

# HOUSE BILL 683

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By: **Delegates Ivey, Carter, Conaway, and Ramirez**

Introduced and read first time: February 9, 2009

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Post Adoption Support Services Pilot Program**

3 FOR the purpose of altering a certain purpose of the Post Adoption Support Services  
4 Pilot Program; expanding the eligibility of an adopted child or adoptive family  
5 for post adoption support services; repealing a requirement that a local  
6 department of social services conduct a clinical assessment of the needs of an  
7 adoptive child and adoptive family under certain circumstances; substituting a  
8 requirement that a local department conduct an assessment of the needs of an  
9 adoptive child and adoptive family under certain circumstances; providing for  
10 the distribution of certain funds; altering the date on or before which the  
11 Secretary of Human Resources is required to submit a certain report to the  
12 General Assembly; extending the termination date of the Post Adoption Support  
13 Services Pilot Program; making certain technical changes; and generally  
14 relating to the Post Adoption Support Services Pilot Program.

15 BY repealing and reenacting, with amendments,  
16 Chapter 444 of the Acts of the General Assembly of 2007  
17 Section 1 and 2

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

### 20 **Chapter 444 of the Acts of 2007**

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(a) (1) In this Act the following words have the meanings indicated.

(2) “Post adoption support services” means medical treatment, mental health services, parenting classes, or any other direct services provided by the Department of Human Resources after a child is adopted that:

(i) aid an adopted child or adoptive family in which an adopted child is in crisis; and

(ii) assist in preventing the child from being returned to the care and supervision of the Department of Human Resources.

(3) “Program” means the Post Adoption Support Services Pilot Program.

(b) There is a Post Adoption Support Services Pilot Program.

(c) The purpose of the Program is to:

(1) provide post adoption support services to adopted children and their adoptive families; and

(2) [provide additional State funds] **ENSURE THAT FUNDS ARE ALLOCATED** for adopted children.

(d) An adopted child or adoptive family shall be eligible for post adoption support services if the adoption was ordered [under § 5–338] **IN THIS STATE UNDER TITLE 5, SUBTITLE 3, SUBTITLE 3A, OR SUBTITLE 3B** of the Family Law Article.

(e) At the request of an adoptive parent for post adoption support services from the local [Department of Social Services] **DEPARTMENT OF SOCIAL SERVICES**, the local [Department of Social Services] **DEPARTMENT** shall conduct [a clinical] **AN** assessment of the needs of the adopted child and adoptive family.

(f) After a determination by the local [Department of Social Services] **DEPARTMENT** that the adopted child or adoptive family is in need of post adoption support services, the local [Department of Social Services] **DEPARTMENT** shall submit a proposed post adoption support service plan to the Department of Human Resources for approval and funding.

(g) On approval and the release of funds by the Department of Human Resources, the local [Department of Social Services] **DEPARTMENT** or a vendor designated by the local [Department of Social Services] **DEPARTMENT** shall provide the post adoption support services to the adopted child or adoptive family.

(h) (1) Funding for the Program shall be provided from existing resources of the Department of Human Resources.

(2) It is the intent of the General Assembly that not more than \$250,000 from any fund source be expended per fiscal year.

(i) **IN ORDER TO ENSURE THE EQUITABLE DISTRIBUTION OF FUNDS ALLOCATED FOR THE PROGRAM, THE DEPARTMENT OF HUMAN RESOURCES:**

**(1) SHALL ALLOW THE DELIVERY OF POST ADOPTION SUPPORT SERVICES TO AT LEAST 125 ADOPTIVE FAMILIES AND MAY AWARD UP TO \$2,000 TO EACH ADOPTIVE FAMILY;**

**(2) EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION, SHALL DEDICATE 80% OF THE FUNDS TO FAMILIES OF CHILDREN ADOPTED THROUGH LOCAL DEPARTMENTS AND 20% OF THE FUNDS TO REMAINING ADOPTIVE FAMILIES; AND**

**(3) AFTER OCTOBER 31, 2009, BUT BEFORE NOVEMBER 30, 2009, SHALL EVALUATE THE DISTRIBUTION OF FUNDS UNDER ITEM (2) OF THIS SUBSECTION, AND MAY REALLOCATE FUNDS IF NECESSARY TO ACHIEVE AN EQUITABLE DISTRIBUTION.**

**(J)** On or before December 1, [2009] **2010**, the Secretary of [the Department of] Human Resources shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(1) the number of adopted children and adoptive families served by the Program;

(2) the number of adopted children and adoptive families that made applications for post adoption support services under the Program;

(3) the types of post adoption support services provided to adopted children and adoptive families by the Program; and

(4) the effectiveness of the post adoption support services provided under this Program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008. It shall remain effective for a period of [1 year] **2 YEARS** and 6 months and, at the end of December 31, [2009] **2010**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.