

State of Maryland
Department of Health
State Board for the Certification of Residential Child Care Program Professionals
VIDEO CONFERENCE OPEN SESSION MINUTES

June 10, 2022

10:00 AM TO 11:00 AM

VIDEO LINK: meet.google.com/rde-fpnt-nkr

Board Members Attendance

Krystal Davis, Vice Chair
Jametia Anderson, Board Secretary
Paula Regan
Caroline Jones
Sonya White-Norman
Robin Harvey
Dorenzer Thomas

Board Staff Attendance

Darlene Ham, Executive Director
Janay Knox, Licensing Coordinator
Margaret Lankford, AAG, Board
Counsel
Lillian Reese, Legislative Regulations
Coordinator

Absent

Nicole Smith, Chair
Bong Delrosario
Franklyn Ash, RCYCP
Janet Furman
Troy Pumphrey, Investigator

I. CALL TO ORDER

The Board's monthly General Session meeting was held via Google Meet on Friday, June 10, 2022. Krystal Davis, Vice Chair for the State Board for the Certification of Residential Child Care Program Professionals (the "Board") took roll call. A quorum of the Board was present. Ms. Davis called for a motion to bring the meeting to order at approximately 10:05 a.m. A motion was made to bring the meeting to order by Ms. Harvey and seconded by Ms. Jones. The motion passed unanimously.

II. REVIEW AND APPROVAL OF JUNE GENERAL SESSION AGENDA

Ms. Anderson motioned, and seconded by Ms. White-Norman seconded, that the agenda for the June 10, 2022, General Session meeting be approved as written, with no changes. The motion passed unanimously.

III. REVIEW AND APPROVAL OF APRIL GENERAL SESSION MEETING MINUTES

Ms. White-Norman motioned, and Ms. Regan seconded, that the April 8, 2022, General Session meeting minutes be approved as written, with no changes. The motion passed unanimously.

IV. REVIEW AND APPROVAL OF MAY GENERAL SESSION MEETING MINUTES

Ms. Anderson motioned, and Ms. Harvey seconded, that the May 27, 2022, General Session meeting minutes be approved as written, with no changes. The motion passed unanimously.

V. LEGISLATIVE REPORT

A. Update on 2022 Legislative Bill/Hearings

- Ms. Reese informed the Board that the 2022 Legislative Session ended on Monday, April 11, 2022. Ms. Reese further informed the Board that the Maryland General Assembly passed House Bill 21, cross-filed with Senate Bill 133. It was subsequently enacted under Article II, § 17(c) of the Maryland Constitution and, therefore, will be effective July 1, 2022. These Bills changed the number of Board members from twelve to eleven members.
- Ms. Reese also updated the Board regarding the status of other bills considered by the Maryland General Assembly during the 2022 Legislative Session, for which the Board wrote letters of concerns. The following bills did not get passed:
 - Senate Bill 77 – Investigations – Right to Counsel;
 - Senate Bill 111 – Occupational Licenses or Certifications – Pre-application Determinations – Criminal Convictions; and
 - Senate Bill 899/HB 1455- Authority Over Staffing and Infrastructure Operations.

B. 2023 Legislative Sunset Bill

- Ms. Reese informed the Board that she is working currently to prepare for the 2023 Legislative Session of the Maryland General Assembly.
- Specifically, Ms. Reese informed the Board that they will have to vote proposing a Sunset Extension Bill, which, if passed, would extend the operation of the Board for the next 10 years.
- Ms. Reese provided the Board with background on why a Sunset Extension Bill is necessary to extend the operation of the Board. Ms. Reese specifically pointed to the provision at the end of the Board's authorizing statute (Title 20 of the Health Occupations Article of the Maryland Annotated Code), which states that Title 20 "shall terminate and be of no effect after July 1, 2024." Md. Code Ann., Health Occ. § 20-502. Ms. Reese explained that, if § 20-502 is not amended to extend the date that Title 20 will "sunset," then the Board's existence, authority, and operations would cease as of July 1, 2024.
- On this basis, Ms. Reese advised that the Board would need to vote on a proposed bill to amend § 20-502 of the Health Occupations Article to extend Title 20, and thus the Board's authority and operations, another 10 years, until July 1, 2034. Ms. Reese presented the proposed bill, consistent with this recommendation, for the Board's review.
- Ms. Jones made a motion, and Ms. Anderson seconded, approve the proposed Sunset Extension Bill, which will extend Title 20, and thus the Board's authority and operations, until July 1, 2034, to be presented to the Maryland General Assembly in its 2023 Legislative Session. The motion passed unanimously.

VI. VICE CHAIR REPORT

A. Following regarding Committee Interest

- Ms. Davis reminded the Board members that there are some committees that are in need of additional members and she asked the Board members to think about joining one of the committees.
- Ms. Ham informed the Board that the licensing committee, disciplinary committee, and regulations committee are the specific committees in need of additional support.

Ms. Ham further advised the Board that the descriptions of each committees' responsibilities are located on the Google Shared Drive for their review.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Facility Closing/Relocations

No facility closings or relocations to report.

B. Update on Deputy Director's Job Posting

- Ms. Ham informed the Board that panel interviews were conducted on Thursday, June 2, 2022 of three potential candidates for the Deputy Director position, which is currently vacant. Ms. Ham advised the Board that all three were very good candidates. Ms. Ham further informed the Board that one of these candidates withdrew from being considered due to low salary.
- Ms. Ham informed the Board that she had made a selection amongst the two remaining candidates for the position and that she has submitted the paperwork to the Maryland Department of Health's Human Resources office. Ms. Ham stated that she is waiting for a response about whether the candidate has received and accepted the offer.

C. Certification Report

As of June 10, 2022, Ms. Ham reported the following statistics regarding the Board's certifications:

| Board Code | | |
|-------------------------|--------------|-------------|
| Board Category | Status Codes | Occurrences |
| Acting Capacity | Active | 1 |
| Acting Capacity | Inactive | 60 |
| Acting Capacity | Non-renewed | 6 |
| Program Administrator | Active | 67 |
| Program Administrator | Deceased | 4 |
| Program Administrator | Non-renewed | 228 |
| Program Administrator | Revoked | 3 |
| Program Administrator | Surrendered | 4 |
| Youth Care Practitioner | Active | 959 |
| Youth Care Practitioner | Deceased | 4 |
| Youth Care Practitioner | Inactive | 1 |
| Youth Care Practitioner | Non-renewed | 1387 |
| Youth Care Practitioner | Surrendered | 2 |
| Youth Care Practitioner | Suspended | 4 |
| Total: | | 2729 |

VII. RESIDENTIAL CHILD AND YOUTH CARE PRACTITIONERS-LICENSING COORDINATOR'S REPORT

A. RCYCP Licensing Report

- Ms. Knox reported that there were two licensing reports being presented this morning: the RCYCP licensing report and the RCYCP licensing report by agency.
- RCYCP licensing report:
 - 173 pending applications
 - 19 new RCYCP applications
 - 144 applications that were within 120 days
 - 20 applications were past 120 days
 - 8 applications were past 180 days
 - 2 voluntarily closed application
 - 5 RCYCP certifications issued
- RCYCP licensing report by agency:
 - All of the agencies are included on the right side of the report and there is a breakdown on the report showing:

- Pending Applications
- Education Missing
- Missing Institute Profile/ Training Modules
- Missing CPS
- Missing CJIS
- Ready for Exam
- Criminal Issues
- Miscellaneous: This section includes documents that are missing such as, the training orientation form, marriage certificate, divorce decree, or court documents for name changes, foreign education credentials, and updated applications forms.

B. Certification List

Ms. Anderson made a motion to approve the certification list for five Residential Child & Youth Care Practitioners (RCYCPs) and Ms. Jones seconded the motion. The motion passed unanimously.

C. 2022 RCYCP Renewals

Ms. Knox informed the Board that she mailed all of the orange renewal cards, notifying current RCYCP certificate holders regarding the upcoming period to submit applications to renew their certifications. The renewal period begins on July 15, 2022 and ends on September 30, 2022.

VIII. COMPREHENSIVE EXAMS

- The Board will administer the Comprehensive Examination for Residential Child and Youth Care Practitioners for the Calendar Year 2022 to any individual who meets the criteria for certification at mutually agreed upon dates and time.
- Individuals who have submitted all the required documents to become a Program Administrator should contact Board staff at 410-764-5052 or via email at dhmh.crcpa@maryland.gov to schedule their exam.

IX. OPEN DISCUSSION

A. Proctoring Agreement Template Discussion

- Ms. Davis informed the Board that the proctoring agreement template had been posted on the Google Shared Drive for Board members to review. Ms. Davis informed the Board that it was a more formal, updated version of the template agreement between the Board and the Residential Child Care Program providers for providers to be able to continue to proctor examinations of RCYCP applicants at their facilities.
- Ms. Lankford informed the Board that it had come to her attention that there was an issue with one of the Residential Child Care providers not informing the Board when there was a change regarding the staff member proctoring the exam at their facility. Ms. Lankford stated that she had worked with the Board's staff to update the proctoring agreement template to set forth clearer requirements regarding proctoring (such as minimum qualifications to serve as a proctor) and processes for the parties to keep each other informed of certain changes or developments.
- Ms. Anderson made a motion to approve the newly revised proctoring agreement template, and Ms. Harvey seconded the motion. The motion passed unanimously.

B. Criminal History Record Application Language Review

- Ms. Davis stated that the Board had previously raised the question regarding whether its applications for certification could be clearer when asking applicants to disclose their criminal history on whether they have had convictions.
- Ms. Lankford informed the Board that she created different samples for the Board members to review to amend the criminal history question on its applications. Ms. Lankford advised that the Board should consider two different categories of sample questions: one that broadly asks for any history and another that is more narrow, focusing on the specific types of criminal history most concerning to the Board. Then, Ms. Lankford further informed the Board that she provided sample questions for each of these two categories and that each category's list of sample questions is progressively more detailed as the Board proceeds through the list. Ms. Lankford further advised the Board that these are merely samples for the Board's consideration

to provoke discussion and the Board is free to modify the question as it sees fit, if it does decide to change the application question at all.

- Ms. Harvey and Ms. Anderson explained that they felt like expungement should be addressed somewhere in the criminal history question.
- Ms. Anderson informed the Board that she thinks that sample #6, under the category which broadly asks for any and all criminal history, should be used as the new criminal history question, with the addition of notifying the applicant that expunged criminal history did not need to be disclosed. The rest of the Board members agreed with that statement.
- Ms. Lankford advised the Board that she would need to perform legal research regarding expungement requirements and processes in order to develop legally accurate language to address the Board's concerns. Ms. Lankford informed the Board that she would develop updated language for sample question #6 and include a part about expungement, based on this legal research. Ms. Lankford informed the Board that she would have the updated language completed by the next Board meeting in July and they can vote on the criminal history question at that time.

C. Child Protective Services Background Clearance Checks

- Ms. Ham informed the Board that she and Ms. Knox had a meeting with the Maryland Department of Human Services ("DHS") regarding processes to expedite the Board's receipt of child protective services ("CPS") background clearances for the Board's applicants for certification. Ms. Ham informed the Board that Ms. Ham and Ms. Knox now have access to, and additional training in using DHS's electronic portal to request CPS background clearances more expeditiously.
- Ms. Ham informed the Board that she was waiting on updated language from DHS, so that she can send an email to the Residential Child Care Program providers for how they are to proceed with getting their CPS clearances completed under this new electronic process.

X. OPPORTUNITY FOR PUBLIC COMMENT

Not applicable.

XI. ADJOURNMENT

- A motion to adjourn the meeting was made by Ms. Jones, and seconded by Ms. White-Norman. The motion passed unanimously.
- The General Session meeting adjourned at 11:00 a.m.
- The next meeting will be held on July 10, 2022, at 10:00 a.m.

Submitted by:

Signature on Original

Jametta Anderson, Board Secretary