

Department of Legislative Services  
 Maryland General Assembly  
 2006 Session

FISCAL AND POLICY NOTE

House Bill 334

(Delegate F. Turner, *et al.*)

Judiciary

Judicial Proceedings

Family Law - Adoption Search, Contact, and Reunion Services - Relatives and Members of the Adoptive Family

This bill expands the adoption search, contact, and reunion services program within the Department of Human Resources (DHR) to include a relative of the biological parent and members of the adoptive family if the parent or adopted child, respectively, is dead.

Fiscal Summary

**State Effect:** General fund expenditures could increase by \$118,000 in FY 2007 to reflect the hiring of one permanent and two contractual caseworkers. General fund revenues could increase minimally to reflect an increase in the number of individuals paying fees for adoption, search, and reunion services. Future years reflect annualization and inflation.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
GF Revenue	-	-	-	-	-
GF Expenditure	118,000	137,400	144,100	151,200	66,800
Net Effect	(\$118,000)	(\$137,400)	(\$144,100)	(\$151,200)	(\$66,800)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** Meaningful to the extent that private confidential intermediaries may see an increase in the number of individuals seeking their services as a result of this bill.

## Analysis

**Bill Summary:** The confidential intermediary conducting the search for the biological parent or the adopted individual may, with the applicant's consent if the individual sought is deceased, attempt to contact a relative of the parent or a member of the adoptive family who is at least 21 years old. A relative of the biological parent whom the intermediary may attempt to contact includes a parent, brother, sister, child, aunt, or uncle. A member of the adoptive family whom an intermediary may attempt to contact is an adoptive parent, grandparent, brother, or sister of an adopted individual.

If the applicant consents to contacting a relative of the biological parent or an adoptive family member, the applicant must execute another written agreement with the intermediary. The intermediary then must promptly file the executed agreement with the director of DHR's Social Services Administration (SSA) and attempt to contact the biological parent's relative or member of the adoptive family. The intermediary's fees may not exceed the cost of providing the services. The confidential intermediary must indicate in a report after executing a search, contact, or reunion services agreement whether, if the individual sought is deceased, any relatives or members of the adoptive family were contacted and whether they consent to disclosure of information.

**Current Law:** Chapter 679 of 1998 provides that SSA of DHR must provide adoption search, contact, and reunion services. Biological parents of adopted individuals at least 21 years of age and the adopted individuals themselves who are at least 21 years of age can apply for these services through an approved confidential intermediary.

Once the adopted individual or biological parents are located, the intermediary assesses whether the individuals want to communicate or share information. The intermediary also provides or refers the individuals to counseling. The intermediary may charge a reasonable fee for this service.

Chapter 7 of the 2004 special session expanded the adoption search, contact, and reunion services program within DHR to include siblings who have been adopted and who are at least 21 years old.

An adopted individual at least 21 years old may apply to the SSA director to receive search, contact, and reunion services. If an adopted individual is at least 21 years old, a biological parent of the adopted individual may apply to the SSA director to receive search, contact, and reunion services.

If an individual who is sought is deceased, the confidential intermediary may not disclose the identity of the deceased to the individual who applied for search, contact, and reunion

services. The confidential intermediary must report that the individual sought is deceased to the individual who applied to find them.

**Background:** DHR's Mutual Consent Voluntary Adoption Registry contains approximately 2,000 listings. However, DHR cannot say how many of the people listed have found their birth siblings and how many are still searching. DHR provides adoption search, contact, and reunion services for individuals who are adopted through a local department of social services. Individuals who were adopted through a private entity are referred to that entity for these services.

Once a person lists themselves with the registry, staff compares the information provided and matches adoptees with their birth family members. Registrants are charged a \$25 one-time fee for the service, although the fee is waived for individuals who cannot pay. Other search, contact, and reunion services, such as search and reunion with one parent or one adoptee, charge higher fees.

DHR reports that between 200 and 250 individuals annually list themselves with the registry. DHR estimates that in 20% of its cases (400 cases) the individual who is sought is deceased.

**State Revenues:** General fund revenues could increase depending on the number of individuals applying for adoption search, contact, and reunion services. Fees charged by DHR for the services provided vary according to the income level of the individual seeking the information and the type of information sought. For example, the fees for services provided range from no charge to \$450.

**State Expenditures:** General fund expenditures for DHR could increase by an estimated \$117,960 in fiscal 2007, which accounts for the bill's October 1, 2006 effective date. This estimate reflects the cost of hiring three caseworkers (one permanent and two contractual) to conduct adoption searches for cases in which the biological parent or adopted child sought is deceased. As many as 400 cases closed because the individual sought was deceased may be reopened as a result of this bill. As many as 50 new cases annually may be opened to search for the relatives of a deceased biological parent and members of the deceased child's adoptive family.

It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The Department of Legislative Services (DLS) advises that the number of additional caseworkers needed as a result of this bill may increase or decrease depending on the actual number of individuals who seek adoption search and reunion services.

Salaries and Fringe Benefits	\$95,422
Operating Expenses	19,298
Travel	<u>3,240</u>
<b>Total FY 2007 State Expenditures</b>	<b>\$117,960</b>

Future year expenditures reflect: (1) a full salary with 4.6% annual increases and 3% employee turnover for the permanent employee; (2) full salaries with 4.6% annual increases and 6.8% employee turnover for the two contractual employees through fiscal 2010; and (3) 1% annual increases in ongoing operating expenses.

DHR advises that it assumes that this bill expands the adoption, search, and reunion services to include all relatives of biological parents and members of the adoptive family. DLS disagrees and advises that the bill applies only in cases where the biological parent or adopted child is deceased.

DHR advises that it would need to hire six family service caseworkers at a cost of \$295,895 in fiscal 2007 to handle the increased volume of work with the expanded search for relatives of biological parents or members of the adoptive family.

DLS disagrees with this estimate. DLS believes that hiring three additional caseworkers should be sufficient to handle the estimated increase in caseload. It is assumed the one permanent caseworker would be required to handle the 50 new cases each year and two contractual caseworkers handling 100 cases annually, could work through the anticipated 400 cases that might be reopened. The contractual caseworkers would no longer be necessary by fiscal 2011.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Department of Health and Mental Hygiene, Department of Legislative Services

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ncs/jr

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