

SENATE BILL 44

Unofficial Copy
O4

2001 Regular Session
11r0017

(PRE-FILED)

By: **Chairman, Finance Committee (Departmental - Human Resources)**

Requested: November 14, 2000

Introduced and read first time: January 10, 2001

Assigned to: Finance

A BILL ENTITLED

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 for certain children; and generally relating to
5 adoption subsidies.

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

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

13 **Article - Family Law**

14 5-410.

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

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

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

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

1 (i) the needs of the eligible child because of the eligible child's
2 special circumstances; and

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

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

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

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

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

12 [(ii)] (iii) if the subsidy is for a special service, a reasonable fee for
13 that service.

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

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

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