

HOUSE BILL 971

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By: Delegates Oaks, Bromwell, Cullison, Hayes, McMillan, Morhaim, Pena-Melnyk, Reznik, and ~~Sample-Hughes~~ Sample-Hughes, Hammen, Angel, Barron, Hill, Kelly, Kipke, Krebs, McDonough, Miele, Morgan, Pendergrass, West, and K. Young

Introduced and read first time: February 13, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2015

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Substance Abuse Treatment Outcomes Partnership Fund**

3 FOR the purpose of altering the definition of “eligible populations” to allow funds from the
4 Substance Abuse Treatment Outcomes Partnership Fund to be used for services
5 provided to drug offenders under the supervision of certain courts; altering the
6 information an applicant is required to include in a request for Partnership funding;
7 repealing the requirement that the Department of Health and Mental Hygiene
8 consult with a certain task force in evaluating a request for and awarding
9 Partnership funding; authorizing a participating county, under certain
10 circumstances, to use Partnership funding to continue or expand funding for eligible
11 functions; declaring the intent of the General Assembly; defining a certain term;
12 altering a certain definition; making conforming changes; and generally relating to
13 the Substance Abuse Treatment Outcomes Partnership Fund.

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 8–6C–01 and 8–6C–04
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2014 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Health – General

1
2 8–6C–01.

3 (a) In this subtitle the following words have the meanings indicated.

4 (B) “ELIGIBLE FUNCTIONS” INCLUDES:

5 (1) TRANSPORTATION TO AND FROM TREATMENT SERVICES;

6 (2) TREATMENT, PREVENTION, OR COORDINATION STAFF;

7 (3) DATA SHARING SERVICES AMONG COUNTIES AND OTHER
8 APPROPRIATE TREATMENT PROVIDERS;

9 (4) EDUCATION OR OUTREACH PROGRAMS AND MATERIALS;

10 (5) IN–COMMUNITY EMERGENCY BEHAVIORAL HEALTH SERVICES OR
11 CRISIS STABILIZATION UNITS; AND

12 (6) BEHAVIORAL HEALTH PROGRAMS IN SCHOOLS.

13 [(b)] (C) “Eligible population” includes:

14 (1) Mothers of drug–addicted infants;

15 (2) Parents of children in need of assistance;

16 (3) Hospital emergency room admittees;

17 (4) Needy families receiving temporary cash assistance;

18 (5) Foster care children and parents;

19 (6) Children in after–school programs and their parents, including children
20 and parents in programs supported by the Maryland After–School Opportunity Fund;

21 (7) Adolescents;

22 (8) Parents subject to arrearages in child support payments;

23 (9) Drug offenders under the supervision of the Division of Parole and
24 Probation;

25 (10) Pretrial correctional inmates;

1 (11) Prerelease correctional inmates;

2 (12) The general inmate population within county-managed correctional
3 facilities; [and]

4 (13) Parents of children entering out-of-home placements or at risk of
5 entering out-of-home placements; **AND**

6 **(14) DRUG OFFENDERS UNDER THE SUPERVISION OF THE PROBLEM**
7 **SOLVING COURTS.**

8 **[(c)] (D)** “Partnership funding” means money granted from the Substance Abuse
9 Treatment Outcomes Partnership Fund to match local funding.

10 **[(d)] (E)** “Proposal” means a plan under this subtitle to provide new or expanded
11 substance abuse treatment services.

12 **[(e)] (F)** “Request for Partnership funding” means a proposal, submitted by the
13 governing bodies of one or more jurisdictions, to provide substance abuse treatment services
14 to one or more eligible populations **OR TO PROVIDE ELIGIBLE FUNCTIONS** within the
15 requesting jurisdiction or jurisdictions.

16 8-6C-04.

17 (a) In this section, “county” includes Baltimore City.

18 (b) A request for Partnership funding may be submitted to the Department by:

19 (1) The governing body of a county; or

20 (2) The governing body of more than one county.

21 (c) A request for Partnership funding shall be made in accordance with a schedule
22 and format determined by the Department, in consultation with the Task Force to Study
23 Increasing the Availability of Substance Abuse Programs.

24 (d) In a request for Partnership funding, the applicant or applicants shall include:

25 (1) A description of the proposal;

26 (2) **(I)** An indication of the eligible targeted population or populations
27 that the proposal will serve; **OR**

28 **(II) THE ELIGIBLE FUNCTIONS THAT WILL BE FUNDED UNDER**
29 **THE PROPOSAL;**

1 (3) A description of the services to be provided under the proposed new or
2 expanded program and an identification of the local providers able to provide those services;

3 (4) A plan to reach the targeted populations using relevant means of
4 contact;

5 (5) Performance and outcome indicators to evaluate the program
6 effectiveness, including a description of the expected schedule and methods for measuring
7 performance and outcome; and

8 (6) A statement of the funds **OR IN-KIND CONTRIBUTIONS** that the
9 applicant intends to commit.

10 (e) In evaluating a request for Partnership funding, the Department[, in
11 consultation with the Task Force to Study Increasing the Availability of Substance Abuse
12 Programs,] shall consider:

13 (1) The performance and outcome indicators specified;

14 (2) The degree to which the proposal may reduce the need for other State
15 or local public services or programs intended for the populations targeted by the proposal;

16 (3) The extent to which the proposal incorporates the use of excess or
17 otherwise available medical-related facilities, including vacant hospital beds;

18 (4) How the proposal fits into a balanced approach to the State's variety of
19 substance abuse needs and populations that serves different geographic areas of the State
20 with Partnership funding; and

21 (5) The extent to which the proposal is part of or consistent with a regional
22 strategy for substance abuse treatment programs affecting adjoining jurisdictions.

23 (f) (1) [After consulting with the Task Force to Study Increasing the
24 Availability of Substance Abuse Programs, the] **THE** Department shall award Partnership
25 funding following the considerations in this section.

26 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
27 county granted funding shall be responsible for one-half of the cost of the approved
28 partnership.

29 (ii) The Department may award Partnership funding that results in
30 a county being responsible for less than one-half of the cost of the approved partnership
31 after considering:

32 1. The financial hardship of the participating county;

1 2. Prior contributions of funds for substance abuse treatment
2 programs made by the participating county; or

3 3. Other relevant considerations deemed appropriate by the
4 Department.

5 (3) [A] **EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
6 **SUBSECTION, A participating county:**

7 (i) May use Partnership funds only to supplement levels of spending
8 by the participating county on drug treatment programs; and

9 (ii) May not use Partnership funds to supplant spending by the
10 participating county on drug treatment programs.

11 **(4) IF A PARTICIPATING COUNTY BEGAN SPENDING COUNTY OR**
12 **OTHER NON-STATE FUNDS ON ELIGIBLE FUNCTIONS AFTER OCTOBER 1, 2010, THE**
13 **PARTICIPATING COUNTY MAY USE PARTNERSHIP FUNDING TO CONTINUE OR**
14 **EXPAND FUNDING FOR ELIGIBLE FUNCTIONS.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
16 Assembly that:

17 (1) the Governor appropriate funds to the Substance Abuse Treatment
18 Outcomes Partnership Fund established in § 8-6C-02 of the Health – General Article in
19 each State budget;

20 (2) any funds appropriated to the Substance Abuse Treatment Outcomes
21 Partnership Fund be in addition to and not replace other State budget appropriations for
22 substance abuse treatment;

23 (3) the Governor’s Office of Crime Control and Prevention, as part of its
24 duties, make it a priority to provide support for substance abuse treatment and prevention
25 programs that help contribute to increased public safety outcomes; and

26 (4) the Department of Health and Mental Hygiene convene a committee
27 with representatives from the State Department of Education, local school systems, local
28 departments of social services, substance abuse treatment providers, and county health
29 officers to:

30 (i) review the current State Board of Education standards for
31 substance abuse education in public schools;

32 (ii) review examples of curriculum for substance abuse education,
33 including educational resources and outreach materials, that are used by local school
34 systems; and

1 (iii) develop and provide recommendations regarding:

2 1. a collaborative community-based response to substance
3 abuse treatment for adolescents; and

4 2. collaborative community-based substance abuse
5 prevention and education programs for adolescents.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.