

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 672

(Chair, Judiciary Committee)(By Request - Departmental  
- Human Services)

Judiciary

Judicial Proceedings

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**Children in Need of Assistance - Qualified Residential Treatment Program -  
Definition**

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This departmental bill alters the definition of “qualified residential treatment program” to specify that such a program (rather than the discharge planning provided by the program) must be licensed in accordance with specified federal law and accredited by an approved independent nonprofit organization.

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**Fiscal Summary**

**State Effect:** None. The bill is technical in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** The Department of Human Services (DHS) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** A “qualified residential treatment program” is a program within a licensed child care institution that provides continuous, 24-hour care and supportive services to children in a residential, nonfamily home setting that (1) has a trauma-informed treatment model that is designed to address the clinical and other needs of children with serious emotional or behavioral disorders or disturbances; (2) is able to implement the specific treatment recommended in an assessment completed by a qualified individual; (3) has

registered or licensed nursing staff and other licensed clinical staff who meet specified requirements; (4) appropriately facilitates outreach to family members and integrates the family members into the treatment of the children; and (5) is able to provide discharge planning, as specified.

**Background:** The federal Family First Prevention Services Act of 2018 made numerous changes to the foster care program and permitted uses of Title IV-E funds. The Act aims to increase the use of family foster care homes and reduce the use of group care for children in out-of-home placements. It also establishes requirements for qualified residential treatment programs that the State intends to use for such placements.

Chapter 497 of 2019 aligned State law with federal requirements under the Act, including defining “qualified residential treatment program” and requiring a juvenile court to conduct a hearing to review the status of a child placed in a qualified residential treatment program and determine the appropriateness of placement within 60 days after the placement.

DHS advises that the bill makes a technical correction to clarify that licensing and accreditation requirements apply to qualified residential treatment programs generally and not just during discharge planning.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Human Services; Department of Legislative Services

**Fiscal Note History:** First Reader - February 6, 2020  
md/jc Third Reader - March 14, 2020

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Analysis by: Amberly Holcomb

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

**ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**

**TITLE OF BILL:** Qualified Residential Treatment Program Licensing Definition

**BILL NUMBER:** HB 672

**PREPARED BY:** Department of Human Services  
**(Dept./Agency)**

**PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

**PART B. ECONOMIC IMPACT ANALYSIS**