

Md. Human Services Code Ann. § 8-101

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***** Statutes current through 2014 legislation *****

**HUMAN SERVICES
TITLE 8. CHILDREN, YOUTH, AND FAMILIES
SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS**

Md. Human Services Code Ann. § 8-101 (2014)

§ 8-101. Definitions

(a) In general. -- In this title the following words have the meanings indicated.

**** REVISOR'S NOTE**

This subsection is new language derived without substantive change from former Art. 49D, § 1-101(a).

(b) Agencies of the Children's Cabinet. -- "Agencies of the Children's Cabinet" includes:

- (1) the Department of Budget and Management;
- (2) the Department of Disabilities;
- (3) the Department of Health and Mental Hygiene;
- (4) the Department of Human Resources;
- (5) the Department of Juvenile Services; and
- (6) the State Department of Education.

(c) Child in need of out-of-state placement. --

- (1) "Child in need of out-of-state placement" means a child who is

recommended by a public agency for out-of-home placement outside of the State.

(2) "Child in need of out-of-state placement" does not include a child:

(i) placed in foster care, as defined in § 5-501 of the Family Law Article;
or

(ii) who is in a hospital for 30 continuous days or less.

** REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(b).

** REVISOR'S NOTE

No changes are made.

** DEFINED TERM:

"Local coordinating council"

§ 8-101

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(d) Child with intensive needs. -- "Child with intensive needs" means a child who has behavioral, educational, developmental, or mental health needs that cannot be met through available public agency resources because: **

(1) the child's needs exceed the resources of a single public agency; or **

(2) there is no legally mandated funding source to meet the child's needs.

REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(d).

REVISOR'S NOTE

The only changes are in style.

"Public agency"

§ 8-101

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(e) Core service agency. -- "Core service agency" means the designated county or multicounty authority that is responsible for planning, managing, and monitoring publicly funded mental health services as provided under Title 10, Subtitle 12 of the Health - General Article.

REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(e).

REVISOR'S NOTE

No changes are made.

"County"

§ 1-101

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(f) Council. -- "Council" means the State Coordinating Council for Children.

REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(f).

REVISOR'S NOTE

No changes are made. **

(g) Evidence-based. -- "Evidence-based" means meeting the criteria for an evidence-based early childhood home visiting service delivery model as defined by the federal Department of Health and Human Services. **

(h) Executive Director. -- "Executive Director" means the Executive Director of the Governor's Office for Children.

REVISOR'S NOTE

This subsection formerly was Art. 41, § 18-701(b).

REVISOR'S NOTE

No changes are made. **

(i) Family. -- **

(1) "Family" means an eligible child's natural, adoptive, or foster parents. **

(2) "Family" includes: **

(i) a guardian; **

(ii) a person acting as a parent of a child; and **

(iii) a relative or stepparent with whom a child lives. **

(j) Home visiting program. -- **

(1) "Home visiting program" means a program or initiative that: **

(i) contains home visiting as a primary service delivery strategy; **

(ii) offers services on a voluntary basis to pregnant women, expectant fathers, and parents and caregivers of children from birth to kindergarten entry; and **

(iii) targets participant outcomes that may include: **

1. improved maternal and child health; **

2. prevention of child injuries, child abuse or maltreatment, and reduction of emergency department visits; **

3. improvements in school readiness and achievement; **

4. reduction in crime or domestic violence; **

5. improvements in family economic self-sufficiency; **

6. improvements in the coordination of and referrals to other community resources and supports; or **

7. improvements in parenting skills related to child development. **

(2) "Home visiting program" includes those program models identified in the Home Visiting Evidence of Effectiveness project of the federal Department of Health and Human Services. **

(3) "Home visiting program" does not include: **

(i) programs with few or infrequent visits; **

(ii) programs in which home visiting is supplemental to other services;
or **

(iii) in-home services delivered through provisions of an individualized family service plan or an individualized education program under Part C or Part B of the federal Individuals with Disabilities Education Act. **

(k) Hospital. -- "Hospital" has the meaning stated in § 19-301 of the Health - General Article. **

(l) Local management board. -- "Local management board" means an entity established or designated by a county under Subtitle 3 of this title to ensure the implementation of a local, interagency service delivery system for children, youth, and families.

REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(j).

REVISOR'S NOTE

The only changes are in cross-references.

"County" § 1-101

**

(m) Office. -- "Office" means the Governor's Office for Children.

REVISOR'S NOTE

This subsection formerly was Art. 41, § 18-701(d) and Art. 49D, §§ 6-101(a)(4) and 7-101(d).

REVISOR'S NOTE

No changes are made. **

(n) Promising. -- "Promising" means a home visiting program or practice that: **

(1) does not yet meet the standard for evidence-based practices; and **

(2) meets the criteria of a promising approach as defined by the federal Department of Health and Human Services. **

(o) Public agency. -- "Public agency" means a State or local government unit or a quasi-governmental entity.

REVISOR'S NOTE

This subsection formerly was Art. 49D, § 1-101(k).

REVISOR'S NOTE

No changes are made. **

(p) Residential child care program. -- **

(1) "Residential child care program" means an entity that provides 24-hour per day care for children within a structured set of services and activities that are designed to achieve specific objectives relative to the needs of the children served and that include the provision of food, clothing, shelter, education, social services, health, mental health, recreation, or any combination of these services and activities. **

(2) "Residential child care program" includes a program: **

(i) licensed by: **

1. the Department of Health and Mental Hygiene; **
2. the Department of Human Resources; or **
3. the Department of Juvenile Services; and **

(ii) that is subject to the licensing regulations of the members of the Children's Cabinet governing the operations of residential child care programs.

REVISOR'S NOTE

This subsection is new language derived without substantive change from former Art. 41, § 18-701(e) and Art. 49D, §§ 6-101(a)(6) and 7-101(g)(1)

and (2).

REVISOR'S NOTE

In paragraph (2)(ii) of this subsection, the reference to the regulations of "the members of the Children's Cabinet" derived from former Art. 49D, § 7-101(g)(2)(ii) is used for accuracy instead of the former obsolete reference to the "Office for Children, Youth, and Families" in former Art. 49D, § 6-101(a)(6) (which incorporated by reference HO § 20-101) and the former reference to the "Governor's Office for Children" in former Art. 41, § 18-701(e)(2)(ii), because the Governor's Office for Children does not have the authority to adopt regulations.

REVISOR'S NOTE

As to the membership of the Children's Cabinet, see Executive Order 01.01.2005.34.