

Chapter 89

(House Bill 67)

AN ACT concerning

Maryland Infants and Toddlers Program – Composition

FOR the purpose of repealing the requirement for the Maryland Infants and Toddlers Program to include certain early intervention services provided or supervised by the Governor’s Office for Children; and generally relating to the Maryland Infants and Toddlers Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–416
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

8–416.

(a) (1) There is a Maryland Infants and Toddlers Program in the Department.

(2) The purpose of the Program is to provide a statewide, community–based interagency system of comprehensive early intervention services to eligible infants and toddlers, from birth until the beginning of the school year following a child’s 4th birthday, and their families.

(b) The Department shall be the lead agency for supervising and monitoring the Program.

(c) The Program shall include the early intervention services provided or supervised by the Department, the Department of Health and Mental Hygiene, including the Early Hearing Detection and Intervention Program established under Title 13, Subtitle 6 of the Health – General Article, AND the Department of Human Resources[, and the Governor’s Office for Children].

(d) The Program shall be administered in accord with the applicable requirements of Part C of the Individuals with Disabilities Education Act and other applicable federal and State laws.

(e) An interagency coordinating council shall be appointed by the Governor, with the advice and consent of the Senate, and shall:

(1) Advise and assist the Department in the supervision and monitoring of the Program; and

(2) Submit an annual report to the Governor and the federal government.

(f) Local lead agencies shall be established or designated in each county and Baltimore City to administer the Program in their subdivision, under the direction of the Department.

(g) (1) In each county, the county executive or county commissioners, as appropriate, or in Baltimore City, the Mayor, shall establish a local interagency coordinating council to advise and assist the local lead agency in the development and implementation of policies that constitute the local Program.

(2) (i) In each county, the county executive or county commissioners, as appropriate, or in Baltimore City, the Mayor, may designate the local management board to serve as the local interagency coordinating council or establish the local interagency coordinating council as a part of that board.

(ii) Where a local management board and a local interagency coordinating council coexist, they shall work cooperatively.

(h) (1) For fiscal year 2004, the annual per child cost of the Program is \$4,044.

(2) For fiscal year 2005 and each succeeding fiscal year, the annual per child cost of the Program shall be the amount in paragraph (1) of this subsection increased by the same percentage as the increase in the implicit price deflator for State and local government expenditures, as of July of the second fiscal year preceding the year for which the amount is being calculated.

(3) For each fiscal year, if sufficient funds are not available to provide grants in accordance with the formula under paragraph (4) of this subsection, the Governor shall include in the annual budget bill an appropriation for the Maryland Infants and Toddlers Program in an amount not less than the amount of the appropriation for the Program as approved in the State budget as enacted by the General Assembly for the prior fiscal year.

(4) Subject to the availability of funding for the Program in the State budget, the Department shall distribute a grant to the local lead agency for the Program in each county in an amount equal to the product of:

(i) The annual per child cost multiplied by the number of children in the county who received services under the Program in the second fiscal year preceding the year for which the amount is being calculated; and

(ii) .20 for fiscal year 2007 and each succeeding fiscal year.

(i) The Department shall adopt regulations necessary to carry out the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 12, 2016.