



**DEPARTMENT OF HUMAN SERVICES**

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

February 3, 2026

The Honorable William C. Smith, Jr., Chair  
Senate Judicial Proceedings Committee  
11 Bladen Street  
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0319 - FAMILY LAW - CHILD SUPPORT - ASSIGNMENT OF RIGHTS - 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 Senate Bill 319 (SB 319).

With offices in every one of Maryland's jurisdictions, DHS empowers Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. Our Social Services Administration (SSA) provides services for children in out-of-home care, and the Child Support Administration (CSA) implements Maryland's child support program. Both administrations coordinate to establish child support orders for parents of children in out-of-home care, which is the subject of SB 319.

SB 319 seeks to address the financial hardships that child support obligations can create for parents actively working towards reunification with their child in out-of-home care. Under current law, local departments of social services (LDSS) can seek the assignment of child support payments to recoup foster care maintenance costs for children placed in out-of-home care. SB 319 would permit the recouping of out-of-home care costs from parents only in instances where the LDSS finds it appropriate. SB 319 also authorizes the LDSS to seek the termination of existing support orders for out-of-home care cases. Finally, SB 319 directs the court to terminate an existing support order for a child in out-of-home care after an LDSS determines that the order is no longer appropriate, regardless if there has been a material change in circumstance, as otherwise required by law.

SB 319 would update Maryland law to be consistent with [current federal guidance](#)<sup>1</sup> that encourages state child welfare agencies to enact policies limiting the redirection of child support resources for out-of-home cases. In the spirit of this guidance, DHS is already working on a regulatory proposal to end automatic referrals of out-of-home care cases for child support. That proposal would establish criteria under which it would be appropriate for an LDSS - in limited circumstances - to seek support orders for out-of-home cases. DHS plans to publish this regulatory proposal in spring 2026.

Research [shows](#)<sup>2</sup> that a majority of parents who are required to pay child support while their children are experiencing foster care (out-of-home care) are overwhelmingly low-income. Limiting the creation of new orders and terminating existing inappropriate orders will better support these families. Parents will be able to focus their resources on moving towards reunification with their child(ren). Furthermore, child support debt can create financial struggles for parents after reunification. This debt makes it harder for families to climb out of poverty and risks further interactions with child protective services even after reunification.

In these cases, child support agencies typically spend more money pursuing parents for nonpayment than they recover in payments. In Federal Fiscal Year 2025, fewer than 30% of the 2,428 out-of-home cases referred to CSA resulted in child support payments. In 2019, a [cost-effectiveness study](#)<sup>3</sup> by the Washington State Division of Child Support found that for every dollar spent seeking child support, the state collected only 39 cents. Efforts to collect child support from parents with children in out-of-home care create a burden on the agency and hamper efforts by parents to reunite with their children after placement in out-of-home care. The flexibility and discretion proposed in SB 319 thoughtfully supports families with children experiencing out-of-home care and appropriately prioritizes family reunification.

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](mailto:justin.hayes1@maryland.gov).

In service,



Rafael López  
Secretary

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<sup>1</sup><https://cwpm.acf.gov/citations/title-iv-e/title-iv-e-general-title-iv-e-requirements/title-iv-e-general-title-iv-e-1>

<sup>2</sup><https://www.cbpp.org/research/income-security/states-should-use-new-guidance-to-stop-charging-parents-for-foster-care>

<sup>3</sup><https://www.dshs.wa.gov/sites/default/files/ESA/dcs/documents/Cost%20Effectiveness%20-FC%20collections%20FINAL.pdf>