

Annual Report

FY 2007 and FY 2008

State Board for the Certification of Residential Child Care Program Professionals

10/1/2008



The State Board for the Certification of Residential Child Care Program Professionals, as required by Health Occupation Article § 20-205 B(2), must submit an Annual Report to the Governor and Children's Cabinet. The attached report is for Fiscal Years 2007 and 2008.



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LEGISLATIVE AUTHORITY



The State Board for the Certification of Residential Child Care Professionals (the "Board") operates under the provisions of Title 20 of the Health Occupations Article of the Annotated Code of Maryland. The Board is the certification authority of residential child care

program administrators. The Board's purview was expanded in 2008 to include the certification of residential child and youth care practitioners (RCYCPs) or direct care workers in residential child care programs by 2013.

The Board is mandated to protect the children living in residential child care programs by certifying qualified program administrators and RCYCPs, establishing fees, maintaining current roster of all certified individuals, administration of the certification examination, enforcing current statutes and regulations, adopting new regulations to carry out the provisions of the Title, suggesting new changes to the Title to keep abreast of trends and issues, adopting standards of practice for the certification of program administrators and RCYCPs, verification of credentials, issuance of certificates, establishing requirements for and verification of continuing education, investigation of complaints based on alleged violations of regulations and statutes, and formal and informal disciplining of certified individuals. In Fiscal Year 2007, the program became 100% general funded.

MISSION

The mission of the State Board for the Certification of Residential Child Care Professionals is to protect Maryland's children living in residential child care programs and to promote quality health care in the field of residential child care through:

1) Certifying and regulating residential child care program administrators and RCYCPs;

2) Receiving and resolving complaints from the public, licensing authorities, courts, employers, insurance companies, other certificate holders regarding residential child care administrators or RCYCPs who may have violated the practice act law (Annotated Code of Maryland, Health Occupations Article, Title 20) and its regulations; and,

3) Setting standards for the practice of residential child care administration that reflect new and emergent developments in the practice of residential child care through regulations and legislation.

VISION

A state that provides qualified residential child care program administrators and RCYCPs to further the well-being of children living in Maryland's residential child care programs.

BOARD COMPOSITION

The Board consists of 12 members, of which six are representatives appointed by secretaries of the various state agencies involved in the licensing and monitoring of residential child care programs. These agencies include the Department of Health and Mental Hygiene's Mental Hygiene Administration and Developmental Disabilities Administration, the Department of Human Resources, the Department of Juvenile Services, the Maryland State Department of Education, and the Governor's Office for Children.

The remaining six members are appointed by the Governor with the advice of the Secretary, of which three are residential child care program administrators, one is a RCYCP, and two are consumer members.

Consumer members may not:

- Be a residential child care program administrator;
- Have a household member who is a residential child care program administrator;
- Have a household member who participates in commercial or professional field related to administering a residential child care program; and



- Have had within the two-years before appointment substantial financial interest in a program regulated by the Department of Health and Mental Hygiene's Mental Hygiene Administration or Developmental Disabilities Administration, Department of Human Resources or Department of Juvenile Services.

Board Members

Albert Zachik, MD, Chair	MHA Representative
Robin El-Amin, Vice Chair	Consumer Representative
Bruce Anderson, Secretary	Provider Representative
Diane Bolger	DDA Representative
Carmen Brown	DHR Representative
Cheryl Brown	DJS Representative
Kevin Drumheller	Provider Representative ¹
Ed Hastry	Consumer Representative ²
Mary Rode	Provider Representative
Steve Sorin	MSDE Representative
Shelly Tinney	GOC Representative
Not Appointed	RCYCP Representative

The Board currently has two vacancies –one RCYCP and one consumer. The Board has posted the Department's Request for Appointment Consideration Forms on its web site and included an article in its Summer and Fall 2008 Newsletter; as well as, mailing residential child care programs, stakeholders and interested parties. In addition, the Board has contacted provider organizations and reached out to consumer groups for assistance in filling these vacancies.

STAFF

The Board is staffed by part-time personnel consisting of a Executive Director (.80 FTE) and Licensing Coordinator (.50 FTE). In addition, the Board shares its legal, fiscal, and information technology staff with other Health Occupation



Boards under the Department of Health and Mental.

The Board's staff is responsible for the daily activities of the Board and the coordination of administrative activities with other government agencies.

Although the Board does not have investigative staff, the

Board attempts to enter into Memorandum of Agreements

¹ Mr. Drumheller's term expired on June 30, 2007. Krystal McKinney was appointed to replace Mr. Drumheller in August 2008.

² Mr. Hastry resigned May 19, 2008.

(MOAs) with other health occupation boards under the Department of Health and Mental Hygiene to utilize their investigative staff.



However, this has proven difficult as the investigative staff are becoming overwhelmed with the number of cases they have been assigned by other health occupation boards.

If, in the future, the Board is unable to enter into MOAs with another health occupation board, it may need to issued a competitive Bid Board Notice to secure a contractor to provide investigative services as needed for Fiscal Year 2009.

BOARD MEETINGS

The Board conducts public meetings on the second Friday of every month throughout the year.

The dates, times, and place of meetings are published in the Maryland Register and posted on the Board's website and in its quarterly newsletter.

Fiscal Year 2007 Meetings

- | | |
|---------------------|--------------------|
| • August 11, 2006 | • February 9, 2007 |
| • September 8, 2006 | • April 13, 2007 |
| • October 13, 2006 | • May 11, 2007 |
| • December 8, 2006 | • June 8, 2007 |
| • January 12, 2007 | |

Fiscal Year 2008 Meetings

- | | |
|-----------------------------------|--------------------|
| • July 13, 2007 | • January 11, 2008 |
| • August 10, 2007 ³ | • February 8, 2008 |
| • September 14, 2007 ⁴ | • March 14, 2008 |
| • October 12, 2008 ⁵ | • April 11, 2008 |
| • November 9, 2008 ⁶ | • May 9, 2008 |
| • December 14, 2008 ⁷ | • June 13, 2008 |

³ Work Session.

⁴ Id.

⁵ Id.

⁶ Id.

⁷ Id.

CERTIFICATION REPORT

The Board initiated the certification process for program administrators in Fiscal Year 2007 by sending certification applications to 212 residential child care programs licensed by the Department of Health and Mental Hygiene, Department of Human Resources, and the Department of Juvenile Services.

Correspondence and transmittals regarding the certification requirement were sent on multiple occasions to agencies identified by their licensing authorities throughout 2007 and 2008.



In addition, the licensing authorities (DHR, DJS and DHMH) also sent correspondence to the residential child care

programs they license about the certification requirement.

As of June 30, 2008, the Board had received over 195 applications from individuals seeking certification as program administrators. Of these, 88 individuals had been certified, 7 had been denied waivers or denied certification, 16 had been administratively closed for failure to provide required documentation, and remaining 84 were at various stages in the certification process.

REGULATIONS

The Board promulgated its first set of regulations (COMAR 10.57) which establish quality standards for residential child care program administrators during Fiscal Year 2008.

The regulations were adopted as an emergency provision on January 7, 2008 and permanently adopted on April 7, 2008.

The Board has begun the process of revising its regulations in order to implement the new certification requirement for RCYCPs.

LEGISLATION

There were two pieces of legislation passed during Fiscal Year 2007 and Fiscal Year 2008 affecting the Board's operation:

Senate Bill 937/House Bill 1177 of the 2007 General Assembly Session which required the Board to be supported by general funds instead of special funds by repealing the State Board for Certification of Residential Child Care Program Administrators Fund. Although the Board retained its fee-setting authority, it no longer had to set its fees to cover its direct and indirect costs. This allowed the Board to establish a more reasonable certification fee given the estimated number of program administrators who would seek certification.

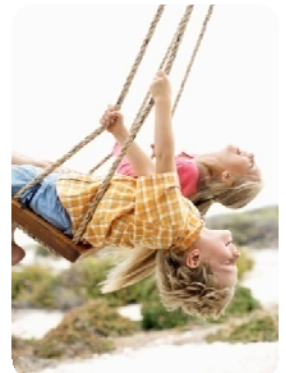
Senate Bill 783 of the 2008 General Assembly Session which expands the Board's purview to include the certification of RCYCPs by October 2013, as well as increase the membership of the Board to include a RCYCP representative.

ACCOMPLISHMENTS

The Board continues to make significant progress in fulfilling its mission and meeting key milestones. Highlights of the Board's achievements are outlined below.

Fiscal Year 2007

- Finalized draft regulations establishing quality standards for residential child care program administrators;
- Developed, in collaboration with Towson State University, the State Standards Examination;
- Initiated the certification process by sending certification applications to 212 residential child care programs providers licensed by the Department of Human Resources, the Department of Juvenile Services, and the Department of Health and Mental Hygiene;
- Administered the State Standards Examination;
- Published web site; and,
- Secured permanent office space.



Fiscal Year 2008

- Adopted regulations establishing quality standards for residential child care program administrators;
- Reviewed and evaluated the State Standards Examination;
- Established a continuing education approval and auditing process in anticipation of renewal cycle;
- Created a complaint form and instituted a complaint process;
- Issued Spring, Summer and Fall newsletters;
- Developed a work plan and began drafting regulations for implementing the certification requirement for RCYCPs;
- Completed the first certification cycle;
- Enhanced the Board's website to include on-line verifications; and,
- Hired staff.

CHALLENGES FOR FISCAL YEAR 2009

Certifying RCYCPs by October 2013 will result in more than a 45-percent increase in the Board's workload.

In order for the Board to meet the 2013 deadline, it will need to implement the certification process for RCYCPs by the Fall of 2010.

Moreover, the Board will need to certify more than 3,000 direct care workers each year for the period of 2010 to 2013.



While the Board supports professionalizing the role of RCYCPs, it cannot be undertaken without additional resources.

The Board's Fiscal Year 2009 Appropriation did not include any additional funding or positions

required for the implementation of this new mandate.

In response, the Board requested additional positions and funding for Fiscal Year 2010 to ensure that the Board is able to meet this new mandate.

GOALS FOR FISCAL YEAR 2009

The Board has established the following goals for Fiscal Year 2009:

- Finalize draft regulations for RCYCPs;
- Initiate a Memorandum of Agreement or Request for Proposal to develop the State Standards Examination and study guide for RCYCPs;
- Create an application form and develop a certification process for RCYCPs;
- Modify Board's licensing database to accommodate RCYCPs;
- Investigate on-line renewals for program administrators;
- Identify, in collaboration with licensing agencies, topics for educational alerts for program administrators;
- Foster the development of continuing education opportunities for program administrators;
- Issue Winter, Spring, Summer and Fall newsletters;
- Advocate for additional resources to implement RCYCP certification.



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Ensuring that Maryland's children in residential child care programs are provided the best possible care.