

HOUSE BILL 1176

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71r2597

By: **Delegates Jones, Aumann, Branch, Bronrott, Busch, G. Clagett, Conway, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haynes, Heller, James, Lafferty, Morhaim, Robinson, Stocksdales, and Wood**

Introduced and read first time: February 20, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the monthly rate of payment for foster care in a single
4 family home beginning in a certain fiscal year; authorizing certain adjustments
5 to that rate; specifying that the monthly rate may be increased based on certain
6 factors; repealing certain provisions relating to the payments of foster care for a
7 child who needs certain special care; and generally relating to payment for
8 foster care.

9 BY repealing and reenacting, with amendments,
10 Article – Family Law
11 Section 5–527
12 Annotated Code of Maryland
13 (2006 Replacement Volume)

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

16 **Article – Family Law**

17 5–527.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (b) (1) [For] **BEGINNING IN FISCAL YEAR 2010, FOR** a child who does
5 not need special care, the Department shall pay for foster care in a single family home
6 at a monthly rate that is not less than [55% of the monthly rate provided in subsection
7 (c) of this section for a child who requires the most demanding special care in a single
8 family home] **ONE-TWELFTH OF THE AMOUNT REPORTED ANNUALLY BY THE**
9 **UNITED STATES DEPARTMENT OF AGRICULTURE AS THE ESTIMATED AVERAGE**
10 **ANNUAL EXPENDITURE ON A CHILD AT LEAST 9 YEARS OLD AND UNDER THE AGE**
11 **OF 11 YEARS IN THE MIDDLE INCOME FAMILY BRACKET IN THE URBAN SOUTH,**
12 **AS ADJUSTED ANNUALLY.**

13 (2) The monthly rate [shall include increments] **MAY BE INCREASED**
14 based on:

15 (I) the age of the child; AND

16 (II) **THE NEED FOR EXTRA CARE AND SUPERVISION**
17 **BECAUSE OF THE SPECIAL PHYSICAL, EMOTIONAL, OR BEHAVIORAL NEEDS OF**
18 **THE CHILD.**

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

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

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2007.