

SENATE BILL 44

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2001 Regular Session
(11r0017)

ENROLLED BILL
-- Finance/Judiciary --

Introduced by **Chairman, Finance Committee (Departmental - Human Resources)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Family Law - Adoption Subsidies - Level of Payment**

3 FOR the purpose of ~~authorizing the Department of Human Resources to provide a~~
4 ~~higher adoption subsidy payment~~ increasing the allowable amount of a certain
5 adoption subsidy for certain children; and generally relating to adoption
6 subsidies.

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 5-410
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2000 Supplement)

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

1

Article - Family Law

2 5-410.

3 (a) (1) Before a final decree of adoption is passed, the local department and
4 a prospective adoptive parent of an eligible child shall make a written agreement
5 regarding the subsidy.

6 (2) In the case of an eligible child who has special circumstances that
7 existed before the adoption but were not detected until after the adoption, the
8 agreement shall be made promptly after the local department approves the
9 application for a subsidy.

10 (b) A subsidy may commence either at the time of the placement for adoption
11 or at an appropriate time after the passage of the adoption decree.

12 (c) (1) The nature, amount, and duration of the subsidy shall be determined
13 by:

14 (i) the needs of the eligible child because of the eligible child's
15 special circumstances; and

16 (ii) the availability of other resources to meet the eligible child's
17 needs.

18 (2) The subsidy may be for a limited or a long period of time.

19 (3) The subsidy shall be in an amount that is not more than:

20 (i) the allowable amount for a child under foster family care in this
21 State, or if placement is in another state, the allowable amount for a child under
22 foster family care in that state, whichever is higher; [or]

23 (II) IN THE CASE OF A MEDICALLY FRAGILE CHILD LIVING IN A
24 ~~THERAPEUTIC~~ TREATMENT FOSTER CARE HOME, \$2,000 PER MONTH; OR

25 [(ii)] (III) if the subsidy is for a special service, a reasonable fee for
26 that service.

27 (d) (1) If, under a subsidy agreement, the subsidy does not terminate in the
28 first year after the final decree of adoption is passed, the subsidy is subject to annual
29 reapplication, reevaluation, and reapproval by the local department.

30 (2) A subsidy agreement shall include a notice of the annual
31 reapplication requirement.

32 SECTION 2. AND IT BE FURTHER ENACTED, That this Act shall take effect
33 October 1, 2001.