



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

March 4, 2025

The Honorable Will C. Smith, Chair
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen St
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0765 - OUT-OF-HOME PLACEMENT PROVIDERS - MAXIMUM
NUMBER OF CHILDREN - EXEMPTION - POSITION: INFORMATIONAL ONLY**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide a letter of information regarding Senate Bill 765 (SB 765).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) serves youth in out-of-home placements affected by SB 765.

We agree with the goals of the sponsor to preserve relationships between older youth and the families with whom they developed strong relationships while living with a resource family. Through the passage of [SB 708 \(2024\)](#) and our Family Matters initiative we are working toward effectively ending youth "aging-out" of the foster care system. SB 765 seeks to provide additional transitional stability for youth in out-of-home care pursuing higher education. SB 765 is concerned with a problem that may occur when youth under the age of 18 attending higher education institutions are unable to return to their previous placement, based on the type of placement and number of other children living in the home.

We promulgated new regulations, [COMAR 07.02.25](#) on December 12, 2024 regarding LDSS Resource Home Requirements. [COMAR 07.02.25.05](#) sets the upper limit on the number of children for whom a resource parent may provide care in their home,

including a parent's own children. Our regulations allow a resource family licensed by the local department of social services to have up to 6 children in their home under age 18, including the resource parent's children and children in out-of-home care. The regulation also permits local department directors to make an exception to allow a resource family to have up to 8 children under the age of 18 in certain situations.

SB 765 would ensure children who want to return to former out-of-home placements during academic breaks do not count against capacity limits for resource homes. A youth attending college and returning for academic breaks is likely to be over the age of 18, and would not be counted against the child limit. Youth returning from academic breaks who are under age 18 would meet the exception provided by current regulation. Out-of-home placement providers must be able to provide children with appropriate accommodations in line with COMAR regulatory requirements. For example, the child's sleeping and living quarters shall provide for privacy, study, and storage of clothes.

SB 765 is intended to further allow children to return to their resource homes without the exercise of the local director's discretion and protects against any changes in future policies or regulations that might limit their ability to do so. It would also apply to other types of out-of-home placements, for which similar regulatory exceptions do not exist.

We thank the sponsor for championing the growth and transition of our children in out-of-home care, ensuring they have the support they need to succeed as they enter young adulthood. We support the spirit of SB 765 wholeheartedly, and welcome continued work with the sponsor and committee. We want to ensure the bill has the intended effect and fully captures the population of youth in our care who may experience a short or temporary break in housing accommodations during the academic year.

We appreciate the opportunity to provide a letter of information to the Committee for consideration during your deliberations. We are happy to work with Senator Zucker and the Committee on Senate Bill 765. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,


Carnitra White
Principal Deputy Secretary