



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 20, 2025

The Honorable Luke Clippinger, Chair
House Judiciary Committee
100 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB1205 - FAMILY LAW - PROSPECTIVE FOSTER CARE PARENTS
AND OUT-OF-HOME PLACEMENTS - POSITION: UNFAVORABLE**

Dear Chair Clippinger and members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests an unfavorable report for House Bill 1205 (HB 1205).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration implements the out-of-home program serving children in need of assistance who are affected by House Bill 1205.

DHS opposes this bill for several reasons. First, it's critical to remember that children and youth are experiencing out-of-home care through no fault of their own. Children and youth are under DHS care and custody because they experienced abuse or neglect. DHS already gathers and shares relevant information with resource parents according to existing regulations, policies, and practices that protect confidentiality and ensure that resource families have information to provide for the needs of children in their care. DHS believes these provisions of the bill are unnecessary.

[Family Law Article §5-504](#) protects resource parents' right, "at the initial placement, at any time during the placement of a child in foster care, and as soon as practicable after new information becomes available, to receive full information from the caseworker, except for information about the family members that may be privileged or confidential, on the physical, social, emotional, educational, and mental history of a child which would possibly affect the care provided by a foster parent."

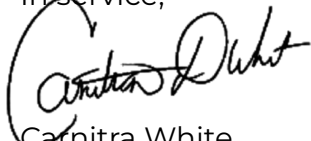
Existing state regulations [COMAR 07.02.09.08](#) and [COMAR 07.02.25.12](#) implement Family Law Article §5–504. Caseworkers are required to provide the resource parent with “all known information about the child’s medical, mental health, behavioral, educational, social and emotional background.” Local departments provide resource parents with relevant information through the [Child Placement Information Form](#). Using this form, caseworkers provide resource parents with information they need to provide for the needs of a child or youth experiencing out-of-home care. All of this information is conveyed to resource parents, while respecting confidentiality, to ensure the child’s needs are met. We do not believe HB 1205 expands or improves upon our existing practice, governing regulations, or current Maryland law.

The bill also proposes a limit of four children per out-of-home placement. Limiting all out-of-home placements to four children could have serious consequences for many of the youth in our care. First, the limit on the number of children in a single placement negatively affects our ability to place children based on their needs. The term “Out-of-home placement” encompasses a wide range of living arrangements, including group homes, diagnostic facilities, residential treatment centers, therapeutic foster care, resource homes, and kinship care. The current limits on the number of children that can be placed in each type of out-of-home placement are detailed in statewide licensing standards and are based on child safety. [COMAR 07.02.25.05](#) limits the number of children placed in a licensed resource home to six, including any other children for whom the resource parent is responsible. [Human Services Article §9–237](#) and [COMAR 07.05.01](#) outline licensing standards for group homes and residential treatment centers, including the maximum number of children authorized to be placed in these facilities.

If passed, HB 1205 would unnecessarily require a state-wide effort to find and fund additional placements for children in our care. Many children who have permanent placements with resource families and kinship caregivers would need new placements, if over the four-child limit. We are further concerned that a four-child per placement limit could separate siblings. Current law provides exceptions to the limits on the number of children in a placement so siblings can stay together when experiencing out-of-home care.

We appreciate the opportunity to provide unfavorable testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Carnitra White', is written over a circular stamp that is partially visible.

Carnitra White
Principal Deputy Secretary