
By: **Senators Lawlah, Kasemeyer, Kramer, Mooney, Schrader, and Teitelbaum**

Introduced and read first time: February 17, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Foster Care - Payment Rates**

3 FOR the purpose of altering the rate of payment for foster care in a single family
4 home; authorizing certain adjustments to that rate; requiring the Governor to
5 include in the State budget certain funding for the payment for foster care in
6 single family homes for certain fiscal years; and generally relating to payment
7 for foster care in a single family home.

8 BY repealing and reenacting, with amendments,
9 Article - Family Law
10 Section 5-527
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)

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

15 **Article - Family Law**

16 5-527.

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

20 (b) (1) [For] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,
21 FOR a child who does not need special care, the Department shall pay for foster care
22 in a single family home at a monthly rate that is not less than [55% of the monthly
23 rate provided in subsection (c) of this section for a child who requires the most
24 demanding special care in a single family home] THE AMOUNT REPORTED ANNUALLY
25 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE AS THE ESTIMATED
26 AVERAGE ANNUAL EXPENDITURE ON A CHILD AT LEAST 9 YEARS OLD AND UNDER
27 THE AGE OF 11 IN THE MIDDLE INCOME FAMILY BRACKET IN THE URBAN SOUTH, AS
28 ADJUSTED ANNUALLY.

1 (2) The monthly rate [shall include increments] MAY BE INCREASED

2 based on:

3 (I) the age of the child; AND

4 (II) THE NEED FOR EXTRA CARE AND SUPERVISION BECAUSE OF
5 THE SPECIAL PHYSICAL, EMOTIONAL, OR BEHAVIORAL NEEDS OF THE CHILD.

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

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

10 (2) the rate that the Department of Juvenile Services pays for the
11 current fiscal year.]

12 (C) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET SUFFICIENT
13 FUNDING TO PROVIDE FOR THE FOLLOWING PERCENTAGES OF THE RATE
14 ESTABLISHED IN SUBSECTION (B) OF THIS SECTION:

15 (1) 75% IN FISCAL YEAR 2008;

16 (2) 85% IN FISCAL YEAR 2009;

17 (3) 95% IN FISCAL YEAR 2010; AND

18 (4) 100% IN FISCAL YEAR 2011 AND THEREAFTER.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2006.