

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 194 (Delegate Montague. *et al.*)

Judiciary

Foster Parents' Bill of Rights of 2000

This bill establishes certain rights of foster parents. The bill's requirements do not create a new cause of action or substantive legal right for foster parents.

Fiscal Summary

State Effect: The bill codifies many existing practices and any additional requirements could be handled using existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The foster parent's rights include:

- being treated respectfully and as a member of the child welfare team;
- receiving preservice and ongoing training;
- access to agency personnel for information and assistance;
- receiving timely financial reimbursement;
- access to a clear understanding of the foster parent's responsibilities which support the child's relationships with the child's own family and cultural heritage;
- a fair and timely investigation of complaints with a seven-day notice of an administrative review, an opportunity to be heard at the administrative review, and an explanation of decisions concerning licensure or licensing corrective action

- plans;
- full disclosure of information, except for information concerning family members that may be privileged or confidential information, from a caseworker concerning any aspects of a child's condition or history which could possibly affect the care provided by a foster parent;
 - the right to be notified of, and be heard at, scheduled local department of social services case planning meetings and staffings without superceding the rights of the natural parents, and the right to be informed of court or agency decisions made concerning the child;
 - reasonable written notice of foster care placement termination plans including reasons for the change or termination;
 - timely notification of citizen and administrative reviews and the recommendations of the citizen review board;
 - the right to be considered as a re-entry placement option if the placement is deemed to be in the best interest of the child and is consistent with Kinship Care Program requirements; and
 - timely appeals and freedom from harassment, intimidation, and retaliation by any other party when exercising the right of appeal.

Current Law: Within seven days before a permanency planning hearing or review hearing for a child in foster care, a foster parent must be notified of the hearing and given an opportunity to be heard. Foster parents who wish to adopt a child in their care may request a hearing after a decision by a child placement agency to remove the child from the foster parent's care and place the child with another adoptive family. A foster parent is also given priority for adoption under current law. This bill codifies many of the current policies and regulations that guide the day-to-day operations of foster/adoptive homes in Maryland including training, payments, foster parent responsibilities, the licensure process, complaint investigations, and health assessment records.

Additional Information

Prior Introductions: A substantially similar bill was introduced in the 1999 session as SB 494 and heard in the Judicial Proceedings Committee, with no further action taken.

Cross File: SB 229 (Senator Roesser, *et al.*) - Judicial Proceedings.

Information Source(s): Department of Human Resources, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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