

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 732

(Senator Carter)

Judicial Proceedings

**Department of Juvenile Services and Maryland Department of Health –
Inpatient Program for Children**

This emergency bill requires the Department of Juvenile Services (DJS) and the Maryland Department of Health (MDH) to establish and jointly manage an inpatient program for children who have been adjudicated delinquent that provides rehabilitation, comprehensive care, and holistic therapies that address the health, mental health, and substance abuse issues of children. The inpatient program must be operational by December 1, 2024.

Fiscal Summary

State Effect: Sufficient information was not provided by DJS or MDH in time to fully analyze the fiscal impact of this legislation. However, based on an analysis of information previously provided in response to similar legislation, general fund expenditures for operating costs alone may increase significantly, perhaps by more than \$17.6 million annually under one set of assumptions. Additional significant expenditures for construction costs may be incurred, as discussed below.

Local Effect: Local finances are not anticipated to be materially affected.

Small Business Effect: Minimal.

Analysis

Bill Summary: The program must (1) incorporate a range of holistic therapies tailored to the individual needs of each participant, as specified and (2) focus on rehabilitation, skill-building, and educational opportunities to empower participants to reintegrate into society successfully. A multidisciplinary team (including mental health professionals,

medical practitioners, social workers, and substance abuse counselors) must collaborate to develop and implement personalized treatment plans for each participant.

Current Law:

Maryland Department of Health

The Behavioral Health Administration (BHA) within MDH issued its most recent [annual report](#) on behavioral health services for children and young adults in September 2023. Pursuant to the Health-General Article, the report must include, for children and young adults, (1) the number and percentage who, during the reported year, were eligible for and used specified public behavioral health services; (2) the total expenditure and expenditure per individual for specified services; (3) the total cost per individual for all behavioral health services provided to the individual; (4) the median length of time individuals spent in emergency rooms pending psychiatric inpatient hospitalization or waiting for placement in a residential treatment center; (5) the number of individuals readmitted at specified facilities within 30 days; (6) the median length of stay at specified facilities; and (7) the number of admissions to and discharges from residential treatment centers. The report must group the required information by jurisdiction, by specified age groups, and by specified races and ethnic groups.

BHA's Child, Adolescent, and Young Adult Services (CAYAS) division is charged with developing a system of care for young people and their families ranging from early childhood to when young people reach the age of majority and legally become adults. The system of care is designed to meet the needs of individuals within this age range who have mental health conditions, substance use disorders, or both.

CAYAS also oversees the Office of Juvenile Forensics, which, among other things, coordinates oversight for the Facility for Children (FFC) in collaboration with the Department of Human Services, DJS, and the Maryland State Department of Education. FFC is a residential program for individuals ages 7 through 20. The facility opened in 2006 and is located on the grounds of the John L. Gildner Regional Institute for Children and Adolescents (RICA) in Rockville. FFC provides competency attainment services for youth who have been found incompetent to proceed.

The Facility for Children and Expansion of Youth Support Services was a new program listed in the 2023 *Capital Improvement Program*, with its primary function to expand the RICA – Baltimore campus to include an 18-bed Facility for Children and another 18-bed Youth Support Services building. This project would allow MDH to have a space to support children and adolescents while they receive competency evaluations as ordered by the court system of Maryland. It would also allow for these children to receive residential treatment center-level care that they would not qualify for otherwise. The Youth Support Services

facility intends to serve those with severe behavioral and emotional challenges, providing services that other MDH facilities do not have the capacity to provide. Initial funding begins in fiscal 2026 at \$889,000, with project totals estimated at \$26,437,000.

Department of Juvenile Services

DJS is the Executive Branch agency responsible for managing, supervising, housing, and providing programs to youth who are involved in the youth legal system. DJS is responsible for assessing the individual needs of referred youth and providing intake, detention, probation, commitment, and after-care services. DJS collaborates with youth, families, schools, community partners, law enforcement, and other public agencies to coordinate services and resources. DJS annually publishes a [Data Resource Guide](#). The fiscal 2023 guide indicates that youth served in a DJS-operated treatment program receive a multitude of services, including behavioral health (*i.e.*, mental health and substance use services), case management, somatic health, and educational services. The full range of DJS placement options include:

- foster care homes (including treatment foster care homes);
- group homes (general service and therapeutic);
- independent living programs and alternative living units (often used as a step-down from a more restrictive program placement for older youth);
- residential treatment centers and non-Medicaid out-of-state residential treatment facilities;
- DJS-operated and out-of-state staff-secure treatment programs;
- hardware-secure treatment programs (both DJS-operated and privately contracted out-of-state options); and
- qualified residential treatment programs.

The Multidisciplinary Assessment Staffing Team (MAST) is a specialized diagnostic team responsible for assessing youth who are detained pending court disposition and are at risk of out-of-home placement. MAST includes a psychologist, social worker, professional counselor or substance use counselor, community case manager, detention facility case manager supervisor, resource specialist, an education representative, the youth, and the youth's family. Following an in-depth review, MAST prepares security and treatment recommendations to the juvenile court.

State Expenditures: While it is unclear how many children would need the services of the type of inpatient treatment program described under the bill and whether a new facility is needed or an existing facility can be used, this analysis provides cost estimates for constructing a 64-bed facility and operating costs for such a facility. However, a new

facility could not be constructed in time to meet the bill's requirement that the program be fully operational by December 1, 2024.

Nevertheless, based on a response to legislation from 2019, MDH advised that constructing a 64-bed inpatient adult psychiatric facility requires several years and costs approximately \$41.6 million. MDH further advised that the annual operating costs for a 64-bed facility were estimated at \$17.6 million, including similar staffing requirements as required under the bill for addressing the health, mental health, and substance abuse issues of children.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of Human Services; Maryland Department of Health; Department of Legislative Services

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