

Workgroup on Children in Unlicensed Settings & Pediatric Hospital Overstays: Interim Brief

January 28, 2026



Overview

Workgroup: Initially, the workgroup was to set to convene in June 2025 with a report due in October 2025. Due to delays in obtaining the member appointments, the workgroup convened in October 2025 with a commitment to provide an interim brief in January, with a final report deliverable in April 2026. Due to the death of a child in foster care in an unlicensed setting, and legislative desire to impact Children in Unlicensed Settings & Pediatric Hospital Overstays, the Workgroup provided legislative recommendations ahead of the interim report.

Legislative Charge (Section 2(c)(1)): The Workgroup on Children in Unlicensed Settings and Pediatric Hospital Overstays must:

- (i) Complete an assessment of the number, type, and cost of additional beds and supportive services needed to place all children in pediatric overstays and other unlicensed settings in the least restrictive settings
- (ii) Develop a comprehensive and sustainable resource development plan designed to increase licensed settings and end unlicensed settings and overstays
- (iii) Develop an implementation plan with comprehensive data
- (iv) Determine the anticipated timeline for ending unlicensed placements

Executive Summary

The Workgroup met (October 2025 – present) and established the executive committee, which includes the Chair, (2) Vice Chairs and a Secretary. Sub-groups were established to ensure the top priorities would be met, in a timely manner.

The sub-workgroups include:

- a. Resources and Barriers
- b. Definition, History and Other States
- c. Data and Assessment of Needs
- d. Legislation and Policy

Each sub-workgroup was tasked with providing a preliminary report that provides necessary content to be included in the summary brief and ultimately the final report.

Leveraging the sub-workgroup preliminary reports, the executive committee prepared an interim brief of proposed recommendations, that was distributed the week of January 19, 2026, to Senate Finance Committee Chair Beidle, House Health Committee Chair Bagnall, House Health Committee Vice Chair Cullison and House Appropriations Health and Social Service Subcommittee Chair Shetty. The final report of findings and recommendations will be distributed to the Governor and the General Assembly - April 2026.

Pediatric Hospital Overstay Data

As of Jan. 8, 2026, there were 32 youth experiencing a hospital overstay (excluding infants and youth at the Brook Lane Step Down Program which counts an overstay as greater than 120 days.) These data were compiled by MDH, DHS and DJS as of Jan. 8.

Twenty five of these youth were in inpatient units and seven were in Emergency Departments.

Demographic breakdown of the 32 youth:

- 12 girls
- 20 boys
- Age range from 7 to 20 years, average age 14

Department of Human Services

- 7 youth were in the care and custody of DHS (3 in the Emergency Department, 4 in inpatient units)
- 9 of the youth were pending a Voluntary Placement Agreement
- 5 of the youth and their families were working with DHS
- Total of 21 youth out of the 32 youth were known to DHS

Priorities

1. Expand Behavioral Health & Child Welfare Capacity
2. Ensure State Agency Accountability & Collaboration
3. Improve Data Tracking & Sharing
4. Implement Previously Passed Legislation



Priority 1

Expand Behavioral Health & Child Welfare Capacity

- Fund Quality Service Reform Initiative rate reform
- Implement START or similar model for 24/7 crisis intervention for youth with intellectual disabilities and behavioral health needs
- Fund and expand Mobile Response and Stabilization Services (MRSS)
- Create a state centralized registry of foster homes and group homes
- Increase Medicaid reimbursement for RTC providers, respite and 1915i
- Mandate OPEGA audits of local management board funding priorities
- Ensure annual funding and PINS for state regional institutes for children and adolescents (RICAs) to fully staff these facilities
- Redirect state dollars to fund these recommendations
- Require the State to apply for federal grants to supplement state funds



Priority 2

Ensure State Agency Accountability & Collaboration

- Establish a permanent cross-agency oversight body within Governor's Office of Children (GOC)
- Create Children & Youth State Placement Manager position
- Require monthly Placement Review Panel meetings, while maintaining weekly meetings with care team and legal representation
- Convene Rapid Response Placement Team for overstays > 72 hours
- Create stakeholder oversight body to reviews policies, make recommendations, hold State agencies accountable
- Identify and remove policy loopholes allowing unlicensed placements
- Implement stringent timeline and alert system; Mandate State agency reporting when youth not timely removed from unlicensed settings

Priorities



Priorities 3 & 4

Priority 3: Improve Data Tracking & Sharing

- Designate central repository within GOC for data collection
- Develop state-mandated standardized data metrics across agencies
- Require daily reporting on youth in unlicensed settings
- Publish quarterly aggregate data reports on youth in unlicensed settings

Priority 4: Implement Previously Passed Legislation

- [HB 1121, Ch. 29](#) (2020) - Mental Health Registry and Referral System
- [HB 766, Ch. 500](#) / [SB 656](#) (2022) - Residential Treatment Centers Education Funding
- [HB 322, Ch. 379](#) / [SB 255, Ch. 378](#) (2023) - Home & Community-Based Services for Children
- [HB 1134, Ch. 853](#) / [SB 403, Ch. 854](#) (2024) - RTC Accreditation Requirements
- [HB 962, Ch. 479](#) / [SB 696, Ch. 480](#) (2025) - Pediatric Hospital Overstay Patients Workgroup



Call to Action

These comprehensive reforms address the root causes of unlicensed placements and pediatric hospital overstays.

Immediate action on these priorities will protect Maryland's most vulnerable children and youth.

APPENDIX

MEMBERS

Children in Unlicensed Settings & Pediatric Hospital Overstays Workgroup Members

Dr. Meena Seshamani, Department of Health (Sonia Chessen, Designee)
Rafael López, Department of Human Services (Stephen Liggett-Creel, Designee)
Betsy Fox Tolentino, Department of Juvenile Services (Maisha Davis, Designee)
Natasha Dartigue, Office of the Public Defender (Krystal Williams, Designee)
Laura Edwards, Maryland CASA Association
Rob Basler, Arrow Child & Families Ministries
Erica LeMon, Maryland Legal Aid
Jane Krienke, Maryland Hospital Association
Sara Hairgrove, Community Behavioral Health Association
Nicole Smith, Maryland Association of Resources for Families and Youth
Leslie Seid Margolis, Disability Rights Maryland
Carrie Etheridge, Sheppard Pratt
Rebecca Seltzer, Maryland Chapter, American Academy of Pediatrics
Jocelyn Route, Representative of a Family of a Child in Foster Care

Work Group Staff: Edward “Ted” Gallo, Executive Director, Maryland State Council on Child Abuse and Neglect (SCCAN)

Work Group and subcommittee meetings were open to the public and media.