
By: **Delegates R. Baker, D. Davis, Pitkin, Howard, Swain, Hubbard, Griffith,
Moe, and Benson**

Introduced and read first time: February 8, 2002

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Human Resources - Foster Care and Group Home Care -**
3 **Reimbursement and Payment Rates**

4 FOR the purpose of authorizing the Department of Human Resources to establish
5 reimbursement rates for certain group homes and institutions that are different
6 between counties; requiring the Department to consider certain rates paid by
7 certain jurisdictions outside the State when determining an appropriate rate of
8 reimbursement for certain group homes and institutions; authorizing, rather
9 than requiring, the Department to include increments based on the age of the
10 child when determining certain payment rates for foster care; providing that a
11 certain payment rate for foster care shall be not less than the higher of certain
12 rates; and generally relating to the Department of Human Resources and foster
13 care and group home care.

14 BY repealing and reenacting, with amendments,
15 Article - Family Law
16 Section 5-526 and 5-527
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2001 Supplement)

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

21 **Article - Family Law**

22 5-526.

23 (a) (1) The Department shall provide for the care, diagnosis, training,
24 education, and rehabilitation of children by placing them in group homes and
25 institutions that are operated by for-profit or nonprofit charitable corporations.

26 (2) Any group home utilized under the provisions of this section shall
27 comply with the provisions of §§ 5-507 through 5-509 of this subtitle.

1 (b) (1) The Department shall reimburse these corporations for the cost of
2 these services at appropriate monthly rates that the Department determines, as
3 provided in the State budget.

4 (2) The reimbursement rate may differ between homes and institutions
5 that provide intermediate services, as defined by the Department, and homes and
6 institutions that provide full services.

7 (3) (I) THE REIMBURSEMENT RATES MAY DIFFER BETWEEN
8 COUNTIES.

9 (II) IN DETERMINING AN APPROPRIATE REIMBURSEMENT RATE IN
10 A PARTICULAR COUNTY, THE DEPARTMENT SHALL CONSIDER THE RATES THAT ARE
11 PAID FOR SIMILAR SERVICES BY A JURISDICTION OUTSIDE THE STATE THAT:

- 12 1. IS ADJACENT TO THE COUNTY;
- 13 2. PLACES CHILDREN IN FOSTER CARE IN THE COUNTY; AND
- 14 3. PLACES MORE THAN 50% OF ITS CHILDREN IN THE STATE.

15 (c) The Department, or the Department's designee, may not place a child in a
16 residential group home or other facility that is not operating in compliance with
17 applicable State licensing laws.

18 5-527.

19 (a) The Department shall adopt rules and regulations that establish eligibility
20 guidelines for payment for foster care for 1 or more classes of children, including
21 children who are in need of special care.

22 (b) (1) For a child who does not need special care, the Department shall pay
23 for foster care in a single family home at a monthly rate that is not less than 55% of
24 the monthly rate provided in subsection (c) of this section for a child who requires the
25 most demanding special care in a single family home.

26 (2) The monthly rate [shall] MAY include increments based on the age of
27 the child.

28 (c) The Department shall pay for foster care for a child who needs the most
29 demanding special care in a single family home at a monthly rate that is not less than
30 the higher of:

31 (1) [the rate that the Department paid in fiscal year 1975; and

32 (2)] the rate that the Department of Juvenile Justice pays for the current
33 fiscal year; AND

34 (2) THE RATE PAID FOR SIMILAR SERVICES BY A JURISDICTION OUTSIDE
35 THE STATE THAT:

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- 1 (I) IS ADJACENT TO THE PARTICULAR COUNTY;
- 2 (II) PLACES CHILDREN FOR FOSTER CARE IN THE COUNTY;
- 3 (III) PLACES MORE THAN 50% OF ITS CHILDREN IN THE STATE; AND
- 4 (IV) PLACES MORE THAN 50% OF THOSE CHILDREN IN THAT
- 5 COUNTY.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect October 1, 2002.