

Chapter 481

(House Bill 1243)

AN ACT concerning

Behavioral Health Services and Voluntary Placement Agreements – Children and Young Adults – Report Modifications

FOR the purpose of requiring that the Director of the Behavioral Health Administration’s annual report on behavioral health services for children and young adults in the State include certain information relating to outpatient and substance–related disorders program services by children and young adults and behavioral health services provided through telehealth; altering the scope of certain data required to be included in the report; requiring that certain data in the report be grouped by race and ethnicity; requiring that the Social Services Administration’s annual report on voluntary placement agreements for children and young adults include certain information relating to agreements requested for certain children with a developmental disability and the type of placement recommended for agreements that were approved; making a technical correction; and generally relating to behavioral health services and voluntary placement agreements for children and young adults.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7.5–209
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–505.1
Annotated Code of Maryland
(2019 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

7.5–209.

- (a) In consultation with interested stakeholders, the Director shall prepare an annual report on behavioral health services for children and young adults in the State.
- (b) The report shall include:

(1) The number and the percentage of children and young adults who, during the reported year:

- (i) Were eligible for public behavioral health services; [and]
- (ii) Used a public behavioral health service, including:

1. AN OUTPATIENT SERVICE;

[1.] **2.** An inpatient service;

[2.] **3.** An emergency room service;

[3.] **4.** A residential treatment center service; [and]

[4.] **5.** An intensive public behavioral health service, including targeted or mental health case management services, respite care services, services provided under § 1915(i) of the Social Security Act, and psychiatric rehabilitation services; AND

6. A SUBSTANCE-RELATED DISORDERS PROGRAM SERVICE; AND

(III) USED A PUBLIC BEHAVIORAL HEALTH SERVICE PROVIDED THROUGH TELEHEALTH;

(2) The total expenditure and expenditure per child and young adult using a public behavioral health service, including:

(I) AN OUTPATIENT SERVICE;

[i] **(II)** An inpatient service;

[ii] **(III)** An emergency room service;

[iii] **(IV)** A residential treatment center service; [and]

[iv] **(V)** An intensive community service[.]; AND

(VI) A SUBSTANCE-RELATED DISORDERS PROGRAM SERVICE;

(3) The total cost per child or young adult for all behavioral health services provided to the child or young adult;

- (4) The total expenditure and expenditure per child and young adult for:
 - (i) Targeted case management services;
 - (ii) Respite care services;
 - (iii) Services provided through a plan under § 1915(i) of the Social Security Act; and
 - (iv) Psychiatric rehabilitation services;

 - (5) The [average] **MEDIAN** length of time children and young adults spent:
 - (i) In the hospital emergency room pending psychiatric inpatient hospitalization; and
 - (ii) Waiting for placement in a residential treatment center from the date of the referral, **AS DETERMINED BY THE REFERRAL SOURCE**, to the date of the placement;

 - (6) The number of children and young adults who were readmitted [for a 30-day admission] **WITHIN 30 DAYS** at:
 - (i) The same hospital;
 - (ii) The same residential treatment center; or
 - (iii) Any other hospital or residential treatment center;

 - (7) The [average] **MEDIAN** length of stay for children and young adults at:
 - (i) A residential treatment center; [and]
 - (ii) A psychiatric unit at a hospital; and
 - (III) A RESIDENTIAL SUBSTANCE-RELATED DISORDERS PROGRAM; AND**

 - (8) For residential treatment centers:
 - (I) THE TOTAL NUMBER OF CHILDREN AND YOUNG ADULTS ADMITTED DURING THE REPORT YEAR; AND**
 - [(i)] (II) The total number of children and young adults discharged**
- [; and

(ii) The number of residents at the end of the year who are children or young adults] **DURING THE REPORT YEAR.**

(c) The report shall group the information required under subsection (b) of this section by jurisdiction and by the following age groups:

- (1) Birth through 6 years old;
- (2) 7 through 12 years old;
- (3) 13 through 17 years old;
- (4) 18 through 21 years old; and
- (5) 22 through 25 years old.

(D) THE REPORT SHALL GROUP THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION BY THE FOLLOWING RACES AND ETHNIC GROUPS:

- (1) HISPANIC OR LATINO OF ANY RACE; AND**
- (2) FOR INDIVIDUALS WHO ARE NON-HISPANIC OR NON-LATINO:**
 - (I) AMERICAN INDIAN OR ALASKAN NATIVE;**
 - (II) ASIAN;**
 - (III) BLACK OR AFRICAN AMERICAN;**
 - (IV) NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER;**
 - (V) WHITE; OR**
 - (VI) TWO OR MORE RACES.**

[(d)] (E) On or before December 1 each year, the Director shall submit the report required under this section to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

Article – Family Law

5-505.1.

(a) In consultation with interested stakeholders, the Administration shall prepare an annual report on voluntary placement agreements for children and young adults in the State.

(b) The report shall include:

(1) the total number of voluntary placement agreements that were:

(i) approved;

(ii) denied; [and]

(iii) requested for behavioral health reasons, including voluntary placement agreements that were requested for children with a developmental disability who are also diagnosed with a behavioral health disorder; **AND**

(IV) REQUESTED FOR CHILDREN WITH A DEVELOPMENTAL DISABILITY WHO ARE NOT ALSO DIAGNOSED WITH A BEHAVIORAL HEALTH DISORDER;

(2) the reason for any denials; and

(3) for voluntary placement agreements that were approved, the type of **PLACEMENT RECOMMENDED AND THE TYPE OF** initial placement, including:

(i) residential treatment center;

(ii) group home placement;

(iii) therapeutic group home;

(iv) diagnostic placement;

(v) therapeutic foster home; and

(vi) any other type of placement.

(c) The report shall group the information required under subsection (b) of this section by the following regions:

(1) Baltimore region, consisting of Baltimore City, Baltimore County, and Harford County;

(2) Eastern Shore, consisting of Caroline County, Cecil County, Dorchester County, Kent County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, and Worcester County;

(3) Metro Region, consisting of Howard County, Montgomery County, and Prince George's County;

(4) Southern Maryland, consisting of Anne Arundel County, Calvert County, Charles County, and St. Mary's County; and

(5) Western Maryland, consisting of Allegany County, Carroll County, Frederick County, Garrett County, and Washington County.

(d) On or before December 1 each year, the Administration shall submit the report required under this section to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.