

AFSCME LOCAL 112 MARYLAND GENERAL ASSEMBLY NEWSLETTER

February 5, 2018

CHILD WELFARE

SB132/HB 500 Crimes Child Abuse and Neglect Failure to Report makes it a misdemeanor for a worker to knowingly fail to provide a required notice or make a required report of suspected child abuse or neglect of a minor. If the worker (1) has actual knowledge of the abuse or neglect or (2) witnesses the act of the abuse or neglect. A violator is guilty of a misdemeanor and subject to a maximum penalty of up to six months imprisonment and/or a \$1,000 fine.

HB600/SB131 Child Abuse and Neglect - Training requires each health practitioner, police officer, educator, and human service worker in the State to receive periodic training on the obligation to report suspected child abuse and neglect and the identification of abused and neglected children.

To Track Bills, watch committees live and recorded or read reports from Budget Hearings go to General Home Page at <http://mgaleg.maryland.gov/webmgg/frm1.st.aspx?tab=home>. Call DLS at 410-841-3000 for help finding information.

Every year, legislators pass and amend laws that add responsibilities to our delivery of quality services in all of our programs, but never add more staff. We must be vocal and aware of how these bills and reports by DHS to the legislature affect our jobs,
Donna S. Edwards, Local 112 President

SB85 Tuition Waivers - Foster Care Recipients - Eligibility is an emergency departmental bill expanding tuition waiver eligibility to an individual who enters out-of-home placement after his or her thirteenth birthday, remains in out-of-home placement for at least one year, and is later placed into guardianship, adopted, or reunited with at least one of the individual's parents.

HB838/SB584 Child Protection Reporting Threat of Harm adds verbal threat to reporting. An individual may notify the local department or the appropriate law enforcement agency if they have reason to believe that: (i) a verbal threat of imminent severe bodily harm or death to a child has been made by the child's parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child; and (ii) the child is at substantial risk of abuse.

SB490/HB 454 Child Abuse and Neglect Disclosure of Identifying Information and Investigations requiring a local DSS to open an investigation of child abuse or neglect if the DSS is prevented from accessing a child born to an individual whose identifying information is provided to the DHMH and requiring the DHMH to report to DHS that information up to 20 years.

BILLS AT-A-GLANCE

CHILD ABUSE AND NEGLECT BILLS

SB132/HB 500 Crimes - Child Abuse and Neglect - Failure to Report

HB600/SB131 Child Abuse and Neglect - Training

HB838/SB584 Child Protection - Reporting - Threat of Harm

HB81 Family Law - Child Abuse and Neglect - Mental Injury

SB480/HB 454 Child Abuse and Neglect - Disclosure of Identifying Information and Investigations

HB524/SB 291 Family Law - Protecting the Resources of Children in State Custody

SB587 Department of Human Services - Baltimore City Department of Social Services - Audit Human Services

SB412 Task Force on Baltimore City Department of Social Services Oversight

HB211 Prince George's County Board of Education - Teachers and Administrators - Child Protective Services Investigation Findings

SB91 Juvenile Law - Disclosure of Court Records

FOSTER CARE BILLS

SB85 Tuition Waivers - Foster Care Recipients - Eligibility

HB49 General Provisions - Commemorative Months - Foster Care Month

HB52 General Provisions - Commemorative Days - Foster Youth Legislative Shadow Days

HB431/SB 308 Foster Care Recipients and Unaccompanied Homeless Youth - Employment Program (Fostering Employment Act of 2018)

FOOD STAMP BILL

SB513 Food Stamp Program - Time Limit Waiver - Prohibition

CHILD SUPPORT SERVICES BILLS

SB97 Public Utilities - Transportation Network Services - Disclosure of Records

HB 804 Child Support Administration - Suspension of Driver's License or Privilege to Drive for Arrears - Exemption

SB 79 Child Support - Employment Program Participation - Reinstatement of Driver's License and Expungement of Suspension

HB386 Child Support - Potential Income - Definition

CHILD WELFARE

HB 211 Prince George’s County Board of Education – Teachers and Administrators –Child Protective Services Investigation Findings. The Prince George’s county board of education shall require a public school or a unit of the public school system within its jurisdiction to accept, for purposes of employment or work assignment, a final finding made by child protective services resulting from an investigation of a teacher or an administrator employed by the Prince George’s county public school system for the alleged abuse or neglect of a public school student.

HB81 Family Law - Child Abuse and Neglect - Mental Injury alters the definition of “mental injury” in provisions of law governing the reporting and investigation of suspected child abuse and neglect to include the observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function that results from the child’s exposure to an act that constitutes a crime of violence, as specified, committed by a parent or household or family member against a parent or household or family member.

HB524/SB 291 Family Law - Protecting the Resources of Children in State Custody establishes requirements for the management and use of specified benefits, assets, and resources of children in the custody of the Department of Human Resources (DHR). For children 14 and older the DHS must take certain actions when serving as a representative payee or fiduciary for federal benefits for a child in the DHS custody; requiring the Department to provide certain notice to the child, through the child's attorney, of certain actions taken with respect to certain benefits for the child. Children also must be taught financial literacy.

FOSTER CARE

HB431/SB 308 Foster Care Recipients and Unaccompanied Homeless Youth – Employment Program (Fostering Employment Act of 2018) The DHS in coordination with the DLLR shall: (1) develop and implement the program; and (2) coordinate with: (i) the local departments of social services; and (ii) the local workforce development boards in the state workforce development areas. (f) the program shall provide foster care recipients and unaccompanied homeless youth with opportunities to obtain 16 credentials through: (1) a registered apprenticeship program; or (2) job readiness training. (g) a foster care recipient or an unaccompanied homeless youth who is not otherwise eligible to receive a tuition exemption under § 21 15–106.1 of the education article is eligible to receive funding under the program if the individual is: (1) at least 16 years of age.

SB587 Department of Human Services – Baltimore City Department of Social Services – Audit Human Services adds specific language to the Office of the Inspector General audit statute that in fiscal 2019, the OIG shall conduct a financial and compliance audit of the Baltimore City Department of Social Services that includes: (1) compliance with law and regulations;(2) responses to deaths of clients under care;(3) procedures used to place children in foster care;(4) caseload per employee;(5) procedures for visiting children in foster care after placement; and (6) employment requirements for individuals employed in supervisory positions.

SB412 Task Force on Baltimore City Department of Social Services Oversight establishes a task Force in Baltimore City DSS for the purposes of collecting data on the number of children served by the Baltimore City Department of Social Services who are victims of child abuse or neglect and who become victims of murder. The Task Force is to recommend methods by which the BCDSS can align its practices with national best practices and any legislation the Task Force considers necessary to reform the BCDSS.

HB49 General Provisions - Commemorative Months - Foster Care Month requires the Governor annually to proclaim May as Foster Care Month; and requiring the proclamation to urge residents of Maryland to volunteer their talents and energies on behalf of children in foster care, foster parents, and child welfare professionals.

HB52 General Provisions - Commemorative Days - Foster Youth Legislative Shadow Days Requires the Governor annually to proclaim the second Wednesday and Thursday in February as Foster Youth Legislative Shadow Days to connect current and former foster youth with a State legislator to learn about the legislative process. This process connects legislators to the youth whom the legislators impact directly and indirectly

Please send your comments on these bills to msdonnae@aol.com AND sesty@afscmemd.org as soon as possible to be included in testimonies. The bills are already scheduled for hearings. If you want to attend and/or speak at a hearing please contact us and we will coordinate it for you.

CHILD SUPPORT ENFORCEMENT

SB 79 Child Support - Employment Program Participation - Reinstatement of Driver's License and Expungement of Suspension expands the circumstances under which CSA must notify MVA to reinstate an obligor's license or privilege to drive by requiring it to do so if the obligor is a participant in full compliance of an employment program approved by CSA; MVA must reinstate an obligor's license or privilege to drive on receipt of such notification. It must also reinstate the license or privilege on notification that (1) information regarding the reported arrearage is inaccurate; (2) suspension of the obligor's license or privilege to drive would be an impediment to the obligor's current or potential employment; or (3) suspension of the obligor's license or privilege to drive would place an undue hardship on the obligor, as specified.

HB386 Child Support – Potential Income – Definition

This bill adds the following to consideration of potential income - The parent's: 1. Age; 2. Mental and physical condition; 3. Educational attainment; 4. Special training or skills; 5. Literacy; 6. Residence; 7. Occupational qualifications and job skills; 8. Employment and earnings history; 9. Record of efforts to obtain and retain employment; and 10. Criminal record and other employment barriers; and (ii) employment opportunities in the community where the parent lives, including: 1. The status of the job market; 2. Prevailing earnings levels; and 3. The availability of employers willing to hire the parent; (2) the parent's assets; (3) the parent's actual income from any source; and (4) any other factor bearing on the parent's ability to obtain funds for child support.

HB 804 Child Support Administration - Suspension of Driver's License or Privilege to Drive for Arrears - Exemption Exempting an obligor whose income is at or below 200% of the federal poverty level from having the obligor's driver's license or privilege to drive in the State suspended for being out of compliance with the most recent order of the court in making child support payments.

SB61 Child Support - Noncustodial Parent Employment Assistance Pilot Program - Documentation and Reporting

This departmental bill repeals requirements for the Noncustodial Parent Employment Assistance Pilot Program to (1) document a noncustodial parent's compliance status at 14 days after a consent agreement is effective and (2) evaluate whether participants are employed full time. It also streamlines evaluation criteria by requiring the program's evaluation to be measured in part by the number of participants who are in compliance with their employment plans, instead of by the number of participants who attend the meetings, classes, or workshops specified in their employment plans.

SB97 Public Utilities - Transportation Network Services - Disclosure of Records

Federal law requires state child support programs to have processes to withhold, suspend, or restrict driver's licenses, professional and occupational licenses, and recreational and sporting licenses for individuals who owe child support. The bill authorizes the Public Service Commission (PSC) to disclose specified records or information related to transportation network operators (TNOs, e.g., Uber drivers) to CSEA for child support enforcement efforts.

FOOD STAMPS

SB513 Food Stamp Program - Time Limit Waiver - Prohibition

This bill prohibits the State from applying for or implementing a federal waiver of the time limit on the receipt of benefits under the food stamp program by an able-bodied adult without dependents who does not meet certain work requirements