

ANNUAL REPORT

Fiscal Year 2022

This report covers the activities of the State Board for the Certification of Residential Child Care Program Professionals for the period of July 1, 2021, through June 30, 2022.

*Pursuant to Health Occupations Article §20-205(b)(2)
Annotated Code of Maryland*

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Legislative Authority

The State Board for the Certification of Residential Child Care Program Professionals (“State Board”) was established in 2004 and operates under the provisions of Title 20 of the Health Occupations Article of the Annotated Code of Maryland. In 2007, the State Board became general funded.

The State Board is the certification authority for Residential Child Care Program Administrators (“RCCPAs”). In 2008, the State Board’s authority was expanded to include the certification of residential childcare workers employed by programs licensed by the Department of Human Services, the Department of Juvenile Services, and the Maryland State Department of Health, as Residential Child and Youth Care Practitioners (“RCYCPs”).

The State Board is mandated to protect children living in Maryland’s residential child care programs by certifying qualified individuals, establishing fees, maintaining a current roster of all certified individuals, administration of certification examinations, enforcing current statutes and regulations, adopting new regulations to carry out the provisions of the Title, suggesting changes to the Title to keep abreast of trends and issues, adopting standards of practice, verification of credentials, issuance of certificates, establishing requirements for and verification of continuing education, investigation of complaints based on alleged violations of the regulations and statutes, and formal and informal disciplining of individuals.

Mission

The mission of the State Board is to protect children living in Maryland’s residential child programs and to promote quality of care in the field of residential childcare through:

- (1) Certifying and regulating RCCPAs and RCYCPs;
- (2) Receiving and resolving complaints from the public, licensing authorities, courts, employers, insurance companies, other certificate holders regarding RCCPAs or RCYCPs who may have violated the practice act and its regulations; and
- (3) Setting the standards for residential childcare that reflect new and emergent developments through regulations and legislation.

Vision

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

Board Composition

The State Board consists of 11 members, of which five are representatives appointed by the secretaries of various State agencies involved in the licensing and monitoring of residential childcare programs. These agencies include the Maryland State Department of Health/Behavioral Health Administration and Developmental Disabilities Administration, the Department Human Services, the Department of Juvenile Services and the Maryland State Department of Education. The remaining six members are appointed by the Governor with the advice of the Secretary of Health. Of these six members, three are RCCPAs, one is a RCYCP and two are consumers.

Representation on the State Board. The term of Board member is 4 years. A Board member may not serve more than two consecutive full terms. Board members must be residents of the State. Current Board membership as of the end of fiscal year 2022 includes:

Nicole Smith, Chair	Certified Residential Child Care Program Administrator (CRCCPA)
Krystal Holland, Vice Chair	Certified Residential Child Care Program Administrator (CRCCPA)
Jametta Hope Anderson, Secretary	Consumer
Janet Furman	Department of Health, Developmental Disabilities Administration
Sonya White-Norman	Department of Juvenile Services
Franklyn Ash	Residential Child and Youth Care Practitioner (RCYCP)
Paula Regan	Consumer
Robin Harvey	Department of Human Services
Dorenzer Thomas	Certified Residential Child Care Program Administrator (CRCCPA)
Vacant	Maryland State Department of Education
Caroline Jones	Department of Health – Behavioral Health Administration

Committees

The following are the standing committees of the Board: The Disciplinary Review Committee, Licensing Committee and Legislative/Regulatory Committee.

Disciplinary/Complaint Review Committee:

Composition: Sonya White Norman, Caroline Jones and Janet Furman

Duties: Review matters involving license applicants and complaints received by the Board and recommend the initiation of the investigatory process when appropriate and make recommendations for the discipline to the Board.

Additional duties may be assigned to the committees as determined by the Executive Director in consultation with the Board Chair.

Licensing Committee:

Composition: Dorenzer Thomas, Robin Harvey and Krystal Holland

Duties: Review applications submitted to the Board on issues with criminal histories and CPS histories referred to the committee in accordance with the Board's regulations.

Additional duties may be assigned to the committees as determined by the Executive Director in consultation with the Board Chair.

Legislative/Regulatory Committee:

Composition: Robin Harvey, Paula Regan, Dorenzer Thomas, Nicole Smith

Duties: Review statute and regulations and implement changes upon approval of the Board.

Additional duties may be assigned to the committees as determined by the Executive Director in consultation with the Board Chair.

**Board Chair recommends to the Executive Director the appointment of ad hoc Committees, i.e., Executive, Continuing Education, on an as needed basis.

Board Meetings

The State Board conducts public meetings on the second Friday of every month at 10:00 AM in its offices located in the Metro Executive Building in Baltimore, Maryland and/or via video conference meetings. The State Board does not meet in August or November. The dates, times, and places of meetings are published in the Maryland Register and posted on the State Board's web site and in its newsletter.

The General Session of the State Board is open to public. Pursuant to the Maryland State Government Article, Annotated Code of Maryland, -§3-301 *et seq.* the Executive Administrative Session of the State Board is a closed meeting for the purpose of complying with the Maryland

Certification of Residential Child Care Program Professionals Act that prevents disclosures about matters. During this meeting, the State Board reviews applications and addresses complaints and disciplinary issues.

2022 Meeting Dates. During calendar year 2022, the State Board met on:

June 11
July 9
September 10
October 8
November 2 (Emergency Meeting)
December 10
January 14
February 11
March 11
April 8
May 27
June 10
July 8

Staffing

As of the end of Fiscal Year 2022, The State Board is staffed by the following positions:
Darlene Ham, Executive Director (.80 part time),
Gwendolyn Joyner, Deputy Director
Janay Knox, Licensing Coordinator

The State Board's staff is responsible for the day-to-day activities of the Board and the coordination of administrative activities with other governmental agencies. In addition, the Board shares legal, investigative, fiscal, and information technology staff with the other health occupation boards under the auspices of the Maryland Department of Health.

Residential Child Care Program Administrators

The State Board is mandated to protect children living in Maryland's residential childcare programs through the certification of regulation of residential childcare program administrators. The State Board offers certification for residential childcare program administrators, approval of acting capacity for non-certified individuals, and designation of a certified residential childcare program administrator for two-individually licensed organizations.

Certified Residential Child Care Program Administrators (CRCCPAs). The CRCCPA is the individual who is responsible for the day-to-day management and operation and for assuring the care, treatment, safety and protect of the children in the residential childcare program. The State Board implemented the certification program for CRCCPAs in Fiscal Year 2007.

The State Board renews certification every two-years. In Fiscal Year 2022, 56 Program Administrators were renewed and 26 non-renewed. As of June 30, 2022, there were 67 active CRCCPAs.

Acting Residential Child Care Program Administrators

Designation as an Acting Residential Child Care Program Administrator (“ARCCPA”). If a program administrator resigns or is removed from a position as a program administrator by death or for any other unexpected cause, the residential childcare program’s board of directors must immediately designate a CRCCPA to serve in that capacity. However, in the event that a CRCCPA is not available, the residential childcare program’s board of directors may apply to the State Board for approval of a non-certified individual to serve in the capacity of an ARCCPA for a period not exceeding 180-days.

The 180-day period begins on the date the program administrator leaves or is removed from the position as program administrator. The State Board has the authority (H.O. Art. §301 A (ii) (4)) to extend the 180-day period for a further period of not more than 30 days. The request for an extension must be made in writing to the State Board by the presidential or board chair of the residential childcare program.

- (1) Organizational structure of the program;
- (2) Licensed capacity of the program;
- (3) Background and experience of the administrator;
- (4) Compliance history of the programs;
- (5) Employment hours; including hours: (a) identified as on-site, on-duty, and engaged in the day-to-day management and operation of the program, and (b) available and on-call when not on-site at the program;
- (6) Certification status of the program administrator;
- (7) Licensure status of the residential childcare program; and
- (8) Any other information that the Board may require.

In Fiscal Year 2022, the State Board approved 8 individuals for acting capacity approval.

Residential Child and Youth Care Practitioners

The role of the childcare worker is essential to the success of children and youth in all residential childcare programs. The childcare worker is responsible for creating an environment in which residents can grow, develop, heal and achieve high levels of positive behavior and performance. Residential Child and Youth Practitioners (“RCYCP”) are assigned to perform the direct responsibilities related to activities of daily living, self-help, and socialization skills in a residential childcare program under the direction of a certified program administrator. These

individuals do not include childcare workers within programs licensed by the Developmental Disabilities Administration.

The State Board renews certification every two-years. As of June 30, 2022, there were 336 renewed and 246 non-renewed RCYCPs. The State Board has observed that RCYCPs who chose not to renew their certification did so because of extenuating circumstances including, but not limited to, the closure of the residential childcare programs or a change in employment field by the certified individual. As of June 30, 2022, there were 959 active RCYCPs.

Due to extenuating circumstances during this fiscal year, the number of new licenses issued were slightly lower than previous year. The Maryland Department of Health experience a network security incident which caused a delay in issuing new licenses. The Board continued to assist the licensees and applicants during the network incidents and the Board's website was updated regularly to report the progress of the networking system.

FY 22
Number of Applications Received/Licenses Issued/Active Licenses

- Total New Applications Received – 333
- Total of New Licenses/Certifications Issued - 145
- Total Reinstatements Issued - 32
- Total Residential Child and Youth Care Practitioners Renewals Issued – 336
- Total Residential Child and Youth Care Practitioners Non-Renewed - 246
- Active Licensed Residential Child and Youth Care Practitioners - 959

- Active Licensed Certified Program Administrators - 67
- Acting Residential Program Administrators - 8

Disciplinary Activities

The State Board is charged with investigating and acting upon complaints against certified residential childcare program administrators and residential child and youth care practitioners. When a complaint is received, it is reviewed. If the State Board believes that there may be a violation of the Maryland Certification of Residential Child Care Program Professionals Act the complaint is referred for investigation.

After the investigation is completed, the State Board can vote to dismiss the matter if it is determined that there has been no violation of the Act. However, if there has been a violation of the Act, the Board may take informal action, such as by issuing a Letter of Education, a Letter of Admonishment. These are nonpublic documents and are not subject to disclosure to anyone but the certificate holder.

The State Board may vote to charge the program administrator or the residential child and youth care practitioners with the particular violation of the Act. At that time, the case is referred to the Office of the Attorney General for prosecution. The case may be resolved with a Case Resolution Conference or may proceed to a hearing. Either of these could result in formal disciplinary action, such as the certificate of a program administrator/residential child and youth care practitioners being suspended or revoked or being placed on probation. This information is public, published in the Board's newsletter, and reported to the appropriate databanks. The complainant is always informed in writing of the results of the Board's investigation.

The length of investigation depends on various factors. If the investigation is referred to the Office of the Attorney General for prosecution, the process is lengthened substantially. There are eleven (11) possible grounds for discipline contained in the Maryland Statute governing the practice as a residential childcare program administrator or residential child and youth care practitioner. (Health Occupations Title 20 - Section 20-313.) In addition, a complaint may be brought against a licensee due to a violation of the Code of Ethics. (Code of Maryland Regulations 10.57, Chapter 5.)

The Board may also deny a certificate or approval to any applicant, reprimand any certificate holder, place any certificate holder on probation, or suspend or revoke a certificate if it is determined that an applicant or licensee has violated the statute or regulations governing the practice as a certified residential childcare program administrator or residential child and youth care practitioner.

Fiscal Year 2022, the State Board received 7 complaints of applicant’s violation of the stature or regulations. As of close of the fiscal year, two disciplinary cases remain opened and under investigation.

Revenue Report –General Fund

Revenue from all categories:

Youth Care Practitioner Initial Application	\$ 16,050.00
Youth Care Practitioner Reinstatement	\$ 1,650.00
Youth Care Practitioner Renewal	\$ 26,000.00
Program Administrator Initial Application	\$ 2,400.00
Program Administrator State Comprehensive Exam	\$ 3,000.00
Program Administrator Certificate Renewal	\$ 1,700.00
Program Administrator Late Renewal Fee	\$ 350.00
Acting Capacity Program Administrators	\$ 917.00
Name of Address Change Fine	\$ 300.00
Total Revenue	<u>\$ 52,367.00</u>

EXPENDITURE REPORT:

Personnel	\$164,037.01
Operating	\$39,940.39
Shared	<u>\$ 28,212.55</u>
Total	\$232,189.95

Legislation

During this reporting period, July 1, 2021, through June 30, 2022, the Board submitted to the 2022 General Assembly legislation for HB 21/SB 133 State Board for the Certification of Residential Child Care Program Professionals - Membership and Official Seal.

These bills, in their final form, repeal the requirement that the Subcabinet for Children, Youth, and Families appoint a member to the RCCP Board, thereby reducing the RCCP Board's membership from 12 members to 11 members. Of the remaining 11 members, five are appointed by State government agencies and six are appointed by the Governor from the general public. In addition, these bills repeal the requirement that the RCCP Board adopt an official seal.

STATUS: Both HB 21 and SB 133 Passed. Effective July 1, 2022

Regulations

During the reporting period July 1, 2021, through June 30, 2022, the Board submitted proposed action on regulations COMAR 10.57.02.01 and 10.57.03.01 to amend language. The purpose of this action is to have individuals applying to become certified or recertified by the Board of Residential Child Care Program Professionals, which include RCCPAs (Residential Child Care Program Administrators) and RCYCPs (Residential Child and Youth Care Practitioners), be responsible for the payment of any costs required to obtain additional administrative documents associated with the certification and renewal period.

On November 19, 2021, the Secretary of Health adopted amendments to:

- (1) Regulation .01 under COMAR 10.57.02 Certification—Residential Child Care Program Administrators; and
- (2) Regulation .01 under COMAR 10.57.03 Certification—Residential Child and Youth Care Practitioners.

This action, which was proposed for adoption in 48:19 Md. R. 814 (September 10, 2021), has been adopted as proposed.

Effective Date: December 27, 2021.

Accomplishments for Fiscal Year 2022

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

- Published Spring/Summer Newsletter
- Proposed Action on Regulations – COMAR 10.57.02.01 and 10.57.03.01 to have individuals applying to become certified or recertified by the Board of Residential Child Care Program Professionals, be responsible for the payment of any costs required to obtain additional administrative documents associated with the certification and renewal period.
The proposed actions on the regulations were published on the Maryland Register on September 10, 2021, and adopted on December 27, 2021.

Goals for Fiscal Year 2022

The Board has established the following goals for 2022:

- Identify, in collaboration with licensing authorities, topics for educational alerts for CRCCPAs and CRCYCPs.
- Foster the development of continuing education opportunities for CRCCPAs and CRCYCPs.
- Issue Fall/Winter and Spring/Summer newsletters.
- Continue to assess the resource needs and make adjustments within its Control deemed appropriate.
- Advocate for additional administrative resources, updated technology and staff to ensure efficient and effective needs of the Board's operation.

