



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Stacy L. Rodgers, Acting Secretary

April 2, 2026

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB0980 - FAMILY LAW AND HUMAN SERVICES -
GUARDIANSHIP ASSISTANCE PROGRAM AND STATE FOSTER YOUTH OMBUDSMAN
- ESTABLISHMENT (KANAIYAH'S LAW) - POSITION: FAVORABLE**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable report for House Bill 980 (HB 980). HB 1290 was reported favorably with amendments that DHS supports and passed on the House floor 127-0.

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 (SSA) implements the Out-of-Home Placement (OOH), Prevention and Child Safety (PCS), and Well-Being and Clinical Services (WCS) programs, which are affected by HB 980. HB 980 seeks to address post-guardianship criminal history checks, and would establish an additional ombudsman for foster youth.

DHS supports the goal of safe permanent homes where children thrive. Our legal authority does not authorize us to subject legal guardians to additional eligibility requirements, including increased oversight of their right to direct the care of their child after permanency is finalized. Once guardianship is granted by a juvenile court, that child is outside of the care and custody of DHS. Furthermore, there is an abundance of case law to reinforce the concept that legal guardians are protected from intrusions of privacy to the same degree as biological parents. The Department's authority regarding guardian eligibility requirements is limited to those participating in the Guardianship Assistance Program (GAP). Currently, the Guardian Assistance


Program is governed by regulation under [COMAR 07.02.29 - Guardianship Assistance Program](#) and is not referenced in Maryland statute.

Under the GAP program, a guardian receives financial support on behalf of the child in their care and custody until the child turns 21 years old. For an individual who has been granted legal guardianship by a juvenile court to be eligible for GAP, they must have been a licensed kinship caregiver or resource parent for at least six months, and the child must have been living in their home for at least six months. Continued GAP payments are contingent upon annual recertification by the Department, which requires the guardian to serve as the primary ongoing caregiver to continue to be eligible for payments HB 980 will require that, as a condition of recertification for GAP, all new adult household members and household members over 18 are subject to a background check. This accomplishes the original goals of HB 980, as drafted, and affords respect for the constitutional rights of legal guardians.

Finally, HB 980 will help provide new oversight and accountability for youth in care with the creation of the State Foster Youth Ombudsman. This new role will complement the newly-established Office of Family Advocacy, and help the Social Services Administration ensure that voices of youth in our care are heard and centered in our decision making.

We thank Delegate Griffith for working with DHS to further the goals of the Moore-Miller Administration and ensuring that youth in the care and custody of the state are protected and supported. We appreciate the opportunity to offer favorable testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,


Gloria Brown-Burnett
Deputy Secretary for Operations