

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 178

(Chair, Judiciary Committee)(By Request - Departmental  
- Human Resources)

Judiciary

Judicial Proceedings

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Family Law - Adoption, Search, Contact, and Reunion Services - Relatives of  
Minors in Out-of-Home Placement

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This departmental bill expands the adoption search, contact, and reunion services program in the Department of Human Resources (DHR) to include contacting “relatives” of a minor in out-of-home placement in specified circumstances.

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Fiscal Summary

**State Effect:** DHR can handle the bill’s requirements using existing resources.

**Local Effect:** None.

**Small Business Effect:** DHR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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Analysis

**Bill Summary:** This bill expands the definition of “search, contact, and reunion services” to include contacting “relatives” of a minor in out-of-home placement to develop a placement resource or facilitate a family connection with the relatives if the minor was adopted through a local department and a local department has determined that reunification with the minor’s adoptive parents is not in the minor’s best interests. The bill authorizes a director of a local department or a designee of the director to apply to the Director of the Social Services Administration within DHR to receive the services.

“Relative” means in individual at least 21 years of age who is related to the minor by blood or marriage within five degrees of consanguinity or affinity under the civil law rule.

**Current Law:** DHR must provide adoption “search, contact, and reunion services.” These are services (1) to locate adopted individuals, siblings, and biological parents of adopted individuals, and other relatives and members of the adoptive family as specified in statute; (2) to assess the mutual desire for communication or disclosure of information between adopted individuals and siblings and/or adoptive parents and, as specified in statute, between adopted individuals and relatives and biological parents and members of the family; (3) to provide counseling for adopted individuals, siblings, and biological parents of adopted individuals and members of the adoptive family; or to provide referral to counseling; and (4) to contact the adopted siblings of a minor in out-of-home placement to develop a placement resource or facilitate a family connection with the siblings.

Biological parents of adopted individuals age 21 or older and the adopted individuals themselves who are age 21 or older can apply for these services through an approved confidential intermediary. An individual who applies for search, contact, and reunion services must execute a written agreement with a confidential intermediary concerning the services. If the applicant consents to contacting a relative or member of the adoptive family, the applicant must execute another written agreement with the intermediary. DHR is required to maintain a list of confidential intermediaries who meet specified qualifications.

**Background:** DHR advises that it has incorporated the Family Finding Initiative in its array of services as an effort to give youth who were adopted and subsequently re-entered care another chance at living with a family, particularly their birth parents or relatives, or having supportive connections with them. DHR notes that while some birth parents were not able to provide for the child prior to the termination of parental rights, the birth parents may have undergone positive changes that may allow a reconnection with the child. Other relatives who were not involved when the termination of parental rights occurred, such as siblings, may be appropriate for placement or family support. This bill is intended to provide DHR with the ability, using detailed assessments by trained confidential intermediaries, to make informed recommendations and facilitate reconnection of families that are in the best interests of the child.

Chapter 679 of 1998 required DHR to provide adoption, search, contact, and reunion services. Chapter 7 of the 2004 special session expanded the adoption, search, contact, and reunion services program to siblings who were adopted and age 21 or older. After location of the adopted individual or biological parents, the intermediary assesses whether the individuals want to communicate or share information. The intermediary

may also provide or refer the individuals to counseling. Chapter 326 of 2011 expanded the program to include contacting adopted siblings of a minor in out-of-home placement.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - January 28, 2014  
ncs/lgc

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Family Law-Adoption, Search, Contact, and Reunion Services –  
Relatives of Minors in Out-of-Home Placement

BILL NUMBER: HB 178

PREPARED BY: Department of Human Resources

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS

None