



DEPARTMENT OF  
JUVENILE SERVICES

## POLICY

**SUBJECT:** Licensing and Monitoring  
**NUMBER:** MGT-614-14  
**APPLICABLE TO:** Licensing and Monitoring Employees

**APPROVED:** \_\_\_\_\_ /s/ Sam Abed

**Sam Abed, Secretary**

**DATE:** \_\_\_\_\_ 12/22/14

### **I. POLICY**

The Department of Juvenile Services' (DJS) Licensing and Monitoring Unit (L&M) shall conduct comprehensive monitoring visits of residential and non-residential programs to ensure the well-being and safety of youth in DJS care, issue reports of each monitoring visit and license child care programs in accordance with established statutes, regulations and DJS policy and procedures.

### **II. AUTHORITY**

- A. MD. CODE ANN., HUM. SERVS. §§ 8-703.1 and 9-203.
- B. MD. CODE ANN., STATE GOV'T. § 10-226(b).
- C. MD CODE REGS. 14.31.05 – Licensing and Monitoring of Residential Child Care Programs.
- D. MD. CODE REGS. 14.31.06 – Standards for Residential Child Care Programs.
- E. MD. CODE REGS. 14.31.07 – Specialized Licensing Standards.
- F. MD. CODE REGS. 16.17.01 – Youth Services Bureau.
- G. MD. CODE REGS. 16.17.05 – Certification of Community Nonresidential Services.

### **III. DIRECTIVES/POLICIES RESCINDED**

- A. Licensing and Monitoring Policy, MGT-614-13.

### **IV. FAILURE TO COMPLY**

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

### **V. STANDARD OPERATING PROCEDURES**

Standard operating procedures have been developed and are attached.

**VI. REVISION HISTORY**

DESCRIPTION OF REVISION	DATE OF REVISION
New policy and procedures issued.	9/27/2012
Yearly update.	September 2013
Yearly update.	November 2014
Annual Review. Procedures revised: <ul style="list-style-type: none"> <li>• Licensing and Monitoring no longer part of Quality Assurance Unit – revised policy &amp; procedures to reflect the change</li> <li>• Section 2.3 – added review of OOS regulations and applicable statutes</li> <li>• Section 3.1.1 – added program’s policies as separate requirement for review</li> <li>• Section 4.3D – changed from 3 days to 6 days</li> <li>• Section 4.5 – Added entire section on MDH and DHS contracted programs</li> </ul>	March 11, 2020
Annual Review. Procedures revised: <ul style="list-style-type: none"> <li>• Added cover letter requirements to Section 4. Monitoring Reports</li> <li>• Added Youth Service Bureau Reports to Section 4 Monitoring Reports</li> </ul>	4/27/22





DEPARTMENT OF  
JUVENILE SERVICES

## DJS POLICY AND STANDARD OPERATING PROCEDURES

### Statement of Receipt and Acknowledgment of Review

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**SUBJECT:** Licensing and Monitoring Policy  
**NUMBER:** MGT-614-14  
**APPLICABLE TO:** Licensing and Monitoring Employees  
**REVISED:** April 27, 2022

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I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT FULL NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WORK LOCATION

***SEND THE ELECTRONICALLY SIGNED COPY TO YOUR SUPERVISOR FOR  
PLACEMENT IN YOUR PERSONNEL FILE.***



**Maryland**

DEPARTMENT OF  
JUVENILE SERVICES

**Office of the Inspector General (OIG)**

**Licensing & Monitoring Unit**

**Standard Operating Procedures (SOP)**

**Manual**

**April 2022**

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## VISION AND MISSION STATEMENT

### ***DJS Vision Statement***

Successful youth, strong leaders, safer communities.

### ***DJS Mission Statement***

By law, DJS is a child-serving agency responsible for assessing the individual needs of referred youth and providing intake, detention, probation, commitment, and after-care services.

DJS collaborates with youth, families, schools, community partners, law enforcement, and other public agencies to coordinate services and resources to contribute to safer communities.

### ***Licensing and Monitoring Unit Mission Statement***

Enhancing services that meet the needs of Maryland's youth by conducting comprehensive monitoring of residential and non-residential programs to ensure the well-being and safety of youth in DJS care.

## **INTRODUCTION**

This document contains the Standard Operating Procedures (SOP) for the Maryland Department of Juvenile Services' Licensing and Monitoring Unit. All personnel within the unit shall adhere to the procedures listed in this manual. Each employee shall receive a copy of the SOP and an additional copy shall be kept for reference with the Master File.

This manual is subject to periodic changes, as needed. However, appropriate notification of any revisions shall be given to all staff and supplements shall be distributed to each employee as an appendix.

## OVERVIEW

The Department of Juvenile Services (DJS) Licensing and Monitoring (L&M) Unit is responsible for conducting reviews of and providing technical assistance to DJS licensed, contracted and per-diem private provider programs, out-of-state residential programs, and non-residential community-based programs in which DJS places youth for supervision and treatment. L&M focuses on ensuring compliance with applicable standards and partnering with providers to deliver safe and appropriate services to youth. L&M also is responsible for the implementation and oversight of the Department's licensing process and works in close partnership with other Maryland child-serving agencies to coordinate licensing, monitoring and regulatory processes. Confidentiality is the professional responsibility of all staff and employees who shall adhere to the *DJS Confidentiality Policy (Appendix 1)*.

L&M staff is responsible for monitoring residential child care programs in order to assure the health, safety and well-being of the youth placed with private provider agencies. The staff provides technical assistance to licensed programs and responds to all internal or external complaints within 24 hours of receipt.

The L&M Quality Assurance (QA) Specialist is responsible for the licensing, monitoring and re-licensing of all DJS licensed programs. This process consists of reviewing the program's policies and procedures to ensure compliance with COMAR 14.31.05 – Licensing and Monitoring of Residential Child Care Programs, COMAR 14.31.06 – Standards for Residential Child Care Programs, COMAR 14.31.07 – Specialized Licensing Standards; and 16.17.01 - Youth Service Bureaus.

## 1. GUIDELINES FOR MONITORING

### 1.1 Professional Conduct.

- A. The QA Specialist serves as a representative of DJS and shall at all times present him/herself in a professional and courteous manner.
- B. Upon arrival at any program, the QA Specialist shall present an official state of Maryland identification and sign the program's visitor log.

### 1.2 Assignments.

QA Specialists are assigned to monitor:

- A. DHS and MDH Contracted Programs
- B. DJS Licensed Programs
- C. Out-of-State Residential Programs
- D. Youth Services Bureaus (YSB).

### 1.3 Program Visits.

**Timeline.** Announced and unannounced site visits shall be conducted according to the following timelines:

- A. DJS licensed programs - a minimum of quarterly;
- B. MDH and DHS licensed programs (i.e., shelters, group homes, independent living, treatment foster care) - a minimum of annually;
- C. MDH (therapeutic group homes and residential treatment centers) – a minimum of annually;
- D. Out-of-state - annually, bi-annually or quarterly; and
- E. Youth Service Bureaus - a minimum of annually.

#### 1.3.1 Schedule

- 1.3.1.1 L&M will develop a quarterly schedule based on the fiscal year.
- 1.3.1.2 The quarterly schedule shall be developed so that, when feasible, the QA Specialist can conduct site visits to observe **each shift** of a program's operation (i.e., evening and weekend hours).
- 1.3.1.3 L&M's schedule will be reviewed by the L&M team on a monthly basis.

#### 1.3.2 Announced Visits

- A. Residential Child Care Programs  
The QA Specialist shall inform, via telephone or email, the program's Certified Residential Child Care Program Professional of the monitoring visit a minimum of three (3) business days prior to the visit.
- B. Youth Service Bureaus  
The QA Specialist shall inform, via telephone or email, the program's Director of the monitoring visit a minimum of three (3) business days prior to the visit.

1.3.3

**Unannounced Visits**

Residential Child Care Programs

In accordance with the L&M quarterly schedule the QA Specialist shall conduct unannounced site visits when feasible.

1.4 **Interagency Monitoring Schedule**

**1.4.1 Announced Visits**

- A. In accordance with the protocol established by the Interagency Licensing Committee (ILC), DJS shall provide a planned schedule of site visits one month in advance and will communicate any changes as soon as possible but no less than five (5) business days prior to the scheduled site visit to the state placement agencies.
- B. If a placement agency and/or a state partner makes a request to participate in a monitoring site visit DJS L&M Unit shall contact, via email or telephone, the person making the request a minimum of ten (10) business days prior to the scheduled visit to notify him/her of the date and time of the proposed site visit.

**1.4.2 Unannounced Visits**

- A. Licensing agencies shall provide notification to the state placement agencies of a planned unannounced non-emergency site visit at least five (5) business days prior to the visit.
- B. If a placement agency and/or state agency make a request to the licensing agency to participate in the visit, the placement agency or state agency will contact the person(s) responsible for the visit, prior to the scheduled visit.
- C. When feasible, DJS L&M will provide the state placing agencies with 24-hour notice of an emergency site visit.
- D. If a placement agency and/or state partner makes a request to accompany the DJS L&M team, the placement agency or state partner shall contact, via e-mail or telephone, the DJS employee responsible for the visit as soon as possible to notify DJS L&M of the intent to attend the emergency site visit.

## **2. PREPARATION FOR MONITORING VISITS**

- 2.1. Prior to the monitoring visit, the QA Specialist shall review the DJS Incident Reporting Database and ASSIST as follows:
  - A. Review the DJS Incident Reporting Database to analyze potential trends; and
  - B. Review ASSIST to determine the number of DJS youth currently in the program.
  
- 2.2 QA Specialist may review the contract pertaining to the program.
  
- 2.3 QA Specialists shall familiarize themselves with the following:
  - A. DJS Standards of Conduct and Disciplinary Process;
  - B. DJS Accessibility for Youth with Hearing Impairment Policy;
  - C. DJS Incident Reporting Policy –Private Residential Child Care Programs and Child Placement Agencies
  - D. DJS Youth Grievance Policy;
  - E. DJS Suicide Prevention and Intervention Policy;
  - F. DJS Reporting and Investigating Child Abuse and Neglect Policy;
  - G. DJS Communicating with Limited English Proficient Persons Policy;
  - H. DJS Restraints – Use of Physical and Mechanical Restraints;
  - I. Code of Maryland Regulations (COMAR) 14.31.05 – Licensing and Monitoring of Residential Child Care Programs;
  - J. COMAR 14.31.06 – Standards for Residential Child Care Programs;
  - K. COMAR 14.31.07 – Specialized Licensing Standards;
  - L. COMAR 16.17.01 – Youth Service Bureau; and
  - M. the regulations and applicable statutes of the state which governs the out-of-state program.
  - 2.3.1 The QA Specialist shall review previous monitoring reports to determine if follow-up is required.
  
  - 2.3.2 The QA Specialist shall review any internal and external complaints. In addition, QA Specialist shall review providers’ internal policies to ensure compliance with DJS policies.

### 3. CONDUCTING MONITORING VISITS

#### 3.1 Monitoring Requirements.

- 3.1.1 The QA Specialist shall monitor the in-state program to determine compliance with the following COMAR requirements:
- a. COMAR 14.31.06 – Standards for Residential Child Care Programs;
  - b. COMAR 07.02.21 – Treatment Foster Care;
  - c. COMAR 07.05.04 – Independent Living;
  - d. COMAR 10.07.04 – Residential Treatment Centers (RTC);
  - e. COMAR 14.31.07 – Specialized Licensing Standards;
  - f. COMAR 16.17.01 – Community Nonresidential Services – Youth Services Bureau; and
  - g. The Residential Child Care Program’s policies.
- 3.1.2 The QA Specialist shall monitor the out of state program to determine compliance with the applicable statues, or regulations, of the state in which the program operates and the program’s policies.
- 3.1.3 The QA Specialist shall utilize the L&M *Physical Plant Inspection Form (Appendix 2)* to conduct an inspection of the physical plant of the program being monitored.
- 3.1.4 The QA Specialist shall utilize the *Uniform Monitoring Tool Client Records Review Form (Appendix 3)* to review youth records and the *Uniform Monitoring Tool Personnel Records Form (Appendix 4)* to review personnel files of the program being monitored.
- 3.1.5 The QA Specialist shall utilize the *Uniform Monitoring Tool Client Interview Form (Appendix 5)* to conduct youth interviews and the *Uniform Monitoring Tool Staff Interview Form (Appendix 6)* to conduct staff interviews.
- 3.1.6 The QA Specialist shall report findings and observations which require corrective actions to the program’s Certified Residential Child Care Program professional or designee during the Exit Conference and include findings in the *Exit Conference Form (Appendix 7)*.

## 4. MONITORING REPORTS

4.1 The QA Specialist shall format reports using the *L&M Monitoring Report Template (Appendix 8)*.

### 4.2 Reports that do not require Corrective Action

The QA Specialist shall forward a cover letter and the *Exit Conference Form* to the provider within three (3) business days when the program is **not** required to submit a *Corrective Action Plan Response Form (Appendix 9)*.

### 4.3 Reports that require Corrective Action

- A. The QA Specialist shall forward, within three (3) business days of the monitoring visit, the *Exit Conference Form* and the *Corrective Action Plan Response Form* to the program's Certified Residential Child Care Program Professional or Designee or the nonresidential program's Director.
  - B. The QA Specialist shall request the Certified Residential Child Care Program Professional or Designee or the nonresidential program's Director to submit within ten (10) days the *Corrective Action Plan Response Form*.
  - C. The QA Specialist, within seven (7) business days of receipt of the *Corrective Action Plan Response Form* from the program's Certified Child Care Program Professional or Designee, or the nonresidential program's Director, shall review the Corrective Action Plan (CAP) to determine if the CAP is acceptable, make recommendations and submit the cover letter and final report that includes the provider's CAP response to the Lead QA Specialist and L&M Director for review and approval.
  - D. The L&M Director, within six (6) business days, will return the approved cover letter and report to the QA Specialist.
  - E. The QA Specialist, within three (3) business days of receipt will forward the approved cover letter and report to the residential program's Certified Child Care Program Professional or Designee or the nonresidential program's Director.
  - F. The QA Specialist shall conduct follow-up site visit(s) to determine whether the CAP has successfully corrected the identified deficiencies.
  - G. The QA Specialist shall notify the L&M Director when CAPs have not been completed within the specified timeframe.
- 4.4 The QA Specialist shall save the report and all other information related to the monitoring visit on the Resource Directory in the Monitoring Visit folder within three (3) business days of receiving an approved report.

4.5 **Maryland Department of Health (MDH) and Department of Human Service (DHS) Contracted Programs**

4.5.1 **Independent Visits**

A. The QA Specialist shall forward a letter outlining the visit and findings to the licensing agency within 7 business days.

4.5.2 **Joint Visits**

A. The QA Specialist shall send an email to the licensing agency within 3 business days outlining the visit and findings.

4.6 **Youth Service Bureau (YSB) Reports**

4.6.1 **Reports that do not require Corrective Action**

A. The QA Specialist shall forward the *Exit Conference Form* to the provider within 3 business days when the program is **not** required to submit a *Corrective Action Plan Response Form (Appendix 9)*.

B. The QA Specialist shall forward the cover letter and report within 7 business days to the Lead QA Specialist and the L&M Director for review and approval.

C. The L&M Director within 6 business days will return the approved cover letter and report to the QA Specialist. The QA Specialist, within 3 business days of receipt of the approved cover letter and report, will forward to the YSB Administrator or Designee.

4.6.2 **Reports that require Corrective Action**

A. The QA Specialist shall forward, within 3 business days of the monitoring visit, the *Exit Conference Form* and the *Corrective Action Plan Response Form* to the YSB Administrator or Designee.

B. The QA Specialist shall request the YSB Administrator or Designee to submit within 15 days the *Corrective Action Plan Response Form*.

C. The QA Specialist, within 7 business days of receipt of the *Corrective Action Plan Response Form* from the YSB or Designee, shall review the Corrective Action Plan (CAP) to determine if the CAP is acceptable, make recommendations, and submit the cover letter and report that includes the provider's CAP response to the Lead QA Specialist and L&M Director for review and approval.

D. The L&M Director within 6 business days will return the approved cover letter and report to the QA Specialist.

E. The QA Specialist, within 3 business days of receipt of the approved cover letter and report, will forward to the YSB Administrator or Designee.

F. The QA Specialist shall conduct follow-up site visit(s) to determine whether the CAP has successfully corrected the identified deficiencies.

G. The QA Specialist shall notify the L&M Director when a CAP has not been completed within the specified timeframe.

4.6.3 The QA Specialist shall save the cover letter, report, and all other information related to the monitoring visit on the Resource Directory in the Monitoring Visit folder within 3 business days of receiving the approved cover letter and report.

## 5. LICENSING A RESIDENTIAL CHILD CARE PROGRAM

- 5.1 The L&M Director, upon receipt of a proposal for a new program shall review the proposal to ensure it meets the requirements of the Department's Statement of Need (SON).
- 5.2 The L&M Director, within five (5) business days of receipt of a proposal for a new program, shall assign a QA Specialist to review the proposal.
- 5.3 The assigned QA Specialist shall review the proposal and within thirty (30) business days send the applicant an Acknowledgement Letter and the ***DJS Licensing Application (Appendix 10)***.
- 5.4 The assigned QA Specialist shall, within five (5) business days upon receipt of the completed ***DJS Licensing Application*** from the applicant, send a ***Confirmation Letter (Appendix 11)*** to the applicant.
- 5.5 The assigned QA Specialist shall within five (5) business days of receipt of the completed ***DJS Licensing Application*** contact the program's corporate office to arrange a site visit, request outcome data and licensing and monitoring reports for licensed program.
- 5.6 The assigned QA Specialist shall conduct interviews with youth currently in existing programs.
- 5.7 Once a licensing application is in compliance with COMAR 14.31.05 the assigned QA Specialist shall submit the completed licensing application to the L&M Director for supervisory review and approval.
- 5.8 The L&M Director shall recommend approval and forward the completed licensing application to the Office of the Secretary for approval.

- 5.9 After the licensing application has been approved by the Secretary of DJS, the assigned QA Specialist shall prepare a license.
- 5.10 If the L&M Unit denies an application for a license or renewal of a license, the QA Specialist shall give written notice to the applicant or the licensee of the proposed denial that includes:
- (1) The facts that warrant the proposed denial of the license or renewal of the license;
  - (2) Citation to the regulations upon which the proposed denial is based; and
  - (3) Notification that, before the denial of the license or renewal of the license, the applicant or licensee may request a hearing under the provisions of COMAR 14.31.05.10.

## **6. MID-YEAR PERIOD EVALUATION**

### **6.1 In accordance with COMAR 14.31.05.06.C - 60 DAYS PRIOR TO THE END OF THE FIRST YEAR OF THE LICENSE PERIOD**

- 6.1.1 The QA Specialist shall send notification to the licensee that:
- A. The program shall submit to the DJS Licensing and Monitoring Unit a mid-license period evaluation 60 days before the end of the first license period.
  - B. The QA Specialist shall inform the program that the mid-licensure report shall include:
    - 1) A list of governing board members and officers;
    - 2) The program's audit or audit review for the current year;
    - 3) A program's operations budget for the current year; and
    - 4) The program's current quality assurance plan.
  - C. The QA Specialist shall, 30 days prior to the end of the first year of the license period, conduct a mid-license period review, including:
    - 1) Review of board minutes, personnel records, and children's records; and
    - 2) On-site inspection of the program.
  - D. The QA Specialist shall 10 days prior to the end of the first year of the license period utilize the *Mid-license Period Evaluation Report Template (Appendix 12)* to prepare a report of the findings of the visit and submit the report to the Lead QA Specialist and L&M Director for the review and approval process.

## 7. RE-LICENSING A RESIDENTIAL CHILD CARE PROGRAM

### 7.1 Notification of License Renewal – COMAR 14.31.05.05 H

- 7.1.1 The assigned QA Specialist shall, 150 days prior to expiration of the license, send the re-licensing application to the licensee's Certified Residential Child Care Program professional.
- 7.1.2 The QA Specialist, in accordance with COMAR and 120 days prior to the expiration of the license, shall require the program's Certified Child Care Program Professional to submit a renewal application to the QA Specialist.
- 7.1.3 Upon receipt of the renewal application the assigned QA Specialist shall send a letter to confirm receipt.
- 7.1.4 The assigned QA Specialist may consult anytime during the re-licensing, but no later than 100 days prior to expiration of the license, with other DJS content experts regarding policies and other documentation related to: dietary, somatic health, behavioral health, and substance abuse to determine compliance with regulatory requirements.
- 7.1.5 The QA Specialist shall, 90 days prior to expiration of the license, conduct a re-licensing visit. Prior to the visit, the QA Specialist shall notify the Certified Residential Child Care Program professional or designee of the date when DJS will be conducting the re-licensing visit and of all documents that must be available for review.
- 7.1.6 The QA Specialist shall 75 calendar days prior to expiration of the license, review the program's *CAP Response Form* to determine if the program has any outstanding CAPs.
- 7.1.7 When there are outstanding CAPs, the QA Specialist shall notify the Certified Residential Child Care Program Professional or Designee in writing that outstanding CAPs must be submitted within ten (10) calendar days of the receipt of the exit conference report and follow-up until it is completed.
- 7.1.8 The QA Specialist shall utilize the *Re-licensing Report Template (Appendix 13)* to prepare a report of the findings of the visit and submit the report to the Lead QA Specialist and L&M Director within 10 business days of receipt of exit conference.
- 7.1.9 The Lead QA Specialist and L&M Director shall review the report and approve or disapprove the report; if disapproved, the L&M Director shall request a revised report.

7.1.10 The QA Specialist will make a recommendation 60 calendar days prior to the expiration of the license to the L&M Director regarding the re-licensure.

7.1.11 The QA Specialist shall prepare a license for the program 30 calendar days prior to the expiration of the license.

## **APPENDICES**

DJS Confidentiality Policy	Appendix 1
Physical Plant Inspection Form	Appendix 2
Uniform Monitoring Tool Client Records Review Form	Appendix 3
Uniform Monitoring Tool Personnel Records Review Form	Appendix 4
Uniform Monitoring Tool Client Interview Form	Appendix 5
Uniform Monitoring Tool Staff Interview Form	Appendix 6
Exit Conference Form	Appendix 7
L&M Monitoring Report Template	Appendix 8
Corrective Action Plan Response Form	Appendix 9
DJS Licensing Application	Appendix 10
Confirmation Letter	Appendix 11
Mid-license Period Evaluation Report Template	Appendix 12
Re-licensing Report Template	Appendix 13

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