

INDEPENDENT LIVING

Title .07
Subtitle .05
Chapter .04

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 05 Social Services Administration

Private Child Placement Agencies

Chapter 04 Private Independent Living Program

Authority: Family Law Article §§5-327(b) and 5-501 – 5-521 Annotated Code of Maryland

.01 Purpose.

The purpose of the private Independent living program is to prepare and assist youth between the ages of 16 and 20 make the transition to living as independent citizens.

.02 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms defined.
 - (1) "Apprentice employment" means employment approved by the agency at the entry level which prepares youth for more responsible employment through education, training, and mentoring;
 - (2) "Employment" means work approved by the agency for which payment is received.
 - (3) "Monitoring site visit" means an agency staff person:
 - (a) Conducts a face-to-face interview with the resident and Inspects resident's apartment; or
 - (b) Inspects only the resident's apartment, if the resident is on agency-approved leave.
 - (4) "Private career school" means an educational program that trains individuals for specific occupations and is approved by the Maryland Higher Education Commission.
 - (5) "Private independent living program" means a program that provides services and supervision for children who live in their own apartment that meets the requirements of this chapter.
 - (6) "Referring Organization" means a State agency or other authorized organization which refers residents for placement in a licensed independent living program.

(7) "Resident" means an individual aged 16 through 20 who is admitted to a licensed private independent living program.

.03 Regulatory Requirements.

- A. To provide a private independent living program, the agency shall:
- (1) Have a child placement agency license issued by the Administration in accordance with COMAR 07.05.01;
 - (2) Include at least one resident in the program on the governing board or on an advisory board in a voting or advisory capacity; and
 - (3) Have a written service plan for the provision of independent living services based on the requirements of this chapter.
- B. The agency shall maintain written private independent living program requirements which include:
- (1) A description and schedule of planned resident activities for each calendar year;
 - (2) A written evaluation of the program by residents at least every 90 days;
 - (3) Documentation that all educational programs used by residents are accredited or approved;
 - (4) Documentation that the Agency approves all resident-used employment;
 - (5) Documentation that all private career schools attended by residents are approved by the Maryland Higher Education Commission;
 - (6) Documentation that rules are applied equally to and shared with all residents; and
 - (7) Written rules which apply to:
 - (a) Apartment leasing requirements;
 - (b) Personal hygiene;
 - (c) Criminal activity;
 - (d) Participation in:
 - (i) An educational program,
 - (ii) A training program,
 - (iii) An apprentice employment program,
 - (iv) Other employment; or
 - (v) A combination of the above activities;
 - (e) Sexual promiscuity;
 - (f) Absence without approval incidents;
 - (g) Agency supervision and monitoring.
 - (h) Alcohol use;
 - (i) Apartment maintenance;
 - (j) Appropriate substitute child care provision for residents with infants;
 - (k) Drug use;

- (l) Interpersonal relationships; and
- (m) Expectations of residents' behavior toward agency staff.

.04 Admission.

- A. The program administration shall establish written admission requirements which:
 - (1) Identify the types of residents to be served;
 - (2) Identify the staff person or persons designated to make recommendations and decisions regarding admission to the private independent living program;
 - (3) Document the potential resident's legal custody status;
 - (4) Document the agency's sharing of policies and rules with the potential resident;
 - (5) Require that a potential resident:
 - (a) Is between the ages of 16 and 20;
 - (b) Understands the private independent living program goals;
 - (c) Agrees to the goals of the private independent living program;
 - (d) Exhibits a readiness to live in a minimally supervised independent living setting; and
 - (e) Has an Intelligence Quotient (IQ) of 65 or above; and
 - (6) Require that, If the potential resident is in the custody of a local department of social services, the Department of Juvenile Justice, or another referring organization, the agency may not accept the resident for placement if it does not have on file and available to the resident the following documents:
 - (a) Medical passport and history or other current medical information;
 - (b) Educational history;
 - (c) Psychosocial history;
 - (d) If appropriate, psychiatric or psychological evaluations;
 - (e) Documentation of birth; and
 - (f) Social Security Number.
- B. The agency child placement worker shall:
 - (1) Prior to admission:
 - (a) Complete a written agency pre-placement assessment based on:
 - (i) At least one face-to-face interview with a potential resident;
 - (ii) Interviews with representatives from the referring organization;
 - (iii) Written documentation provided by the referring organization; and
 - (iv) Matching of the potential resident with the agency's provider profile or other referring organization material; and
 - (b) Recommend, in writing, admission or rejection based on an evaluation of the potential resident's:
 - (i) Social skills,
 - (ii) Ability to understand the benefits of living alone,

- (iii) Educational status,
 - (iv) Ability to maintain a clean and orderly living environment, and
 - (v) Ability to set realistic goals;
- (2) At the time of admission, complete and write a placement agreement for signature by the new resident and the agency's chief administrator or designee which describes the:
- (a) Resident's responsibilities to the agency;
 - (b) Resident's responsibility to participate in a high school or graduation equivalency diploma program, college, university program, or private career school program, work apprenticeship, or employment;
 - (c) Agency's responsibilities to the resident; and
 - (d) Specific expectations of the resident to move toward the goal of self-sufficiency;

.05 Assessment and Case Plan.

- A. Within 30 calendar days after placement, the agency child placement worker shall develop a written placement assessment for every resident which:
- (1) Builds on the case plan completed by the local department as described in COMAR 07.02.10.04. B (20) or other referring organization documents;
 - (2) Builds on a State-approved life skills assessment of the resident;
 - (3) Relies on information provided by the resident and:
 - (a) The local department,
 - (b) The Department of Juvenile Justice, or
 - (c) Other referring organizations.
 - (4) Identifies the resident's:
 - (a) Level of emotional growth;
 - (b) Educational level;
 - (c) Employability;
 - (d) Emotional support systems;
 - (e) Documented disabilities or special needs;
 - (f) Available financial resources;
 - (g) Social history;
 - (h) Medical history;
 - (i) Legal status;
 - (j) Expectations of the program; and
 - (k) Time frame for becoming independent and emancipated.
- B. Within 90 calendar days after placement and every 90 calendar days thereafter, the agency child placement worker shall complete, in consultation with the resident and the resident's worker from the local department of social services or equivalent referring organization, a written case plan which includes:
- (1) An update of the placement assessment;

- (2) Barriers to the resident becoming self -sufficient;
- (3) Services needed for the resident to become self-sufficient; and
- (4) Progress made towards goals defined in the local department of social services' Independent Living Service Agreement or an equivalent agreement by the Department of Juvenile Justice or another referring organization;
- (5) Documentation that the resident receives weekly agency instruction; and
- (6) Documentation that:
 - (a) Residents without a high school diploma are enrolled in a full or part time educational program leading to a high school diploma, GED, or a vocational program for special needs;
 - (b) Residents more than two years behind in high school are enrolled in a full time GED preparation program or a vocational program for special needs;
 - (c) Residents with a high school diploma or GED are:
 - (i) Enrolled in a college or university; and
 - (ii) Enrolled in a vocational program;
 - (iii) Apprentice-employed full or part time;
 - (iv) Employed full or part time; or
 - (v) Enrolled in a private career school.

.06 Instruction and Monitoring.

- A. During each resident's first 180 consecutive days in the program, the agency shall provide at least 5 hours of weekly mandatory instruction which includes the following topics:
 - (1) Transportation;
 - (2) Legal Issues;
 - (3) Food Management;
 - (4) Interpersonal Skills;
 - (5) Personal hygiene and appearance;
 - (6) Emergency and safety skills;
 - (7) Vocational planning and readiness;
 - (8) Money management;
 - (9) Consumer awareness;
 - (10) Work preparation and work ethics;
 - (11) Career interest;
 - (12) Job interviewing and resumes;
 - (13) Educational planning;
 - (14) Employment seeking skills;
 - (15) Personal growth;
 - (16) Healthy relationships;
 - (17) Personal goals;

- (18) Assertive communication;
- (19) Conflict resolution;
- (20) Health and Medication;
- (21) Cooking and Nutrition;
- (22) Housekeeping;
- (23) Knowledge of community resources; and
- (24) Property responsibility.

B. Instruction for parents living with or who are expected to live with their infants shall include:

- (1) All of the topics in §A of this regulation;
- (2) Care and nurturing of infants;
- (3) Levels of infant development;
- (4) Nutritional needs of infants;
- (5) Prenatal and post-natal care;
- (6) Parenting training;
- (7) Substitute child care provisions; and
- (8) Family planning and contraception.

C. The agency child placement worker shall:

- (1) Reassess each resident's life skill achievements at the end of the first 180 days in the program; and
- (2) Amend the written case plan described in Regulation .05 B of this chapter as necessary to reflect changes in the residents' situation.

D. Individuals who provide instruction shall:

- (1) Be agency employees; or
- (2) Independently contracted by the agency; and
- (3) Verify that they possess appropriate experience.

E. All residents shall attend agency meetings, including:

- (1) Group discussions led by agency staff to discuss private independent living program issues;
- (2) Group discussions led by either the child placement worker or another qualified agency staff person to discuss interpersonal issues such as:
 - (a) Sexual abuse;
 - (b) Sexual involvement;
 - (c) Violence;
 - (d) Peer pressure;
 - (e) Grief; and
 - (f) Loss;
- (3) As needed, individual counseling provided by the agency child placement worker or another State-licensed mental health professional; and
- (4) Other meetings as required by the agency.

F. All residents shall open their apartment for monitoring site visits.

G. Appropriate agency staff persons shall complete one monitoring site visit at least:

- (1) Daily for the majority of residents; and
- (2) Weekly for a select group of residents who:
 - (a) Are in the private independent living program for at least 200 consecutive days;
 - (b) Document an ability to function in a responsible manner; and
 - (c) Are selected by the agency for less rigorous monitoring based on a set of written criteria available to the residents.

.07 Living Accommodations.

- A. All residents shall live in:
 - (1) An apartment which is:
 - (a) Negotiated by the agency for independent living purposes;
 - (b) Inspected and approved for occupancy by the appropriate agencies for the local jurisdiction in which it is located; and
 - (c) Occupied overnight with no more than two occupants, both of whom are residents of the agency private independent living program; or
 - (2) A living arrangement approved by the Administration prior to the implementation of this chapter in accord with COMAR 01.04.04.12.
- B. All residents shall maintain the apartment in a manner which:
 - (1) Reflects interpersonal skills;
 - (2) Is free from:
 - (a) Garbage;
 - (b) Debris;
 - (c) Dirt;
 - (d) Drugs
 - (e) Drug paraphernalia;
 - (f) Offensive odors; and
 - (g) Clutter; and
 - (3) Prevents damage, marring, theft, or destruction of apartment property.
- C. The agency shall document that it has communicated regularly with the apartment management that:
 - (1) The apartments be regularly:
 - (a) Painted;
 - (b) Pest controlled; and
 - (c) Repaired of faulty equipment;
 - (2) Public areas be cleaned and maintained ; and
 - (3) Resident complaints be addressed in a timely and efficient manner.
- D. The agency shall negotiate a payment accommodation with the rental organization which:
 - (1) Provides that the agency pay the rent in accord with a lease; or
 - (2) Arranges to have the resident pay the rent in accord with a lease.
- E. The agency shall have and follow a written policy concerning a resident's :

- (1) Payment for damage caused or allowed by the resident to the apartment;
and
- (2) Restitution by the resident for the resident's theft of or damage to property of the agency's:
 - (a) Staff persons;
 - (b) Residents; or
 - (c) Corporation.

.08 Resident With An Infant.

A. The agency shall, If it includes a resident with an infant in the program, assure that:

- (1) All legal requirements are met and documented;
- (2) All requirements of this chapter are met and documented;
- (3) Sanitary space, table, and plumbing necessary to change diapers are provided; and
- (4) An appropriate crib or bed is provided in a bedroom for the infant separate from the mother's bedroom if the infant is older than 6 months old.

B. The resident with an infant shall:

- (1) Be referred by:
 - (a) A local department;
 - (b) The Department of Juvenile Justice;
 - (c) The Department of Health and Mental Hygiene; or
 - (d) Another referring agency, and
- (2) Concur in the placement agreement described in Regulation .04 B (2) of this chapter to:
 - (a) Assume personal care for no additional children other than another child of the resident approved by the agency and the Administration while a resident; and
 - (b) Comply with all agency requirements.

.09 Placement Termination.

A. The agency shall terminate placement if the resident:

- (1) Moves to another agency or private independent living program;
- (2) Is legally emancipated;
- (3) Decides to leave the private independent living program voluntarily;
- (4) Has reached the goal of self-sufficiency;
- (5) Is in serious violation of the agency's rules or requirements of this chapter;
or
- (6) Is notified that the resident's legal commitment is terminated.

B. If a resident becomes pregnant or impregnates a female after admission to the program, the resident shall be:

- (1) The subject of a staffing review convened within 14 days after discovery that shall include:
 - (a) The agency's chief administrator,
 - (b) The agency's child placement worker,
 - (c) A representative from the referring organization, and
 - (d) At least one representative from the Administration;
 - (2) Terminated from the independent living program within 30 days after the staffing review, unless the written staffing review report:
 - (a) Is delivered to the Administration within 20 days of the staffing review; and
 - (b) Recommends an option other than termination to the Administration;
 - (3) Terminated immediately from the private independent living program if the Administration, within 10 days after receiving the staffing review report, decides that the most responsible action is termination of the resident from the program;
 - (4) Maintained in the program based on the recommended option of the staffing review report and the acceptance of such option by the Administration within 10 days after receiving the staffing review report; or
 - (5) Maintained in the private independent living program based on a revised recommended option negotiated by the Administration with the agency and the referring organization within 20 days after receipt of the staffing review report by the Administration.
- C. When a placement is terminated, the agency child placement worker shall, unless emergency conditions or conditions threatening agency property maintenance exist:
- (1) Meet with the resident at least two weeks prior to termination;
 - (2) Discuss the reasons for termination with the resident and referring organization;
 - (3) Send a written explanation for the termination to the referring organization; and
 - (4) Prepare the resident's records for permanent maintenance by the agency.

.10 Records.

- A. The agency shall maintain permanent case records documenting the services provided and pertinent information about the resident.
 - B. If the resident moves to a different private independent living preparation program, the receiving agency shall:
 - (1) Obtain all records pertaining to the resident from the local department of social services or other referring organization; and
 - (2) Maintain records indefinitely.
- B. The agency shall follow the record requirements stated in COMAR 07.05.01.11. and 07.05.02.18 D and E.

- C. The agency's annual statistical summary shall include the number of residents:
- (1) Currently in placement;
 - (2) Emancipated;
 - (3) Moved to other settings; and
 - (4) Terminated in placement for cause.

Administrative History
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