

SENATE BILL 299

J1, O4
SB 918/20 – FIN

(PRE-FILED)

1lr1375
CF HB 548

By: ~~Senator Carter~~ Senators Carter, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Klausmeier, Kramer, and Ready

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2021

CHAPTER _____

1 AN ACT concerning

2 **Human Services – Trauma-Informed Care – Commission and Training**
3 **(Healing Maryland’s Trauma Act)**

4 FOR the purpose of establishing the Commission on Trauma-Informed Care; providing for
5 the composition, chair, and staffing of the Commission; providing that the
6 Commission is an independent commission functioning in the Department of Human
7 Services; providing for the purpose of the Commission; requiring the Commission to
8 determine certain procedures; providing for the terms of members of the
9 Commission; requiring the Governor to designate the chair of the Commission;
10 prohibiting a member of the Commission from receiving certain compensation, but
11 authorizing the reimbursement of certain expenses; providing that a majority of
12 members serving on the Commission is a quorum; requiring the Commission to
13 identify certain programs and services; requiring the Commission to assist in the
14 development of a certain statewide trauma-responsive strategy; requiring the
15 Commission to establish certain metrics, in collaboration with the Maryland
16 Department of Health, related to a certain initiative; requiring the Commission to
17 coordinate and develop, in consultation with the Maryland Department of Health,
18 certain training on trauma-informed care; requiring the Commission to disseminate
19 certain information among agencies; requiring the Commission to advise and assist
20 the Governor for a certain purpose; requiring the Commission to report its findings
21 and recommendations to the Governor and the General Assembly on or before a
22 certain date each year; requiring the Commission, in consultation with the Maryland
23 Department of Health, the Department of Human Services, and the Maryland

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.



Health Care Commission, to conduct a certain study of a certain program and implement a certain program; providing for the purpose of a certain program; specifying the content of a certain study; requiring the Commission to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date each year; requiring members of the Commission to participate in a certain training each year; requiring certain State agencies to designate certain staff members to participate in a certain training each year; requiring certain staff members of certain State agencies to perform certain duties in a certain manner each year; requiring the Maryland Department of Health to provide certain technical support to certain staff members of certain State agencies; requiring certain directors of certain State agencies to submit to the Commission a certain report each year; defining certain terms; and generally relating to trauma-informed care.

BY adding to

Article – Human Services

Section 8–1301 through 8–1310 to be under the new subtitle “Subtitle 13. Trauma–Informed Care”

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

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

Article – Human Services

SUBTITLE 13. TRAUMA–INFORMED CARE.

8–1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “AGENCY” INCLUDES:

(1) THE OFFICE OF THE ATTORNEY GENERAL;

(2) THE DEPARTMENT OF BUDGET AND MANAGEMENT;

(3) THE DEPARTMENT OF DISABILITIES;

(4) THE MARYLAND DEPARTMENT OF HEALTH;

(5) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;

(6) THE DEPARTMENT OF HUMAN SERVICES;

1 (7) THE DEPARTMENT OF JUVENILE SERVICES;

2 (8) THE DEPARTMENT OF NATURAL RESOURCES;

3 (9) THE DEPARTMENT OF PLANNING;

4 (10) THE DEPARTMENT OF PUBLIC WORKS;

5 (11) THE DEPARTMENT OF STATE POLICE;

6 (12) THE STATE DEPARTMENT OF EDUCATION;

7 (13) THE DEPARTMENT OF TRANSPORTATION;

8 (14) THE DEPARTMENT OF AGING; AND

9 (15) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND
10 VICTIM SERVICES.

11 (C) "CHILDREN" MEANS INDIVIDUALS UNDER THE AGE OF 14 YEARS.

12 (D) "COMMISSION" MEANS THE COMMISSION ON TRAUMA-INFORMED
13 CARE.

14 (E) "OLDER ADULT" MEANS AN INDIVIDUAL AT LEAST 60 YEARS OLD.

15 (F) "TRAUMA-INFORMED CARE" HAS THE MEANING STATED IN § 10-701 OF
16 THE HEALTH – GENERAL ARTICLE.

17 (G) "YOUTH" MEANS AN INDIVIDUAL AT LEAST 14 YEARS OLD AND UNDER
18 THE AGE OF 26 YEARS.

19 8-1302.

20 (A) THERE IS A COMMISSION ON TRAUMA-INFORMED CARE.

21 (B) THE COMMISSION IS AN INDEPENDENT COMMISSION THAT FUNCTIONS
22 IN THE DEPARTMENT OF HUMAN SERVICES.

23 8-1303.

24 THE PURPOSE OF THE COMMISSION IS TO COORDINATE A STATEWIDE
25 INITIATIVE TO PRIORITIZE THE TRAUMA-RESPONSIVE AND TRAUMA-INFORMED

DELIVERY OF STATE SERVICES THAT IMPACT CHILDREN, YOUTH, FAMILIES, AND
OLDER ADULTS.

8-1304.

(A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY
THE PRESIDENT OF THE SENATE;

(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY
THE SPEAKER OF THE HOUSE;

(3) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE
SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S
DESIGNEE;

(5) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

(6) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S
DESIGNEE;

(7) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S
DESIGNEE;

(8) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S
DESIGNEE;

(9) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE
SUPERINTENDENT'S DESIGNEE;

(10) THE EXECUTIVE DIRECTOR OF THE OFFICE, OR THE EXECUTIVE
DIRECTOR'S DESIGNEE; ~~AND~~

(11) THE EXECUTIVE DIRECTOR OF THE STATE COUNCIL ON CHILD
ABUSE AND NEGLECT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

(12) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) TWO LICENSED MENTAL HEALTH CLINICIANS WITH
EXPERTISE IN TRAUMA, INCLUDING DEMONSTRATED EXPERIENCE AND TRAINING IN
CHILD AND ADOLESCENT CARE AND FAMILY CARE;

(II) ONE LICENSED GERIATRIC MENTAL HEALTH CLINICIAN
WITH EXPERTISE IN TRAUMA;

(III) TWO MEMBERS OF THE RESEARCH COMMUNITY WITH
EXPERTISE IN TRAUMA;

(IV) SIX REPRESENTATIVES FROM COMMUNITY
ORGANIZATIONS, NONPROFIT ORGANIZATIONS, OR YOUTH ORGANIZATIONS WITH AN
EXPERTISE IN TRAUMA; ~~AND~~

(V) ONE REPRESENTATIVE OF THE OFFICE OF CHILD CARE
ADVISORY COUNCIL;

(VI) ONE REPRESENTATIVE OF THE MARYLAND NETWORK
AGAINST DOMESTIC VIOLENCE;

(VII) ONE REPRESENTATIVE OF AN URBAN MUNICIPAL
GOVERNMENT WITH EXPERTISE IN TRAUMA;

(VIII) ONE REPRESENTATIVE OF A RURAL MUNICIPAL
GOVERNMENT WITH EXPERTISE IN TRAUMA; AND

(IX) ONE REPRESENTATIVE OF A SUBURBAN MUNICIPAL
GOVERNMENT WITH EXPERTISE IN TRAUMA.

(B) (1) THE TERM OF AN APPOINTED MEMBER UNDER THIS SECTION IS 4
YEARS CONCURRENT WITH THE TERM OF THE GOVERNOR'S TERM OF OFFICE.

(2) A MEMBER WHO IS APPOINTED AFTER THE TERM HAS BEGUN
SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED
AND QUALIFIES.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL
A SUCCESSOR IS APPOINTED AND QUALIFIES.

8-1305.

THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COMMISSION.

8-1306.

THE COMMISSION SHALL DETERMINE OPERATING PROCEDURES, INCLUDING
THE ESTABLISHMENT OF SUBCOMMITTEES OR WORKGROUPS THAT USE THE
EXPERTISE OF INDIVIDUALS WHO ARE NOT MEMBERS OF THE COMMISSION.

1 8-1307.

2 THE OFFICE SHALL PROVIDE STAFF FOR THE COMMISSION.

3 8-1308.

4 (A) A MAJORITY OF MEMBERS SERVING ON THE COMMISSION IS A QUORUM.

5 (B) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF ITS
6 MEETINGS.

7 (C) A MEMBER OF THE COMMISSION:

8 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
9 COMMISSION; BUT

10 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
11 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

12 8-1309.

13 (A) (1) THE COMMISSION SHALL:

14 ~~(1)~~ (I) ASSIST IN THE IDENTIFICATION OF ANY STATE PROGRAM
15 OR SERVICE THAT IMPACTS CHILDREN, YOUTH, FAMILIES, AND OLDER ADULTS;

16 ~~(2)~~ (II) ASSIST IN THE DEVELOPMENT OF A STATEWIDE STRATEGY
17 TOWARD AN ORGANIZATIONAL CULTURE SHIFT INTO A TRAUMA-RESPONSIVE STATE
18 GOVERNMENT;

19 ~~(3)~~ (III) ESTABLISH METRICS, IN COLLABORATION WITH THE
20 MARYLAND DEPARTMENT OF HEALTH, TO EVALUATE AND ASSESS THE PROGRESS
21 OF THE STATEWIDE TRAUMA-INFORMED CARE INITIATIVE;

22 ~~(4)~~ (IV) COORDINATE AND DEVELOP WITH THE MARYLAND
23 DEPARTMENT OF HEALTH ANY FORMAL OR INFORMAL TRAUMA-INFORMED CARE
24 TRAINING;

25 ~~(5)~~ (V) DISSEMINATE INFORMATION AMONG AGENCIES REGARDING
26 BEST PRACTICES FOR PREVENTING AND MITIGATING THE IMPACT OF TRAUMA ON
27 CHILDREN, YOUTH, FAMILIES, AND OLDER ADULTS;

~~(6)~~ (VI) ADVISE AND ASSIST THE GOVERNOR IN PROVIDING OVERSIGHT AND ACCOUNTABILITY IN IMPLEMENTING THE REQUIREMENTS OF THIS SUBTITLE;

~~(7)~~ (VII) SUBMIT A REPORT USING THE COMMISSION'S ESTABLISHED EVALUATION AND ASSESSMENT METRICS, AS DESCRIBED IN ITEM ~~(3)~~ (III) OF THIS SUBSECTION, THAT INCLUDES AN ASSESSMENT OF:

~~(H)~~ 1. THE IMPLEMENTATION OF TRAUMA-INFORMED CARE POLICIES WITHIN EACH AGENCY; AND

~~(H)~~ 2. THE TRAUMA-RESPONSIVENESS OF EACH AGENCY;
AND

~~(8)~~ (VIII) MAKE RECOMMENDATIONS REGARDING IMPROVEMENTS TO EXISTING LAWS RELATING TO CHILDREN, YOUTH, FAMILIES, AND OLDER ADULTS IN THE STATE.

~~(B)~~ (2) ON OR BEFORE JUNE 30 EACH YEAR, THE COMMISSION SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) (1) IN THIS SUBSECTION, "PROGRAM" MEANS THE ADVERSE CHILDHOOD EXPERIENCES (ACES) AWARE PROGRAM.

(2) IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE MARYLAND HEALTH CARE COMMISSION, THE COMMISSION SHALL:

(I) STUDY DEVELOPING A PROCESS AND FRAMEWORK FOR IMPLEMENTING AN ADVERSE CHILDHOOD EXPERIENCES (ACES) AWARE PROGRAM IN THE STATE; AND

(II) IMPLEMENT THE PROGRAM.

(3) THE PURPOSE OF THE PROGRAM IS TO SCREEN FOR ADVERSE CHILDHOOD EXPERIENCES AND TOXIC STRESS TO PROVIDE TARGETED EVIDENCE-BASED INTERVENTIONS TO SUPPORT INDIVIDUAL AND FAMILY HEALTH, IN ORDER TO IMPROVE INDIVIDUAL AND FAMILY WELL-BEING AND REDUCE HEALTH CARE COSTS.

(4) AS PART OF THE STUDY, THE COMMISSION SHALL:

(I) PROPOSE A PROCESS TO SET UP TRAINING AND AN ACCREDITATION PROCESS FOR PROVIDERS IN THE PROGRAM; AND

(II) EXPLORE THE POSSIBILITY OF THIRD-PARTY REIMBURSEMENT, INCLUDING THE STATE MEDICAL ASSISTANCE PROGRAM, FOR SCREENINGS UNDER THE PROGRAM.

(5) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2022, THE COMMISSION SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF THE PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

8-1310.

(A) IN THIS SECTION, “FORMAL TRAINING” MEANS A DIDACTIC COURSE OR CURRICULUM IN TRAUMA-INFORMED CARE THAT IS:

(1) DEVELOPED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE MARYLAND DEPARTMENT OF HEALTH; AND

(2) PROVIDED BY THE MARYLAND DEPARTMENT OF HEALTH OR ITS DESIGNEE IN COLLABORATION WITH THE COMMISSION.

(B) EACH COMMISSION MEMBER SHALL PARTICIPATE IN AT LEAST ONE FORMAL TRAINING EACH YEAR.

(C) (1) EACH AGENCY HEAD SHALL DESIGNATE TWO STAFF MEMBERS TO:

(I) PARTICIPATE IN AT LEAST ONE FORMAL TRAINING EACH YEAR;

(II) COLLABORATE WITH OTHER AGENCY DESIGNEES IN WORK SESSIONS AND OTHER INFORMAL TRAININGS AS ORGANIZED BY THE MARYLAND DEPARTMENT OF HEALTH;

(III) SERVE AS THE PRINCIPAL ADVISORS TO THE AGENCY DIRECTOR AND AGENCY STAFF IN TRAUMA-RESPONSIVENESS AND TRAUMA-INFORMED CARE;

(IV) ASSESS THE AGENCY FOR TRAINING AND TECHNICAL ASSISTANCE NEEDS RELATED TO TRAUMA-RESPONSIVENESS AND TRAUMA-INFORMED CARE; AND

1 (V) REVIEW AND MAKE APPROPRIATE RECOMMENDATIONS TO
2 THE AGENCY DIRECTOR TO ALIGN AGENCY POLICIES AND PRACTICES WITH A
3 TRAUMA-INFORMED APPROACH.

4 (2) IN THE EVENT OF A VACANCY IN THE POSITION OF ONE OR BOTH
5 OF THE STAFF MEMBERS DESIGNATED UNDER PARAGRAPH (1) OF THIS SUBSECTION,
6 THE AGENCY DIRECTOR SHALL, WITHIN 30 DAYS OF THE VACANCY, DESIGNATE
7 ANOTHER STAFF MEMBER TO CARRY OUT THE DUTIES OF THE STAFF MEMBER
8 DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

9 (D) THE MARYLAND DEPARTMENT OF HEALTH SHALL PROVIDE
10 TECHNICAL ADVISORY SUPPORT TO DESIGNATED AGENCY STAFF TO ASSIST THE
11 STAFF IN PERFORMING THE DUTIES DESCRIBED IN SUBSECTION (C)(1) OF THIS
12 SECTION.

13 (E) ON OR BEFORE MARCH 31 EACH YEAR, EACH AGENCY DIRECTOR SHALL
14 SUBMIT TO THE COMMISSION A PROGRESS REPORT DETAILING THE AGENCY'S
15 PROGRESS AND COMPLIANCE WITH SUBSECTION (C) OF THIS SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.