

HOUSE BILL 622

E3

8lr2491

By: **Delegates Barnes and Hubbard**

Introduced and read first time: February 1, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Evidence-Based Practices for Delinquent Youth - Expansion of Services -**
3 **Redirection Pilot Program and Plan**

4 FOR the purpose of establishing the Redirection Pilot Program in the Department of
5 Juvenile Services; providing for the purpose of the Pilot Program; requiring the
6 Department to use an appropriate assessment tool to determine eligibility for
7 certain therapies for certain children; requiring the Department to seek certain
8 approval from the juvenile court in certain circumstances; requiring the
9 Department to establish a certain advisory council; requiring the Department to
10 contract with an independent consultant to assist in the implementation of the
11 Pilot Program and to make a certain evaluation; requiring the Department to
12 provide the independent consultant with certain data; requiring the
13 Department to inform the judiciary about the Pilot Program; requiring the
14 Department, in collaboration with the Children's Cabinet, to develop a certain
15 plan; requiring the Children's Cabinet to consider certain funding sources in
16 developing the plan; requiring the Department to invite certain representatives
17 to participate in the development of the plan; requiring the Department to
18 submit certain reports to the General Assembly on or before certain dates;
19 defining certain terms; providing for the termination of this Act; and generally
20 relating to evidence-based practices for delinquent youth.

21 BY adding to
22 Article - Human Services
23 Section 9-247
24 Annotated Code of Maryland
25 (2007 Volume)

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

28 **Article - Human Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **9-247.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "EVIDENCE-BASED PRACTICES" MEANS:

5 (I) FUNCTIONAL FAMILY THERAPY, MULTISYSTEMIC
6 THERAPY, AND MULTIDIMENSIONAL TREATMENT FOSTER CARE PROGRAMS
7 THAT ADHERE TO MODEL FIDELITY; AND

8 (II) OTHER TREATMENTS THAT HAVE BEEN EVALUATED IN
9 WELL-DESIGNED RANDOMIZED CONTROLLED TRIALS IN COMMUNITY SETTINGS
10 THAT HAVE SIZABLE SUSTAINED BENEFITS TO THE PARTICIPANTS OR TO
11 SOCIETY.

12 (3) "PILOT PROGRAM" MEANS THE REDIRECTION PILOT
13 PROGRAM.

14 (B) THERE IS A REDIRECTION PILOT PROGRAM IN THE DEPARTMENT.

15 (C) THE PURPOSE OF THE PILOT PROGRAM IS TO REDUCE BY 50% THE
16 NUMBER OF CHILDREN PLACED BY THE DEPARTMENT EACH YEAR IN PER DIEM
17 RESIDENTIAL PLACEMENTS.

18 (D) IN IMPLEMENTING THE PILOT PROGRAM, THE DEPARTMENT SHALL
19 USE AN APPROPRIATE ASSESSMENT TOOL TO DETERMINE ELIGIBILITY FOR
20 MULTISYSTEMIC THERAPY OR FUNCTIONAL FAMILY THERAPY INSTEAD OF
21 OUT-OF-HOME PLACEMENT FOR CHILDREN WHO ARE:

22 (1) ADJUDICATED DELINQUENT AND ARE LIKELY TO BE
23 COMMITTED TO THE CUSTODY OF THE DEPARTMENT; AND

24 (2) AT RISK OF PLACEMENT BY THE DEPARTMENT IN A PER DIEM
25 RESIDENTIAL PLACEMENT INCLUDING A FOSTER HOME, GROUP HOME, DRUG
26 TREATMENT PROGRAM, OR OUT-OF-STATE PLACEMENT.

27 (E) IF A CHILD IS DETERMINED ELIGIBLE FOR MULTISYSTEMIC
28 THERAPY OR FUNCTIONAL FAMILY THERAPY DURING THE ASSESSMENT
29 REQUIRED UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT SHALL
30 SEEK APPROVAL FROM THE JUVENILE COURT TO PROVIDE MULTISYSTEMIC
31 THERAPY OR FUNCTIONAL FAMILY THERAPY SERVICES TO THE CHILD INSTEAD
32 OF A PER DIEM RESIDENTIAL PLACEMENT.

1 **(F) THE DEPARTMENT SHALL ESTABLISH AN ADVISORY COUNCIL FOR**
2 **THE PILOT PROGRAM CONSISTING OF:**

3 **(1) A REPRESENTATIVE FROM:**

4 **(I) THE JUDICIARY;**

5 **(II) THE STATE'S ATTORNEY'S OFFICE;**

6 **(III) THE OFFICE OF THE PUBLIC DEFENDER;**

7 **(IV) THE GENERAL ASSEMBLY; AND**

8 **(V) THE PROTECTION AND ADVOCACY SYSTEM;**

9 **(2) A FAMILY MEMBER OF A YOUTH WHO HAS COMPLETED**
10 **MULTISYSTEMIC THERAPY OR FUNCTIONAL FAMILY THERAPY;**

11 **(3) AN ADMINISTRATOR AT A CORE SERVICE AGENCY OF A**
12 **MULTISYSTEMIC THERAPY PROGRAM AND A FAMILY FUNCTIONAL THERAPY**
13 **PROGRAM;**

14 **(4) A PROVIDER OF MULTISYSTEMIC THERAPY SERVICES AND A**
15 **PROVIDER OF FUNCTIONAL FAMILY THERAPY SERVICES OR AN INDIVIDUAL**
16 **FROM AN ORGANIZATION THAT REPRESENTS PROVIDERS OF THOSE SERVICES;**
17 **AND**

18 **(5) THE INDEPENDENT CONSULTANT WHO CONTRACTS WITH THE**
19 **DEPARTMENT UNDER SUBSECTION (G) OF THIS SECTION TO ASSIST IN THE**
20 **IMPLEMENTATION OF THE PILOT PROGRAM.**

21 **(G) (1) THE DEPARTMENT SHALL CONTRACT WITH AN INDEPENDENT**
22 **CONSULTANT WITH EXPERTISE IN THE IMPLEMENTATION AND STUDY OF**
23 **EVIDENCE-BASED PRACTICES FOR DELINQUENT YOUTH TO ASSIST IN THE**
24 **IMPLEMENTATION OF THE PILOT PROGRAM AND TO EVALUATE THE OUTCOMES**
25 **AND COST SAVINGS ACHIEVED BY THE PILOT PROGRAM.**

26 **(2) THE DEPARTMENT SHALL PROVIDE THE INDEPENDENT**
27 **CONTRACTOR WITH DATA RELATED TO THE OUTCOMES FOR THE CHILDREN IN**
28 **THE PILOT PROGRAM TO ASSIST THE INDEPENDENT CONTRACTOR IN**
29 **EVALUATING THE EFFECTIVENESS OF THE PILOT PROGRAM.**

1 **(H) THE DEPARTMENT SHALL INFORM THE JUDICIARY ABOUT THE**
2 **PILOT PROGRAM AS REQUIRED BY § 9-242 OF THIS SUBTITLE.**

3 **(I) (1) BY OCTOBER 1, 2009, THE DEPARTMENT, IN COLLABORATION**
4 **WITH THE AGENCIES IN THE CHILDREN'S CABINET, SHALL DEVELOP A 3-YEAR**
5 **PLAN TO EXPAND THE AVAILABILITY OF EVIDENCE-BASED PRACTICES TO**
6 **CHILDREN THROUGHOUT THE STATE.**

7 **(2) THE 3-YEAR PLAN SHALL ADDRESS METHODS TO EXPAND THE**
8 **AVAILABILITY OF EVIDENCE-BASED PRACTICES TO:**

9 **(I) CHILDREN ENGAGING IN DELINQUENT BEHAVIOR,**
10 **COMMITTED TO A STATE OR LOCAL AGENCY, AND AT HIGH RISK OF**
11 **OUT-OF-HOME RESIDENTIAL PLACEMENT OR RETURNING TO THE COMMUNITY**
12 **FROM RESIDENTIAL PLACEMENT;**

13 **(II) CHILDREN WHO HAVE BEEN ARRESTED BUT WHOSE**
14 **CHARGES HAVE NOT BEEN PROCESSED OR WHOSE CHARGES HAVE BEEN**
15 **PROCESSED BUT HAVE NOT BEEN COMMITTED TO AN AGENCY;**

16 **(III) CHILDREN PLACED ON PROBATION, UNDER**
17 **SUPERVISION, IN COMMUNITY DETENTION, OR UNDER A STEP-DOWN**
18 **AFTERCARE PLAN; AND**

19 **(IV) CHILDREN WHO HAVE NOT BEEN ARRESTED BUT WHO**
20 **HAVE ENGAGED IN DELINQUENT OR PREDELINQUENT BEHAVIOR.**

21 **(3) THE 3-YEAR PLAN SHALL INCLUDE NUMERICAL GOALS WITH**
22 **A MINIMUM GOAL OF CREATING AT LEAST 1,000 NEW SLOTS FOR CHILDREN'S**
23 **EVIDENCE-BASED PRACTICE PROGRAMS BEYOND THE NUMBER OF SLOTS IN**
24 **EXISTENCE AS OF OCTOBER 1, 2009.**

25 **(4) IN DEVELOPING THE 3-YEAR PLAN, THE CHILDREN'S**
26 **CABINET SHALL CONSIDER THE FOLLOWING FUNDING SOURCES:**

27 **(I) FUNDING FROM EACH OF THE AGENCIES IN THE**
28 **CHILDREN'S CABINET INCLUDING NEW BUDGETED FUNDING, EXISTING**
29 **BUDGETED FUNDS THAT MAY BE DIVERTED FROM RESIDENTIAL PLACEMENT**
30 **FUNDING OR OTHER PROGRAMS, AND SAVINGS DERIVED FROM EXISTING**
31 **EVIDENCE-BASED PRACTICE PROGRAMS;**

32 **(II) COMPACTS WITH PRIVATE ORGANIZATIONS OR PRIVATE**
33 **FOUNDATION SUPPORT;**

1 (III) FEDERAL FUNDING, INCLUDING FUNDING THROUGH
2 THE MEDICAL ASSISTANCE PROGRAM; AND

3 (IV) ANY OTHER FUNDING SOURCE IDENTIFIED BY THE
4 CHILDREN'S CABINET.

5 (5) (I) THE DEPARTMENT, ON BEHALF OF THE CHILDREN'S
6 CABINET, SHALL INVITE THE FOLLOWING INDIVIDUALS TO PARTICIPATE IN THE
7 DEVELOPMENT OF THE PLAN:

8 1. AT LEAST ONE REPRESENTATIVE FROM THE
9 FOLLOWING ORGANIZATIONS OR SYSTEMS:

10 A. ADVOCATES FOR CHILDREN AND YOUTH;

11 B. BALTIMORE'S SAFE AND SOUND CAMPAIGN;

12 C. THE INNOVATIONS INSTITUTE; AND

13 D. THE PROTECTION AND ADVOCACY SYSTEM; AND

14 2. A. THE INDEPENDENT CONSULTANT SELECTED
15 FOR THE REDIRECTION PILOT PROGRAM;

16 B. AN ADMINISTRATOR OF AN EVIDENCE-BASED
17 PRACTICE PROGRAM AT A CORE SERVICE AGENCY OR LOCAL MANAGEMENT
18 BOARD; AND

19 C. A PROVIDER OF MULTISYSTEMIC THERAPY
20 SERVICES, A PROVIDER OF FUNCTIONAL FAMILY THERAPY SERVICES, OR A
21 REPRESENTATIVE FROM AN ORGANIZATION REPRESENTING PROVIDERS OF
22 THOSE SERVICES.

23 (II) THE DEPARTMENT SHALL ENSURE THAT INDIVIDUALS
24 INVITED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE AN
25 OPPORTUNITY FOR MEANINGFUL PARTICIPATION IN THE DEVELOPMENT OF
26 THE PLAN INCLUDING ATTENDING MEETINGS AND REVIEWING ALL DRAFTS OF
27 THE PLAN BEFORE THE PLAN IS SUBMITTED TO THE GENERAL ASSEMBLY.

28 (J) (1) ON OR BEFORE OCTOBER 1, 2009, THE DEPARTMENT SHALL
29 REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE
30 STATE GOVERNMENT ARTICLE, ON THE 3-YEAR PLAN REQUIRED UNDER
31 SUBSECTION (I) OF THIS SECTION.

1 **(2) ON OR BEFORE DECEMBER 31, 2011, THE DEPARTMENT**
2 **SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246**
3 **OF THE STATE GOVERNMENT ARTICLE, ON THE EVALUATION COMPLETED BY**
4 **THE INDEPENDENT CONSULTANT ON THE OUTCOMES, COST SAVINGS, AND**
5 **EFFECTIVENESS OF THE PILOT PROGRAM.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2008. It shall remain effective for a period of 3 years and 3 months and, at
8 the end of December 31, 2011, with no further action required by the General
9 Assembly, this Act shall be abrogated and of no further force and effect.