

HOUSE BILL 803

D4, O4

8lr2430

By: **Delegates Jones, Aumann, Branch, Bronrott, G. Clagett, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Haynes, Hecht, Heller, Hubbard, James, Lafferty, Mizeur, Morhaim, Murphy, Nathan-Pulliam, Robinson, Rudolph, Stocksdales, F. Turner, Weldon, and Wood**

Introduced and read first time: February 6, 2008

Assigned to: Appropriations

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; specifying that the monthly rate
5 may be increased based on certain factors; repealing certain provisions relating
6 to the payment of foster care for a child who needs certain special care;
7 requiring the Secretary of Human Resources to make a certain determination in
8 cooperation with certain representatives and to report to the General Assembly
9 on or before a certain date; and generally relating to payment for foster care.

10 BY repealing and reenacting, with amendments,
11 Article - Family Law
12 Section 5-527
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2007 Supplement)

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

17 **Article - Family Law**

18 5-527.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

12 (I) the age of the child; **AND**

13 (II) **THE NEED FOR EXTRA CARE AND SUPERVISION**
14 **BECAUSE OF THE SPECIAL PHYSICAL, EMOTIONAL, OR BEHAVIORAL NEEDS OF**
15 **THE CHILD.**

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That:

23 (a) The Secretary of Human Resources, in cooperation with representatives
24 of foster parents and other advocacy groups for children, shall determine:

25 (1) appropriate adjustments to the monthly rate established in §
26 5-527 of the Family Law Article related to:

27 (i) the age of the child; and

28 (ii) the jurisdiction in which the foster family resides; and

29 (2) whether other services and supports to foster families should be
30 reimbursed, including:

31 (i) child care;

32 (ii) respite care;

1 (iii) transportation; and

2 (iv) any other service or support identified by the group.

3 (b) On or before December 1, 2009, the Secretary of Human Resources shall
4 report to the General Assembly, in accordance with § 2-1246 of the State Government
5 Article, on recommendations for rate adjustments and reimbursement of other services
6 and supports to foster families.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2008.