

# Health Occupations

## Title 20

### Board for the Certification of Residential Child Care Program Administrators and Youth Care Practitioners

#### *Subtitle 2. State Board for Certification of Residential Child Care Program Administrators in the Department.*

##### **§20–201. Established**

There is a State Board for Certification of Residential Child Care Program Professionals in the Department.

##### **§20–202. Composition**

(a) (1) The Board consists of 12 members.

(2) Of the 12 Board members:

(i) Six members shall be appointed as follows:

1. Two by the Secretary of Health and Mental Hygiene, one each for the Developmental Disabilities Administration and the Behavioral Health Administration;
2. One by the Secretary of Juvenile Services for the agency;
3. One by the Secretary of Human Resources for the agency;
4. One by the State Superintendent of Schools; and
5. One by the Subcabinet; and

(ii) Six shall be appointed by the Governor.

(3) Of the six appointed by the Governor:

- (i) Three shall be program administrators;
- (ii) One shall be a residential child and youth care practitioner; and
- (iii) Two shall be consumer members.

(b) The Governor shall appoint members with the advice and consent of the Senate.

(c) Each Board member shall:

- (1) Be a United States citizen; and
- (2) Have resided in this State for at least 1 year before appointment to the Board.

(d) A consumer member of the Board:

- (1) May not be a program administrator or a residential child and youth care practitioner;
- (2) May not have a household member who is a program administrator or a residential child and youth care practitioner;
- (3) May not have a household member who participates in a commercial or professional field related to administering a program; and
- (4) May not have had within 2 years before appointment a substantial financial interest in a program regulated by an agency.

(e) While a member of the Board, a consumer member may not have a substantial financial interest in a program regulated by an agency.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) (1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 2004.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not serve more than two consecutive full terms.

(6) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(h) (1) The Governor may remove a member for incompetence, misconduct, incapacity, or neglect of duty.

(2) On the recommendation of the Children's Cabinet, the Governor may remove a member whom the Children's Cabinet finds to have been absent from two successive Board meetings without adequate reason.

##### **§20–203. Officers**

(a) From among its members, the Board annually shall elect a chairman, vice chairman, and executive secretary.

(b) The Board shall determine:

- (1) The manner of election of officers;
- (2) The term of office of each officer; and
- (3) The duties of each officer.

**§20–204. Quorum; meetings; Reimbursement; staffing**

- (a) A majority of the full authorized membership of the Board is a quorum.
- (b) The Board shall meet at least twice a year, at the times and places that it determines.
- (c) Each member of the Board is entitled to reimbursement for expenses at a rate determined by the Board.
- (d) The Board may employ staff in accordance with the budget of the Board.
- (e) The Board may appoint an executive director.
- (f) The executive director:
  - (1) Serves at the pleasure of the Board;
  - (2) Serves as the executive officer of the Board; and
  - (3) Has the powers and duties assigned by the Board.

**§20–205. Powers and duties**

- (a) In addition to the powers and duties set forth elsewhere in this title, the Board in consultation with the Children's Cabinet shall:
  - (1) Adopt regulations to carry out the provisions of this subtitle;
  - (2) Establish standards for the certification of applicants;
  - (3) Conduct a continuing study and investigation of program administrators and residential child and youth care practitioners to improve:
    - (i) Certification standards; and
    - (ii) Procedures for enforcing these standards;
  - (4) Establish a tiered certification structure for residential child and youth care practitioners; and
  - (5) Devise examinations and adopt investigative procedures to:
    - (i) Determine whether program administrators and residential child and youth care practitioners meet the standards adopted by the Board; and
    - (ii) Assure that program administrators and residential child and youth care practitioners continue to meet these standards.
- (b) In addition to the duties set forth elsewhere in this title, the Board shall:
  - (1) Maintain a registry of all program administrators and residential child and youth care practitioners certified by the Board;
  - (2) Submit an annual report to the Governor and Children's Cabinet;
  - (3) Adopt a code of ethics that the Board considers appropriate and applicable to the program administrators and residential child and youth care practitioners certified by the Board;
  - (4) Establish continuing education requirements for the program administrators certified by the Board;
  - (5) Establish training and continuing education requirements for the residential child and youth care practitioners certified by the Board;
  - (6) Adopt an official seal; and
  - (7) Create committees as it deems appropriate to advise the Board on special issues.