

Department of Legislative Services  
Maryland General Assembly  
2018 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

Senate Bill 787

(Senator Simonaire, *et al.*)

Judicial Proceedings

Judiciary

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Children in Out-of-Home Placement - Rights

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This bill requires the Department of Human Services to develop a Foster Youth Bill of Rights to describe the rights of children in out-of-home placements. The Social Services Administration (SSA), at least once per year, must provide a copy of the Foster Youth Bill of Rights to each child in an out-of-home placement who is at least age 13.

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Fiscal Summary

**State Effect:** The bill's requirements can be handled with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Some rights for children in out-of-home placements are specified in statute or regulation. For example, statutory provisions set forth a process by which siblings who are separated due to a foster care or adoptive placement may petition a court for reasonable sibling visitation rights. Many more rights are inherent based on requirements for entities that are involved in the foster care process, such as local departments of social services. For example, child welfare caseworkers must have regular visits with children in out-of-home placement; visits must meet specified requirements including being of sufficient duration and privacy to allow the child the opportunity to express concerns regarding the placement, services, or needs. Numerous other requirements for local departments of social services pertaining to children in out-of-home placements, including

provisions relating to medical care, education, and aftercare services, are also specified in regulation.

SSA must adopt regulations that ensure that all children in foster care who are at least age 18 have a birth certificate, a Social Security card, health insurance information, medical records, and a driver's license or State-issued identification card at emancipation.

At least once per year, SSA must provide a child in an out-of-home placement who is at least age 13, information regarding benefits available to the child on leaving out-of-home care. It must include information regarding tuition assistance, health care benefits, housing, job training and internship opportunities, and the right to reenter care under specified voluntary placement procedures. Such information may be provided at a permanency planning or review hearing or by certified mail.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 19, 2018  
mm/jc Third Reader - March 14, 2018  
Revised - Amendment(s) - March 14, 2018

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