

HOUSE BILL 1041

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2lr1667
CF SB 829

By: **Delegate Valentino-Smith**

Introduced and read first time: February 10, 2022

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Human Services – Family Investment Program – Contract and**
3 **Program Review**

4 FOR the purpose of requiring certain contractors with the Family Investment Program to
5 provide services in a manner that complies with federal law; requiring Family
6 Investment Program contracts with nongovernmental entities to be
7 performance-based with certain incentives; requiring the Department of Human
8 Services annually to review certain contracts with certain nongovernmental entities;
9 requiring the Department to hire a consultant to conduct a certain review of the
10 Family Investment Program; and generally relating to the Family Investment
11 Program and the Department of Human Services.

12 BY repealing and reenacting, without amendments,
13 Article – Human Services
14 Section 5–101(a) and (c) and 5–301(a), (b), (d), (e), and (h)
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Human Services
19 Section 5–306
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2021 Supplement)

22 BY adding to
23 Article – Human Services
24 Section 5–323
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Human Services**

4 5–101.

5 (a) In this title the following words have the meanings indicated.

6 (c) “Department” means the Department of Human Services.

7 5–301.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) “FIP” means the Family Investment Program.

10 (d) “Recipient” means each individual in a FIP case.

11 (e) “Temporary cash assistance” means the cash assistance component of the FIP
12 that is funded wholly or partly through Title IV, Part A, of the Social Security Act.

13 (h) “Work activity” means:

14 (1) job search activity;

15 (2) subsidized employment in either the public or private sector;

16 (3) work experience;

17 (4) on–the–job training;

18 (5) community service;

19 (6) training directly related to employment; or

20 (7) education directly related to employment.

21 5–306.

22 (A) In providing assistance under this subtitle, the Department may contract
23 with:

24 (1) charitable organizations;

25 (2) private organizations;

1 (3) religious organizations; and

2 (4) institutions of higher education.

3 (B) IF THE DEPARTMENT CONTRACTS WITH A STATE, LOCAL, OR
4 NONGOVERNMENTAL CONTRACTOR, THE CONTRACTOR SHALL PROVIDE
5 INDIVIDUALS WITH DISABILITIES ACCESS AND EQUAL OPPORTUNITY TO
6 PARTICIPATE IN THE BENEFITS OF THE SERVICES, PROGRAMS, AND ACTIVITIES
7 PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE FEDERAL AMERICANS
8 WITH DISABILITIES ACT, INCLUDING REASONABLE ACCOMMODATIONS NECESSARY
9 TO PARTICIPATE IN FIP.

10 (C) CONTRACTS WITH A NONGOVERNMENTAL ENTITY SHALL BE
11 PERFORMANCE-BASED WITH INCENTIVES FOR:

12 (1) EDUCATION AND TRAINING;

13 (2) JOB PLACEMENT AND PLACEMENT WAGE;

14 (3) EMPLOYMENT RETENTION; AND

15 (4) EXITING TEMPORARY CASH ASSISTANCE DUE TO EARNINGS THAT
16 MEET OR EXCEED A WAGE THAT IS 150% OF THE STATE MINIMUM WAGE.

17 (D) FOR ANY CONTRACT WITH A NONGOVERNMENTAL ENTITY IN PLACE AS
18 OF OCTOBER 1, 2022, THE DEPARTMENT ANNUALLY SHALL REVIEW EACH
19 CONTRACT TO MEASURE:

20 (1) OVERALL PROGRAM IMPACT, INCLUDING THE NUMBER OF
21 RECIPIENTS ENROLLED IN EDUCATION OR TRAINING PROGRAMS THAT INCREASE
22 THE RECIPIENT'S SKILL LEVEL;

23 (2) INTERIM PROGRESS TOWARD EMPLOYMENT FOR CURRENT
24 RECIPIENTS OF TEMPORARY CASH ASSISTANCE, INCLUDING THE NUMBER OF
25 RECIPIENTS EARNING AN EDUCATION CREDENTIAL OR A SKILL-BASED
26 CERTIFICATE;

27 (3) EMPLOYMENT OUTCOMES FOR FAMILIES WHO LEFT TEMPORARY
28 CASH ASSISTANCE DUE TO EARNINGS, INCLUDING THE NUMBER OF EMPLOYMENT
29 OUTCOMES WITH WAGES THAT:

30 (I) EQUAL THE STATE MINIMUM WAGE;

31 (II) MEET OR EXCEED 150% OF THE STATE MINIMUM WAGE; AND

1 (III) MEET OR EXCEED 200% OF THE STATE MINIMUM WAGE;

2 (4) EMPLOYMENT OUTCOMES FOR FAMILIES WHO EXITED
3 TEMPORARY CASH ASSISTANCE DUE TO EARNINGS AND WERE CONTINUOUSLY
4 ENGAGED IN THE WORKFORCE FOR:

5 (I) 6 MONTHS;

6 (II) 1 YEAR; OR

7 (III) 2 OR MORE YEARS; AND

8 (5) THE NUMBER OF THE RECIPIENTS SERVED EXPERIENCING
9 HOMELESSNESS OR HOUSING INSECURITY WHILE PARTICIPATING IN WORK
10 ACTIVITIES.

11 (E) WITHIN 45 DAYS AFTER COMPLETION OF THE DEPARTMENT'S REVIEW
12 UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT SHALL:

13 (1) IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
14 ARTICLE, SUBMIT THE REVIEW TO THE SENATE BUDGET AND TAXATION
15 COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE; AND

16 (2) PUBLISH THE REVIEW ON THE DEPARTMENT'S WEBSITE.

17 5-323.

18 (A) THE DEPARTMENT SHALL HIRE AN OUTSIDE CONSULTANT TO CONDUCT
19 A REVIEW OF FIP TO ASSESS THE EXTENT TO WHICH FIP IS:

20 (1) IMPLEMENTING POLICIES EQUITABLY; AND

21 (2) EMPLOYING BEST PRACTICES TO ACHIEVE THE BEST OUTCOMES
22 POSSIBLE FOR CHILDREN AND THEIR PARENTS, INCLUDING BY CONSIDERING THAT
23 MANY FIP RECIPIENTS ARE EXPERIENCING OR HAVE EXPERIENCED SIGNIFICANT
24 TRAUMA.

25 (B) THE CONSULTANT HIRED UNDER THIS SECTION SHALL:

26 (1) DEMONSTRATE KNOWLEDGE OF THE FEDERAL TEMPORARY
27 ASSISTANCE TO NEEDY FAMILIES PROGRAMS; AND

1 **(2) HAVE EXPERIENCE CONDUCTING A COMPARABLE REVIEW OF**
2 **TEMPORARY ASSISTANCE TO NEEDY FAMILIES PROGRAMS IN OTHER STATES.**

3 **(C) AT A MINIMUM, THE REVIEW CONDUCTED UNDER THIS SECTION**
4 **SHOULD INCLUDE AN ASSESSMENT OF THE FOLLOWING:**

5 **(1) PROGRAM DESIGN, INCLUDING CORE BELIEFS, GOALS,**
6 **OBJECTIVES, SERVICE DELIVERY MODEL, REGULATIONS, PROGRAM RULES, AND**
7 **PERFORMANCE MEASURES;**

8 **(2) CONTRACT DESIGN AND EXECUTION, INCLUDING:**

9 **(I) PAYMENT STRUCTURE;**

10 **(II) INCENTIVES;**

11 **(III) SERVICE DELIVERY APPROACH AND PERFORMANCE WITH A**
12 **FOCUS ON PLACEMENT IN HIGH-QUALITY JOBS WITH WAGES THAT MEET OR EXCEED**
13 **150% OF THE STATE MINIMUM WAGE;**

14 **(3) PROGRAM OUTCOMES THAT, TO THE EXTENT PRACTICABLE, ARE**
15 **DISAGGREGATED BY RACE AND ETHNICITY;**

16 **(4) AN EXAMINATION OF HOW THE STATE'S USE OF UNPAID WORK**
17 **EXPERIENCE COMPARES TO OTHER STATES AND ALTERNATIVE PROGRAM OPTIONS;**

18 **(5) DOCUMENTATION OF INNOVATIVE AND EVIDENCE-BASED**
19 **PRACTICES BEING IMPLEMENTED IN OTHER STATES; AND**

20 **(6) ALL ASSESSMENT TOOLS USED BY THE DEPARTMENT UNDER §**
21 **5-309(A)(1) OF THIS SUBTITLE WITH A FOCUS ON RECOMMENDING CHANGES**
22 **NEEDED FOR THE ASSESSMENT TO BE CONDUCTED IN A MANNER THAT IS:**

23 **(I) TRAUMA-INFORMED;**

24 **(II) ANTIRACIST; AND**

25 **(III) INDIVIDUALIZED, EMPOWERING, AND CLIENT-CENTERED.**

26 **(D) (1) TO RECEIVE MEANINGFUL INPUT ON FIP IN ACCORDANCE WITH**
27 **THE REVIEW CONDUCTED UNDER THIS SECTION, INCLUDING RECOMMENDATIONS**
28 **ON METHODS TO STRENGTHEN FIP, THE DEPARTMENT SHALL CONSULT:**

1 **(I) STAKEHOLDERS, INCLUDING CURRENT AND FORMER**
2 **RECIPIENTS;**

3 **(II) COMMUNITY-BASED ORGANIZATIONS; AND**

4 **(III) OTHER INTERESTED PARTIES.**

5 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
6 **DEPARTMENT SHALL OFFER COMPENSATION TO STAKEHOLDERS WHO:**

7 **1. ARE CONSULTED UNDER PARAGRAPH (1) OF THIS**
8 **SUBSECTION; AND**

9 **2. HAVE LIVED EXPERIENCES WITH TEMPORARY CASH**
10 **ASSISTANCE.**

11 **(II) THE DEPARTMENT SHALL OFFER COMPENSATION UNDER**
12 **THIS PARAGRAPH IN A MANNER THAT DOES NOT INTERFERE WITH ELIGIBILITY FOR**
13 **MEANS-TESTED PUBLIC BENEFIT PROGRAMS ADMINISTERED BY THE DEPARTMENT.**

14 **(E) THE REVIEW CONDUCTED UNDER THIS SECTION SHALL:**

15 **(1) INCLUDE A SUMMARY OF:**

16 **(I) THE STRENGTHS AND WEAKNESSES OF FIP;**

17 **(II) RECOMMENDATIONS FOR IMPROVING FIP; AND**

18 **(III) ANY NECESSARY LEGISLATIVE OR ADMINISTRATIVE**
19 **CHANGES TO MAKE THE IMPROVEMENTS; AND**

20 **(2) (I) ON OR BEFORE JULY 1, 2023, IN ACCORDANCE WITH §**
21 **2-1257 OF THE STATE GOVERNMENT ARTICLE, BE SUBMITTED TO THE GENERAL**
22 **ASSEMBLY; AND**

23 **(II) BE PUBLISHED ON THE DEPARTMENT'S WEBSITE.**

24 **(F) UNTIL THE DEPARTMENT HAS FULLY IMPLEMENTED TO THE EXTENT**
25 **PRACTICABLE, THE RECOMMENDATIONS OF THE FINAL REVIEW SUBMITTED UNDER**
26 **SUBSECTION (E) OF THIS SECTION, BEGINNING IN CALENDAR YEAR 2024 AND EACH**
27 **YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT, IN ACCORDANCE WITH §**
28 **2-1257 OF THE STATE GOVERNMENT ARTICLE, AT A PUBLIC HEARING BEFORE THE**
29 **SENATE FINANCE COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE ON**

1 THE PLANS AND PROGRESS FOR IMPLEMENTING THE RECOMMENDATIONS MADE IN
2 THE REVIEW.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.