maryland State Police Gun Center within the Department of State Police contingent upon the enactment of SB 861;</u>				
	(b) <u>\$2,500,000 to program D21A01.04 Violence Intervention and Prevention Program for grants to organizations supporting violence prevention and interruption;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(c)	<u>\$1,200,000 to program R62I00 to fund the Formerly Incarcerated Youth Grant Program, providing such students who receive Pell Grants with an additional grant award of up to \$3,000 contingent upon enactment of SB 904;</u>				
(d)	<u>\$600,000 to program C00A00.06 Administrative Office of the Courts contingent upon enactment of SB 763;</u>				
(e)	<u>\$323,000 to program Q00C02.01 Division of Parole and Probation – Support Services to support new personnel assigned to examine and review murders involving offenders who are supervised by the division. Further provided that by December 31, 2022, and annually thereafter, the division must report to the budget committees, along with the Senate Judicial Proceedings Committee and the House Judiciary Committee, on (1) agency activities intended to reduce the number of murders involving supervised offenders; (2) actions taken to examine and review murders, including policy and program recommendations made to the Secretary; and (3) the number of supervised offenders who were shooting victims, homicide victims, or charged with or identified as suspects in specified crimes;</u>				
(f)	<u>\$175,000 to program T00F00.04 Office of Business Development to fund operating expenses associated with establishing the Maryland New Start Pilot Program contingent upon enactment of SB 554;</u>				
(19)	<u>\$7,200,000 to program R00A01.01 Office of the State Superintendent to provide noncertificated education support professionals with a \$500 bonus;</u>				
(20)	<u>\$5,000,000 to program M00L01.02 Community Services for the 9-8-8 Trust Fund, contingent upon the enactment of SB 241 or HB 293 creating the trust fund;</u>				
(21)	<u>\$5,000,000 to program T00F00.15 Small, Minority, and Women-Owned Businesses Account to be split equally among the fund managers;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(22)	<u>\$5,000,000 to program M00A01.01 Executive Direction to provide pediatric cancer research grants contingent upon enactment of SB51 establishing the Maryland Pediatric Cancer Fund;</u>				
(23)	<u>\$5,000,000 to program D15A05.05 Governor's Office of Community Initiatives to support the Maryland Corps Program;</u>				
(24)	<u>\$4,000,000 to provide additional loan assistance for certain medical fields, to be allocated as follows:</u>				
(a)	<u>\$3,000,000 to program M00F02.01 Office of Population Health Improvement for the Maryland Loan Assistance Repayment Program for physicians and physician assistants</u>				
(b)	<u>\$1,000,000 to program R62I00.54 Maryland Loan Assistance Repayment Program for Nurses and Nursing Assistants;</u>				
(25)	<u>\$4,000,000 to program R00A02.07 Students with Disabilities to provide additional funding to support higher teacher salaries in nonpublic special education schools;</u>				
(26)	<u>\$3,500,000 to program M00F03.04 Family Health and Chronic Disease Services to implement the recommendations of the Virginia Jones Alzheimer's Council;</u>				
(27)	<u>\$1,000,000 to program E20B01.01 Treasury Management to fund three additional positions and other personnel costs;</u>				
(28)	<u>\$1,000,000 to program D38I01.02 Election Operations to provide additional support for marketing and outreach of the general election;</u>				
(29)	<u>\$1,000,000 to program S00A24.02 Neighborhood Revitalization – Capital for the Baltimore Regional Neighborhood Initiative;</u>				

Y01A
State Reserve Fund

	<u>Amount Reduction</u>	<u>Position Reduction</u>	<u>Agency Response Hearing Notes</u>	<u>Senate Decisions</u>	<u>House Decisions</u>
(30)	<u>\$1,000,000 to program S00A24.02 Neighborhood Revitalization – Capital for the National Capital Strategic Economic Development Fund; and</u>				
(31)	<u>\$500,000 to program D05E01.11 Miscellaneous Grants to Local Governments to provide the Baltimore City Department of Planning with a grant for creating a redevelopment plan for State Center.</u>				

Funds not used for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that nothing in this Section shall limit the Governor’s ability to decide which, if any, restriction to implement in whole or in part.

Further provided that the Department of Budget and Management shall report to the budget committees by August 15, 2022, and February 1, 2023, on which, if any, restriction has been implemented.

Explanation: This language restricts \$1.3 billion in general funds from the appropriation to the Rainy Day Fund to address legislative priorities. These combined actions still add more than \$1.1 billion to the Rainy Day Fund in fiscal 2023, which results in an estimated closing fund balance of nearly \$2.3 billion, equivalent to 10% of general fund revenues compared to the December 2021 revenue estimates and in line with the recommendations of the Spending Affordability Committee.

Information Request	Authors	Due Date
Implementation of funding restrictions	Department of Budget and Management	August 15, 2022 February 1, 2023
Offender-involved Murders	Department of Public Safety and Correctional Services	December 31, 2022

Fencing Packet

March 18, 2022

Fencing Packet

(\$ in Millions)

	<u>Senate</u>	<u>House</u>
General Funds Restricted (“Fenced”) for Legislative Priorities from Rainy Day Fund		
Shift Capital Projects Proposed by Administration from Bonds to Cash	\$700.0	\$700.0
2% Provider Rate Increase for Nursing Homes, Medicaid Home and Community Based Service Providers, Developmental Disabilities Providers, Behavioral Health Providers, and Foster Care Providers	104.8	104.8
One-time Assistance to Hospitals for Workforce Support	75.0	75.0
Apprenticeships	50.0	0.0
Arts and Tourism Grants	50.0	50.0
Increase Monthly Temporary Cash Assistance and Temporary Disability Assistance Grants by \$65 per individual	50.0	50.0
Expand Autism Waiver to Serve About 1,800 Children on Wait List	40.0	40.0
Expand Medicaid Dental Coverage to Adults Contingent Upon Enactment of SB 150	32.9	32.9
COVID Relief for Assisted Living Facilities	25.0	25.0
One-time Assistance to Nursing Homes	25.0	25.0
Western Maryland Economic Future Investment Program	20.0	10.0
Restore Funds for Victim of Crime Assistance Program	20.0	20.0
Climate Solutions Implementation Funding Contingent Upon Enactment of SB 528	18.0	18.0
Paid Family Leave Contingent Upon Enactment of SB 275	17.0	21.0
Historic Revitalization Tax Credit	10.0	10.0
Implement Strategic Plan for the Universities at Shady Grove	10.0	10.0
Child Care Funding including Stabilization Grants, Increased Rates for Providers of Therapeutic Child Care, and Child Care Scholarship Program Enhancements	8.9	8.9
Provide \$500 Bonus to Each Noncertified Education Support Professionals	7.2	8.0
Mental Health: 9-8-8	5.0	5.0
Allocate Funds to Small, Minority, Women-Owned Business Account for Fund Managers	5.0	5.0
Pediatric Cancer Research	5.0	5.0
Expand Maryland Corps Program	5.0	5.0
Loan Assistance Repayment Programs for Physicians and Nurses	4.0	4.0
Non-Public Special Education School Teacher Salaries	4.0	4.0
Enhanced Alzheimer's Services and Research	3.5	3.5
Establish Maryland State Police Gun Center (contingent upon enactment of SB 861)	3.4	3.4
Grants to Violence Prevention and Interruption Organizations	2.5	2.5
Formerly Incarcerated Youth Grant Program (contingent upon enactment of SB 904)	1.2	1.2
Baltimore Regional Neighborhood Initiative with \$40k Earmarked for Southeast CDC	1.0	1.04
National Capital Strategic Economic Development Fund	1.0	1.0
Treasurer's Office Personnel and Salary Needs	1.0	1.0
State Board of Elections Public Communications for General Election	1.0	1.0
Prosecutorial Transparency Reporting (contingent upon enactment of SB 763)	0.6	0.6
State Center Redevelopment Plan	0.5	0.5

	<u>Senate</u>	<u>House</u>
Parole & Probation review murders of offenders under supervision (contingent upon enactment of SB 587)	0.3	0.3
Maryland New Start Act (contingent upon enactment of SB 554)	0.2	0.2
Cannabis Reform Implementation (contingent upon enactment of HB 837)		46.5
Disparity Grant Funding for Jurisdictions that Experienced Decline Despite Maintaining Income Tax Rates		15.4
Street and Sidewalk Improvements in Baltimore City to Comply with Americans with Disabilities Act		10.0
New Unified Financial Aid System for Higher Education		10.0
Learning in Extended Academic Programs (LEAP)		4.5
Grants to Police Departments to Acquire License Plate Readers		5.0
Homeowner Protection Fund		5.0
Abortion Care Clinical Training Care Fund (Contingent upon enactment of HB 937)		3.5
Local Management Boards		3.0
Grants to Domestic Violence Centers		3.0
Operating Grant to Center for Neuroscience of Social Injustice at the Kennedy Kreiger Institute		2.3
Pilot Project Using Novel Police Firearm Data		2.0
Greater Baltimore Regional Integrated Crisis System		2.0
Grant to Children's National Hospital		1.5
Funds to Initiate Maryland School for the Blind Pay Plan		1.2
Grants to Police Departments to Coordinate Task Forces that Cross Jurisdictional Boundaries		1.0
Grant to ROCA for Operations Outside Baltimore City		1.0
Grant to Vision for Baltimore		1.0
Operating Grant to Thread		0.8
Additional Grant to Schaefer Center for Public Policy		0.6
Pride of Baltimore		0.5
Bowie State University to hire a Project Specialist for the Maryland Truth and Reconciliation Commission		0.1
Total	\$1,308.0	\$1,372.5

**Capital Projects Shifted from GO Bonds to PAYGO
Through Fencing in Rainy Day Fund
Fiscal 2023
(\$ in Millions)**

Large Projects – Construction Cash-flow

Veditz Building Renovation (MSD)	\$9.6
Maryland Heritage Interpretive Center (HSMC)	12.0
Baltimore City Juvenile Justice Center (DJS)	10.3
New Health and Human Services Building (MSU)	66.0
ECI High Temperature Distribution and Perimeter Security Imp. (DPSCS)	10.8
Jessup Regional Electrical Infrastructure Upgrade	3.1
Renovations to 2100 Guilford Ave (BPW)	28.9
Barrack V Berlin: New Barrack and Forensic Lab (DSP)	11.1
Central Electric Substation and Electric Infrastructure Upgrades (UMB)	16.1
Chemistry Building Wing 1 Replacement (UMCP)	57.8
MLK Jr. Communication Arts and Humanities Building (BSU)	73.2
Percy Julian Building Renovation	2.5
New College of Health Professions Building (TU)	88.7
Howard Street Tunnel (MDOT)	51.5
State Water and Sewer Infrastructure Improvement Fund (MES)	17.3
Subtotal	\$459.0

Large Projects – Construction Commence

MDEM Headquarters	\$9.1
New Science Center (MSU)	7.0
Shillman Building Conversion (District Court)	25.8
Tactical Services Facility (DSP)	3.9
Chesapeake Analytics Collaborative Building (UMCES)	9.4
Maryland Archaeological Conservation Laboratory Expansion (MDP)	3.5
Subtotal	\$58.7

Initial Design

Learning Commons (BCCC)	\$2.2
Therapeutic Treatment Center (DPSCS)	13.9
Harford District Court (property acquisition)	12.0
Smith Hall Renovation (TU)	6.1
Blackwell Hall Renovation (SU)	1.9
Subtotal	\$36.1

Other Options

MHEC Community College Construction Grant Program	\$67.0
Public Safety Communication System (DoIT)	13.1
Comprehensive Cancer and Organ Transplant Treatment Center (UMMS)	25.0
Conowingo Dam Watershed (MDE)	25.0
Conowingo Dam Dredging (MES)	6.0
Facilities Renewal (FSU)	10.0
Subtotal	\$146.1
Total	\$700.0

BCCC: Baltimore City Community College

BPW: Board of Public Works

BSU: Bowie State University

DJS: Department of Juvenile Services

DoIT: Department of Information Technology

DPSCS: Department of Public Safety and Correctional Services

DSP: Department of State Police

ECl: Eastern Correctional Institution

FSU: Frostburg State University

GO: general obligation

HSMC: Historic St. Mary's City

MDE: Maryland Department of the Environment

MDEM: Maryland Department of Emergency Management

MDOT: Maryland Department of Transportation

MDP: Maryland Department of Planning

MES: Maryland Environmental Service

MHEC: Maryland Higher Education Commission

MSD: Maryland School for the Deaf

MSU: Morgan State University

PAYGO: pay-as-you-go

SU: Salisbury University

TU: Towson University

UMB: University of Maryland, Baltimore

UMCES: University of Maryland Center for Environmental Science

UMCP: University of Maryland College Park

UMMS: University of Maryland Medical System

Y01A State Reserve Fund

Budget Amendments

Add the following language to the general fund appropriation:

, provided that \$1,307,998,000\$1,372,531,817 of this appropriation made for the purpose of increasing the fund balance in the Revenue Stabilization Account (Rainy Day Fund) may not be expended for that purpose and instead may only be transferred as follows:

- (1) \$700,000,000 to Program D06E02.01 Public Works Capital Appropriation to be transferred by budget amendment to the appropriate pay-as-you-go (PAYGO) budget code to fund the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping for the following capital projects with PAYGO funds:
 - (a) \$9,582,000 for the Maryland School for the Deaf Veditz Building renovation project on the Frederick Campus;
 - (b) \$12,011,000 for the Historic St. Mary's Commission Maryland Heritage Interpretive Center visitor center project;
 - (c) \$10,292,000 for the Baltimore City Juvenile Justice Center Education Expansion project;
 - (d) \$66,020,000 for the new Health and Human Services Building project at Morgan State University;
 - (e) \$10,776,000 for High Temperature Distribution and Perimeter Security Improvements at the Eastern Correctional Institution in Westover;
 - (f) \$3,076,000 for the Jessup Regional Electrical Infrastructure Upgrade project;
 - (g) \$28,884,000 for renovations to 2100 Guilford Avenue and the adjacent parking structure;
 - (h) \$11,145,000 for the New Berlin Barrack, Forensic Lab, and Garage project;
 - (i) \$16,138,000 for the Central Electric Substation and Electrical Infrastructure Upgrades project at the University of Maryland, Baltimore Campus;
 - (j) \$57,817,000 for the Chemistry Building Wing 1 Replacement project at the University of Maryland, College Park Campus;
 - (k) \$73,247,000 for the Communication Arts and Humanities Building project at Bowie State University;
 - (l) \$2,500,000 for the Percy Julian Science Building Renovation for the College of Business at Coppin State University;
 - (m) \$88,695,000 for the New College of Health Professions Building project at Towson University;

- (n) \$51,500,000 for the Maryland Port Administration Howard Street Tunnel project;
- (o) \$17,344,000 for the Maryland Environmental Service Infrastructure Improvement Fund project for State institutions;
- (p) \$9,090,000 for the Maryland Department of Emergency Management Headquarters Renovation and Expansion project at the Camp Fretterd Military Reservation in Reisterstown;
- (q) \$7,040,000 for the New Science Center Phase II project at Morgan State University;
- (r) \$25,805,000 for the Shillman Building Conversion project at 500 North Calvert Street in Baltimore City for the Baltimore City District Court;
- (s) \$3,888,000 for the Department of State Police New Tactical Operations Building project;
- (t) \$9,389,000 for the Chesapeake Analytics Collaborative Building project in Solomons Island;
- (u) \$3,505,000 for the Maryland Archaeological Conservation Laboratory Expansion and Renovation project at the Jefferson Patterson Park and Museum;
- (v) \$2,186,000 for the Learning Commons Renovation and Addition project at Baltimore City Community College;
- (w) \$13,945,000 for the Therapeutic Treatment Center project at the Baltimore City Correctional Complex;
- (x) \$12,000,000 for site acquisition for the New Harford County District Court project in Bel Air;
- (y) \$6,066,000 for the Smith Hall Renovation project at Towson University;
- (z) \$1,940,000 for the Blackwell Hall Renovation project at Salisbury University;
- (aa) \$67,035,000 for the Community College Construction Grant Program, including the following projects:
 - (i) Carroll Community College – Systemic Renovations;
 - (ii) Chesapeake College – Learning Resource Center – Chiller and Roof Replacement;
 - (iii) College of Southern Maryland – Hughesville – Center for Health Sciences;
 - (iv) College of Southern Maryland – La Plata – Student Resource Center;
 - (v) Community College of Baltimore County – Catonsville – Student Services Center and Expansion;

- (vi) Community College of Baltimore County – Dundalk – Student Services Center Renovation;
- (vii) Community College of Baltimore County – Essex – Wellness and Athletics Center Renovation and Addition;
- (viii) Community College of Baltimore County – Multiple Building Roof Replacement;
- (ix) Hagerstown Community College – Second Entrance Widening;
- (x) Harford Community College – Chesapeake Welcome Center Renovation and Addition;
- (xi) Howard Community College – Mathematics and Athletics Complex;
- (xii) Montgomery College – Catherine and Isiah Leggett Math and Science Building;
- (xiii) Montgomery College – Takoma Park/Silver Spring – Library Renovation;
- (xiv) Prince George’s Community College – Marlboro Hall Renovation and Addition; and
- (xv) Wor-Wic Community College – Applied Technology Building;
- (ab) \$13,084,000 for the Department of Information Technology Public Safety Communications System project;
- (ac) \$25,000,000 for the University of Maryland Medical System Comprehensive Cancer and Organ Transplant Treatment Center project;
- (ad) \$25,000,000 for the Maryland Department of the Environment Conowingo Dam dredging and Watershed Implementation Plan project;
- (ae) \$6,000,000 for the Maryland Environmental Service Conowingo Dam capacity recovery and dredge material reuse project; and
- (af) \$10,000,000 for the Frostburg State University Facilities Renewal program;
- (2) \$104,800,000 to provide a 4% provider rate increase for health and human services providers, to be allocated as follows:
 - (a) \$40,050,000 to program M00Q01.03 Medical Care Provider Reimbursements for nursing home, medical day care, personal care, private duty nursing, home- and community-based services, Community First Choice, and rare and expensive case management providers;
 - (b) \$29,350,000 to program M00M01.02 Community Services for developmental disabilities community services providers to be applied equally to services paid through Long Term Support Services and Provider Consumer Information System 2;

- (c) \$16,350,000 to program M00Q01.10 Medical Behavioral Health Provider Reimbursements for behavioral health community providers;
 - (d) \$9,100,000 to program M00L01.02 Community Services for behavioral health providers;
 - (e) \$6,000,000 to program N00G00.01 Foster Care Maintenance Payments for providers who have rates set by the Interagency Rates Committee;
 - (f) \$2,550,000 to program M00L01.03 Community Services for Medicaid State Fund Recipients for behavioral health providers; and
 - (g) \$1,400,000 to program V00D01.01 Office of the Secretary for providers who have rates set by the Interagency Rates Committee;
- (3) \$75,000,000 to program M00A01.01 Executive Direction for critical hospital workforce support to be allocated to acute and psychiatric care hospitals based on a plan developed by the Health Services Cost Review Commission;
 - (4) ~~\$50,000,000 to program Y01A02.01 Dedicated Purpose Account to fund the multi-year efforts of the Maryland Department of Labor (MDL) to establish and administer apprenticeship programs. Further provided that no more than \$250,000 shall be used to support fiscal 2023 administrative costs associated with public safety, transportation, health care, and higher education apprenticeship workgroups operated by MDL;~~ \$10,000,000 to program Y01A02.01 *Dedicated Purpose Account for the Maryland Higher Education Commission to develop a single financial aid award application system that allows for one application to be used for the determination on all financial aid awards;*
 - (5) \$50,000,000 to provide continued COVID-19 relief to the Arts and Tourism industries, with \$40,000,000 allocated to program T00G00.05 Maryland State Arts Council and \$10,000,000 allocated to program T00G00.02 Office of Tourism Development for the awarding of grants, of which \$8 million shall be allocated as grants to local tourism agencies. Funds allocated by the Maryland State Arts Council can include but should not be limited to entities traditionally funded by the council;
 - (6) \$50,000,000 to program N00G00.08 Assistance Payments to provide a \$65 per recipient per month additional benefit for Temporary Cash Assistance and Temporary Disability Assistance Program recipients;
 - (7) \$40,000,000 to provide funding to support an additional 1,800 slots under the Autism Waiver program, with \$10,000,000 allocated to program R00A02.07 Students with Disabilities and \$30,000,000 allocated to program Y01A02.01 Dedicated Purpose Account for future expenses. Further provided that funding is allocated with the intention that the Maryland Department of Health and the Maryland State Department of Education shall apply to the Centers for Medicare & Medicaid Services for an addendum to expand the current waiver by 1,800 slots;
 - (8) \$32,900,000 to program M00Q01.03 Medical Care Provider Reimbursements to provide comprehensive dental care for adults with household incomes up to 133% of the federal poverty level contingent on enactment of SB 150 or HB 6;

- (9) \$25,000,000 to program M00A01.01 Executive Direction to fund COVID-19 Relief for Assisted Living facilities;
- (10) \$25,000,000 to program M00A01.01 Executive Direction to provide one-time operating support for nursing homes and rehabilitation centers;
- (11) ~~\$20,000,000~~ \$10,000,000 to program T00F00.29 Rural Maryland Economic Development for a grant to the Western Maryland Economic Future Investment Board for the Western Maryland Economic Future Investment Fund to be used for grants and loans for capital infrastructure projects and business development projects that improve economic conditions in the region and expenses necessary to administer the grants and loans contingent upon enactment of SB 474 or HB 383838 establishing the fund;
- (12) \$20,000,000 to program D21A01.01 Administrative Headquarters to backfill shortfalls in federal Victims of Crime Act funding in order to maintain total annual funding of \$50,000,000 for victim service providers supported through the Governor's Office of Crime Prevention, Youth, and Victim Services;
- (13) \$18,000,000 to support strategies for reducing statewide greenhouse gas emissions and addressing climate change, contingent upon the enactment of SB 528 to be allocated as follows:
 - (a) \$11,000,000 to program D13A13.08 Renewable and Clean Energy Programs for the Net Zero School Fund;
 - (b) \$5,000,000 to program D13A13.08 Renewable and Clean Energy Programs to be used for a grant to the Maryland Clean Energy Center to establish and administer the Climate Catalytic Capital Fund;
 - (c) \$1,500,000 to program K00A12.06 Monitoring and Ecosystem Assessment for a grant to the coordinating entity for the Maryland Climate Justice Corps; and
 - (d) \$500,000 to program L00A15.02 for the Maryland Healthy Soils Program;
- (14) ~~\$17,000,000~~ \$21,000,000 to program P00A01.01 Executive Direction, contingent on the enactment of SB 275 or HB 496, the Time to Care Act of 2022, establishing the Family and Medical Leave Insurance (FAMLI) program and FAMLI Fund;
- (15) \$10,000,000 to program D40W01.12 Maryland Historic Revitalization Tax Credit to provide continued and expanded funding for the Historic Revitalization Tax Credit Program;
- (16) \$10,000,000 to program R75T00.01 Support for State Supported Institutions of Higher Education for R30B37 Universities at Shady Grove for the implementation of the new strategic plan USG 2.0;
- (17) \$8,900,000 to program R00A02.59 Child Care Assistance Grants to be allocated in the following manner:
 - (a) \$3,200,000 for child care stabilization grants and child care expansion grants;
 - (b) \$3,700,000 to increase the grant per child served by therapeutic child care programs to \$45,000;

- (c) \$2,000,000 to cover the cost of waiving parental copays for qualifying families participating in the Child Care Subsidy Program, contingent on the enactment of SB 920;
- (18) ~~\$8,198,000~~\$22,198,000 to support the effort to reduce crime statewide, to be allocated in the following manner:
- (a) \$3,400,000 to program W00A01.03 Criminal Investigation Bureau to establish the Maryland State Police Gun Center within the Department of State Police contingent upon the enactment of SB 861;
- (b) \$2,500,000 to program D21A01.04 Violence Intervention and Prevention Program for grants to organizations supporting violence prevention and interruption;
- (c) \$1,200,000 to program R62I00 to fund the Formerly Incarcerated Youth Grant Program, providing such students who receive Pell Grants with an additional grant award of up to \$3,000 contingent upon enactment of SB 904;
- (d) \$600,000 to program C00A00.06 Administrative Office of the Courts contingent upon enactment of SB 763;
- (e) \$323,000 to program Q00C02.01 Division of Parole and Probation – Support Services to support new personnel assigned to examine and review murders involving offenders who are supervised by the division. Further provided that by December 31, 2022, and annually thereafter, the division must report to the budget committees, along with the Senate Judicial Proceedings Committee and the House Judiciary Committee, on (1) agency activities intended to reduce the number of murders involving supervised offenders; (2) actions taken to examine and review murders, including policy and program recommendations made to the Secretary; and (3) the number of supervised offenders who were shooting victims, homicide victims, or charged with or identified as suspects in specified crimes;
- (f) \$175,000 to program T00F00.04 Office of Business Development to fund operating expenses associated with establishing the Maryland New Start Pilot Program contingent upon enactment of SB 554;
- (g) \$5,000,000 to program W00A01.02 Field Operations Bureau to acquire license plate readers;
- (h) \$3,000,000 to program D21A01.01 Administrative Headquarters to provide grants to support domestic violence centers;
- (i) \$2,000,000 to program M00L01.02 Community Services to provide a grant to the Greater Baltimore Regional Integrated Crisis System;
- (j) \$1,000,000 to program V00E01.01 Community Operations Administration and Support to expand ROCA operations beyond Baltimore City; and
- (k) \$1,000,000 to program D21A01.01 Administrative Headquarters to provide grants and operational assistance to support coordination between police departments in adjacent

subdivisions and to support the work of task forces in neighborhoods or communities that cross jurisdictional boundaries; and

- (l) \$2,000,000 to program D21A01.01 Administrative Headquarters for a pilot project with local law enforcement for the use and implementation of a novel police firearm data technology to enhance police safety, training, and accountability;
- (19) ~~\$7,200,000~~\$8,000,000 to program R00A01.01 Office of the State Superintendent to provide noncertificated education support professionals with a \$500 bonus;
- (20) \$5,000,000 to program M00L01.02 Community Services for the 9-8-8 Trust Fund, contingent upon the enactment of SB 241 or HB 293 creating the trust fund;
- (21) \$5,000,000 to program T00F00.15 Small, Minority, and Women-Owned Businesses Account to be split equally among the fund managers;
- (22) \$5,000,000 to program M00A01.01 Executive Direction to provide pediatric cancer research grants contingent upon enactment of SB51 establishing the Maryland Pediatric Cancer Fund;
- (23) \$5,000,000 to program D15A05.05 Governor's Office of Community Initiatives to support the Maryland Corps Program;
- (24) \$4,000,000 to provide additional loan assistance for certain medical fields, to be allocated as follows:

 - (a) \$3,000,000 to program M00F02.01 Office of Population Health Improvement for the Maryland Loan Assistance Repayment Program for physicians and physician assistants
 - (b) \$1,000,000 to program R62I00.54 Maryland Loan Assistance Repayment Program for Nurses and Nursing Assistants;
- (25) \$4,000,000 to program R00A2.07 Students with Disabilities to provide additional funding to support higher teacher salaries in nonpublic special education schools;
- (26) \$3,500,000 to program M00F03.04 Family Health and Chronic Disease Services to implement the recommendations of the Virginia Jones Alzheimer's Council;
- (27) \$1,000,000 to program E20B01.01 Treasury Management to fund three additional positions and other personnel costs;
- (28) \$1,000,000 to program D38I01.02 Election Operations to provide additional support for marketing and outreach of the general election;
- (29) ~~\$1,000,000~~ \$1,040,000 to program S00A24.02 Neighborhood Revitalization – Capital for the Baltimore Regional Neighborhood Initiative, provided that \$40,000 of this appropriation made for the purpose of the Baltimore Regional Neighborhood Initiative may be expended only for a grant to Southeast Community Development Corporation;
- (30) \$1,000,000 to program S00A24.02 Neighborhood Revitalization – Capital for the National Capital Strategic Economic Development Fund; and

- (31) \$500,000 to program D05E01.11 Miscellaneous Grants to Local Governments to provide the Baltimore City Department of Planning with a grant for creating a redevelopment plan for State Center;
- (32) \$40,000,000 to program T00F00.04 Office of Business Development for the Cannabis Business Assistance Fund, contingent on the enactment of HB 837 establishing the fund and the ratification of a constitutional amendment authorizing adult use and possession of cannabis;
- (33) \$5,000,000 to program M00F03.04 Family Health and Chronic Disease Services for the Cannabis Public Health Fund, contingent on the enactment of HB 837 establishing the fund and the ratification of a constitutional amendment authorizing adult use and possession of cannabis;
- (34) \$1,500,000 to program Q00A01.02 Information Technology and Communications Division, contingent upon enactment of HB 837 and the ratification of a constitutional amendment authorizing adult use and possession of cannabis, to fund Criminal Justice Information System enhancements necessary to comply with changes to statutory expungement provisions;
- (36) \$4,500,000 to program R00A02.13 Innovative Programs for the Learning in Extended Academic Programs (LEAP) program;
- (37) \$3,500,000 to program M00F03.04 Family Health and Chronic Disease Services for the Abortion Care Clinical Training Program Fund, contingent on the enactment of HB 937 or SB 890 establishing the fund;
- (38) \$3,000,000 to program D21A02.01 Children & Youth Divisions – Children’s Services Unit to provide funding to local management boards;
- (39) \$2,250,000 to program M00L01.02 Community Services to support the Center for Neuroscience of Social Injustice at the Kennedy Krieger Institute;
- (40) \$1,000,000 to program M00F01.01 Executive Direction for a grant to the Baltimore City Health Department for the Vision for Baltimore program;
- (41) \$1,500,000 to program M00A01.01 Executive Direction to provide an operating grant to Children’s National Hospital;
- (42) \$1,200,000 to program R00A03.01 Maryland School for the Blind to fund additional salary expenses resulting from the pay plan review required by Chapter 423 of 2021;
- (43) \$10,000,000 to program J00A01.03 Facilities and Capital Equipment to provide a Secretary’s grant to Baltimore City to support improvements to streets and sidewalks in order to be compliant with the requirements of the Americans with Disabilities Act;
- (44) \$750,000 to program R00A02.13 Innovative Programs to provide an operating grant to Thread to provide social, community, and academic support to Baltimore City youth;
- (45) \$575,102 to program R75T00.0 Support for State Supported Institutions of Higher Education for R30B28 University of Baltimore for the Schaefer Center for Public Policy;
- (46) \$500,000 to program J00A01.02 Operating Grants-in-Aid to provide a Secretary’s grant to the Pride of Baltimore;

- (47) \$50,000 to program R75T00.01 Support for State Operated Institutions of Higher Education to provide funding to Bowie State University (R30B23) for a project specialist to staff the Maryland Truth and Reconciliation Commission; and
- (48) \$15,368,715 to program A15O00.01 Disparity Grants to provide supplemental funding allocated in the following amounts:
- (a) \$11,316,425 to Baltimore City;
 - (b) \$699,508 to Caroline County;
 - (c) \$1,386,458 to Cecil County;
 - (d) \$819,998 to Somerset County; and
 - (e) \$1,119,013 to Wicomico County.
- (49) \$5,000,000 to program E50C00.08 Property Tax Credit Programs for the Homeowner Protection Fund.

Funds not used for these restricted purposes may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Further provided that nothing in this Section shall limit the Governor's ability to decide which, if any, restriction to implement in whole or in part.

Further provided that the Department of Budget and Management shall report to the budget committees by August 15, 2022, and February 1, 2023, on which, if any, restriction has been implemented.

Explanation: This language restricts ~~nearly \$1.3~~^{\$1.4} billion in general funds from the appropriation to the Rainy Day Fund to address legislative priorities. These combined actions still add more than ~~\$1.4~~^{\$1.0} billion to the Rainy Day Fund in fiscal 2023, which results in an estimated closing fund balance of ~~nearly \$2.3~~ \$2.2 billion, equivalent to ~~409.7~~ % of general fund revenues compared to the December 2021 revenue estimates and in line with the recommendations of the Spending Affordability Committee.

Information Request	Author	Due Date
Implementation of funding restrictions	Department of Budget and Management	August 15, 2022 February 1, 2023
Offender-involved Murders	Department of Public Safety and Correctional Services	December 31, 2022

C00A

Judiciary

C00A00.04 District Court

Add the following language to the general fund appropriation:

Further provided that \$3,000,000 in general funds is added to the appropriation for the District Court to provide resources for the expedient implementation of statutory changes to expungement laws resulting from the enactment of HB 837 and the ratification of a constitutional amendment authorizing adult use and possession of cannabis, contingent upon the enactment of HB 837 and the ratification of a constitutional amendment authorizing adult use and possession of cannabis. The Judiciary is hereby authorized to redistribute funds to other programs as needed to implement HB 837.

Explanation: This language adds funds to assist the Judiciary in expediently implementing statutory changes to expungement laws pertaining to the use and possession of cannabis.

C00A00.06 Administrative Office of the Courts

Add the following language to the general fund appropriation:

Further provided that \$2,500,000 in general funds is added to the appropriation for the Maryland Legal Services Corporation (MLSC) within the Administrative Office of the Courts to provide resources to help MLSC educate individuals on changes to cannabis and expungement laws and support other expungement efforts, contingent upon the enactment of HB 837 and the ratification of a constitutional amendment authorizing adult use and possession of cannabis.

Explanation: This language increases the appropriation for the Maryland Legal Services Corporation to be able to provide legal support and education related to statutory changes pertaining to expungement laws and the legal use and possession of cannabis.

B75

Maryland General Assembly

B75A01.04 Office of Operations and Support Services

Add the following language to the general fund appropriation:

, provided that \$250,000 in general funds is added to the appropriation for the Department of Legislative Services to conduct a disparity study in order to better understand the barriers to entering the cannabis market, contingent upon the enactment of HB 837 and the ratification of a constitutional amendment authorizing adult use and possession of cannabis.

Explanation: This language increases the appropriation for the Department of Legislative Services to conduct a study of whether remedial measures are needed to assist minorities and women in the adult-use cannabis industry and market.

B75A01.04 Office of Operations and Support Services

Add the following language to the general fund appropriation:

Further provided that \$750,000 in general funds is added to the appropriation for the Department of Legislative Services for the costs and consultant fees associated with supporting the Commission on the Establishment of a Family Medical Leave and Insurance Program, contingent on the enactment of HB 496.

Explanation: This language increases the appropriation for the Department of Legislative Services to support operations of the Commission on the Establishment of a Family Medical Leave and Insurance Program, contingent on the legislation establishing the commission.