

Chapter 702

(House Bill 21)

AN ACT concerning

State Board for the Certification of Residential Child Care Program Professionals – Membership and Official Seal

FOR the purpose of repealing the requirement that the Subcabinet for Children, Youth, and Families appoint a member to the State Board for the Certification of Residential Child Care Program Professionals; repealing the requirement that the Board adopt an official seal; and generally relating to the State Board for the Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 20–202 and 20–205(b)
Annotated Code of Maryland
(2021 Replacement Volume)

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

Article – Health Occupations

20–202.

(a) (1) The Board consists of [12] 11 members.

(2) Of the [12] 11 Board members:

(i) [Six] FIVE members shall be appointed as follows:

1. Two by the Secretary, one each for the Developmental Disabilities Administration and the Behavioral Health Administration;

2. One by the Secretary of Juvenile Services for the agency;

3. One by the Secretary of Human Services for the agency;

AND

4. One by the State Superintendent of Schools; and

[5. One by the Subcabinet; and]

- (ii) Six shall be appointed by the Governor.
- (3) Of the six appointed by the Governor:
 - (i) Three shall be program administrators;
 - (ii) One shall be a residential child and youth care practitioner; and
 - (iii) Two shall be consumer members.
- (b) The Governor shall appoint members with the advice and consent of the Senate.
- (c) Each Board member shall:
 - (1) Be a United States citizen; and
 - (2) Have resided in this State for at least 1 year before appointment to the Board.
- (d) A consumer member of the Board:
 - (1) May not be a program administrator or a residential child and youth care practitioner;
 - (2) May not have a household member who is a program administrator or a residential child and youth care practitioner;
 - (3) May not have a household member who participates in a commercial or professional field related to administering a program; and
 - (4) May not have had within 2 years before appointment a substantial financial interest in a program regulated by an agency.
- (e) While a member of the Board, a consumer member may not have a substantial financial interest in a program regulated by an agency.
- (f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.
- (g)
 - (1) The term of a member is 4 years.
 - (2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 2004.
 - (3) At the end of a term, a member continues to serve until a successor is

appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not serve more than two consecutive full terms.

(6) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(h) (1) The Governor may remove a member for incompetence, misconduct, incapacity, or neglect of duty.

(2) On the recommendation of the Children's Cabinet, the Governor may remove a member whom the Children's Cabinet finds to have been absent from two successive Board meetings without adequate reason.

20–205.

(b) In addition to the duties set forth elsewhere in this title, the Board shall:

(1) Maintain a registry of all program administrators and residential child and youth care practitioners certified by the Board;

(2) Submit an annual report to the Governor and Children's Cabinet;

(3) Adopt a code of ethics that the Board considers appropriate and applicable to the program administrators and residential child and youth care practitioners certified by the Board;

(4) Establish continuing education requirements for the program administrators certified by the Board;

(5) Establish training and continuing education requirements for the residential child and youth care practitioners certified by the Board; **AND**

[(6) Adopt an official seal; and]

[(7)] **(6)** Create committees as it deems appropriate to advise the Board on special issues.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.