

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 833

(Senator Charles)

Judicial Proceedings

Appropriations

Department of Human Services - Study on Private Treatment Foster Care Homes

This bill requires the Department of Human Services (DHS) to conduct a study to determine the types of State support, in the form of funding or otherwise, that would be appropriate and beneficial to assist private providers of treatment foster care homes in the provision of services. By December 1, 2025, DHS must report its findings and recommendations to the General Assembly. **The bill takes effect June 1, 2025, and terminates May 31, 2026.**

Fiscal Summary

State Effect: DHS can complete the required study with existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: DHS, through its Social Services Administration, has the primary responsibility for child welfare services throughout the State, which are provided primarily by the local departments of social services.

DHS is required to establish a program of out-of-home placement for minor children (1) who are placed in the custody of a local department, for a period of up to 180 days, by

a parent or legal guardian under a voluntary placement agreement; (2) who are abused, abandoned, neglected, or dependent, if a juvenile court has determined that continued residence in the child's home is contrary to the child's welfare and has committed the child to the custody or guardianship of a local department; or (3) who, with the approval of DHS, are placed in an out-of-home placement by a local department under a voluntary placement agreement regarding a child with a developmental disability or a mental illness, as specified.

An out-of-home placement may include family foster care, group and residential care, kinship care, and a treatment foster care home. "Treatment foster care home" means an out-of-home placement facility that is part of a program designed and implemented by a child placement agency to provide intensive casework and treatment in a family setting to children with special physical, emotional, or behavioral needs. A child is eligible for such a placement if the local department determines that the child otherwise qualifies for foster care and has one or more of the following conditions:

- a serious medical condition including, but not limited to (1) HIV positive or symptomatic or has AIDS; (2) multiple handicaps; or (3) a symptomatic drug-exposed newborn;
- a serious emotional, behavioral, or psychological condition, including a psychiatric diagnosis by appropriate qualified professionals or a history of an ongoing substance abuse problem;
- a developmental disability; or
- is in need of a high level of treatment in a family setting.

The public foster care system is funded by the State and the federal government under Title IV-E of the Social Security Act. Generally, foster care maintenance payments are payments made on behalf of a child eligible for Title IV-E foster care to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, and reasonable travel to the child's home for visitation.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1057 (Delegate Roberts, *et al.*) - Appropriations.

Information Source(s): Department of Budget and Management; Maryland Department of Health; Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2025

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