




Policy Number:	SSA/CW #26-08
Policy Title:	Process for a Department of Human Services Employee to Become a LDSS Provider
Release Date:	May 15, 2026
Effective Date:	May 15, 2026
Approved By:	Dr. Alger M. Studstill, Jr.  Executive Director Social Services Administration
Revision Date(s):	N/A
Supersedes:	SSA #13-17 State Employees as Public Providers for Out-of-Home Care and Adult Services for LDSS
Originating Office:	Out-of-Home Care: dlfostercarepermanencyunit_dhs@maryland.gov Adult Protective Services: officeof.adultservices@maryland.gov
Summary of Change:	This policy adds language regarding kinship caregivers and respite providers, updates the approval process of DHS employees as providers, and revises approval forms.
Required Actions:	This policy provides direction for SSA and LDSS when DHS employees express an interest in being a LDSS adult service provider, kinship caregiver, resource parent, or respite care provider.
Key Words:	DHS Employee, Resource Parent, Kinship Caregiver, Respite Care Provider, Adult Services Provider
Related Federal Law	None
Related State Laws	Md. Ann. Code, General Provisions, Title 5, Maryland Public Ethics Law.
COMAR	COMAR 07.02.09.02. COMAR 07.02.18.02. COMAR 07.02.19.02. COMAR 07.02.25.02 COMAR 07.05.02.09
State Plan Implications?	No

Purpose And Summary

This policy outlines the requirements and approval process when Department of Human Services (DHS) employees wish to become a provider for a Local Department of Social Services (LDSS). The purpose of this policy is twofold:

1. To ensure employees of DHS who wish to be licensed as providers meet statutory and regulatory requirements; and
2. To ensure compliance with the participation and prestige of office restrictions of the Public Ethics Law and to avoid actual or perceived conflicts of interest.

This policy does not permit a DHS employee to become a resource home parent through a Private Child Placement Agency of a child in the custody of the State or to become an adult services provider through a private adult care entity.

Related Laws And Regulations

[Md. Ann. Code, General Provisions, Title 5, Maryland Public Ethics Law.](#)

establishes standards of conduct for employees of the State of Maryland. The purpose of the Public Ethics Law is to ensure impartiality and ethical conduct for state and local officials, avoid conflicts of interest, require financial disclosure, and regulate lobbying. These standards are administered by the State Ethics Commission to build public trust. Under the conflict of interest provisions, rules exist to prevent officials from participating in matters where they have a personal financial interest.

COMAR [07.02.19.02.\(13\)\(a\)](#)., [07.02.09.02.\(B\)\(18\)](#) and [07.02.25.02.\(A\)\(29\)](#) define the types of providers (i.e., Adult Foster Care, Kinship Caregiver, and Resource Parent) the LDSS may license or certify to provide daily care for children receiving out-of-home services or adults who are eligible for adult foster care services.

COMAR [07.05.02.09\(C\)\(1\)\(2\)\(4\)](#) specifically prohibits employees of DHS licensed as a provider for a private agency, from accepting a child in the custody of the state, or an adult for placement in their home.

Definitions

Program Director - a person employed by the Department of Human Services Social Services Administration who oversees a specific program area.

Provider - individuals licensed or approved by the LDSS to provide care for children or adults. For the purpose of this policy, providers are:

1. [Adult Services Provider](#) - an individual whom a local department certifies for operation of a certified adult residential environment

- (CARE) home.
2. [Kinship Caregiver](#) - an individual who is at least 18 years old and with whom a child-in-care may be placed for temporary or long-term care; and
 - a. is related to a child-in-care through blood or marriage, adoption, tribal law or custom, or cultural custom or practice; and
 - b. if not related to a child-in-care as in (a) of this subsection, has a strong familial or other significant bond to such child, or is a person identified by the child's parent.
 3. [Resource Parent](#) - an individual whom an LDSS licenses to provide 24-hour care for a child-in-care in the resource home.
 4. [Respite Care Provider](#) - a caregiver approved by the LDSS to provide respite care services to adults services providers, kinship or resource families.

Procedures And Timeframes

1. DHS Employees as Providers

- 1.1. Before a DHS employee can be approved to submit an application to become a provider to the LDSS, the Social Services Administration (SSA) must ensure that no conflict of interest exists in either the assignment of children or vulnerable adults or in the monitoring of providers.
 - 1.1.1. A conflict of interest exists or is perceived to exist if an employee's position allows them to influence case management decisions for children or vulnerable adults in their care, or if their position may lead others to give them preferential treatment as a provider.
- 1.2. The following DHS employees must adhere to this policy:
 - 1.2.1. All LDSS employees;
 - 1.2.2. All DHS Central Office employees.
- 1.3. If an employee is identified as a kinship caregiver and there is an urgent need for placement of a kin child, the child may be immediately placed in the employee's home, pending the SSA's approval of the employee's request to become a provider.

2. Employee Responsibilities When Requesting to be a Provider

- 2.1. The DHS employee must submit a completed [Request for DHS Employees to Become a LDSS Provider](#) and their MS22 to their LDSS director or, if a DHS Central Office employee, to their Program Director.
- 2.2. Once approved by SSA to submit the provider application to the LDSS, the employee is responsible for contacting the assigned LDSS to begin the home study process. The employee must provide SSA's approval for a home study to begin to the LDSS at the time the employee completes the application to be a provider.

3. LDSS Director or DHS Program Director Responsibilities

- 3.1. The director or their designee must review the employee's completed [Request for DHS Employees to Become a LDSS Provider](#) and the employee's MS22 to ensure the employee meets general requirements for becoming a provider. The director or their designee must confirm the employee received a rating of satisfactory or higher on their most recent performance evaluation.
- 3.2. If the LDSS director or a DHS program director approves their employee's request to pursue becoming a provider, the director must sign their employee's request form and forward the request form, MS22 and Code of Conduct to the SSA.
 - 3.2.1. All child welfare employee requests must be emailed to the SSA out-of-home unit at DLFoster_Care_Permanency_Unit_DHS@maryland.gov and all adult services employee requests must be emailed to the SSA adult services unit at officeof.adultservices@maryland.gov.

4. SSA Responsibilities

The SSA will review the [Request for DHS Employees to Become a LDSS Provider](#) to determine if there are any actual or perceived conflicts of interest based on the job duties.

- 4.1. Within 15 business days of receiving the completed request to be considered to be a provider, the SSA will inform the employee and the program director or LDSS director of the decision to approve or deny the request.
- 4.2. SSA will submit requests to become a provider for Employees with a salary that is a grade 19 or higher to the Secretary of DHS for final approval.
- 4.3. If the request to be considered as an employee provider is approved, the SSA will designate which LDSS will conduct the home study, and will notify the selected LDSS.
 - 4.3.1. The home study must not be completed by the LDSS in which the employee works.
- 4.4. If the employee's request to be considered to become a provider is denied, the SSA must notify the employee of their right to appeal the decision to the DHS secretary.

5. The Designated LDSS Responsibilities

- 5.1. The LDSS designated to complete the home study must not initiate the study until the SSA's approval has been received.
- 5.2. If the employee is licensed as a provider, the LDSS that completed the home study must submit the employee's information to the SSA within 30 calendar days of licensure, including:

- 5.2.1. name and contact information;
 - 5.2.2. position;
 - 5.2.3. department;
 - 5.2.4. approval type; and
 - 5.2.5. proof of notification to the employee's employing agency.
- 5.3. The LDSS designated to complete the home study is responsible for the approval, supervision of the home, annual reconsiderations, record maintenance, and reporting related to that employee provider.

6. Employee Provider Responsibilities Post-Licensure

Once approved as a provider, the employee may not accept placements of, or provide respite care for, children or adults under the supervision of the LDSS where the employee works unless the child is a kin child to the employee or the employee's family and placement with the employee is in the child's best interest.

- 6.1. Special privileges must not be granted for the employee that are not available to other DHS employees or other licensed providers.
- 6.2. All DHS employee providers must read and sign the [Code of Conduct for DHS Employees who Serve as LDSS Providers](#) agreeing to:
 - 6.2.1. identify themselves only as a provider when interacting and participating in matters relating to the placement;
 - 6.2.2. not access data about their own record, or that of the child, birth parent(s), or any siblings of the child in their care, or adult placed in their custody;
 - 6.2.3. not request preferential treatment in placement or approval requirements; and
 - 6.2.4. abide by the understanding that violation of this policy may lead to disciplinary action.

7. LDSS Oversight

The LDSS where the employee works and the LDSS that oversees the employee's continued licensure must provide notification to the SSA of any problems related to placements in the employee's home such as licensing violations or child or adult behavioral concerns.

- 7.1. The LDSS must notify SSA of such problems within one business day or in accordance with time frames required in other policies.
- 7.2. In the event of a report of alleged abuse or neglect of a child or an adult by the employee or others residing in the employee's home that results in an investigation by an LDSS, the investigation must be completed by the jurisdiction where the alleged maltreatment occurred. If this is the jurisdiction where the employee works, the jurisdiction must follow local standard operating protocols relating to investigations involving employees.

Documentation

The SSA will document and track all requests for licensure by DHS employees. In January and July of each year, the SSA will report to the State Ethics Commission the number of DHS employees serving as public providers.

The LDSS must upload the completed [Request for a DHS Employee to Become a LDSS Provider](#) and the signed [Code of Conduct for DHS Employees who Serve as LDSS Providers](#) into the providers case in the electronic system of record.

Forms and Attachments

[Request for DHS Employees to Become a Provider](#)
[Code of Conduct for DHS Employees who Serve as a Provider](#)

Related Information

N/A