



TESTIMONY FOR HB1181
Family Law - Children in Out-of-Home Placement - Voluntary Placement
Agreements

Bill Sponsor: Delegate Bagnall

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB1181 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Children who desperately need to be removed from their home due to abuse, neglect, or behavioral challenges generally need to be moved quickly to ensure their safety and well-being. However, current statutory and administrative procedures have resulted in significant delays in placement, often exceeding 60 to 90 days, and contributing to extended pediatric inpatient stays, emergency department boarding, and unnecessary family distress.

This bill, if enacted, seeks to streamline the process to improve the time between the need becoming known and the child being removed from their home. It requires –

- within 5 business days after receiving the request for out-of-home placement, the local behavioral health department must schedule an assessment meeting with the child’s family and treating provider
- within 5 business days after the assessment meeting, the local department must issue a written eligibility determination to the child’s family and referring provider
- each local behavioral health department shall report any delay in assessing the child and providing an eligibility determination to the administration, including reasons for the delay and corrective actions taken by the local department

It also protects parents’ rights by –

- allowing a legal guardian who enters into a voluntary placement agreement to retain all legal and educational decision-making rights, unless otherwise agreed
- prohibiting the local behavioral health department from requiring a parent or legal guardian to relinquish custody or guardianship of a child to access services

- requiring the local behavioral health department to notify the parent or legal guardian of the right to petition the court for a modification of an existing child support obligation

Finally, a child with special needs who is the subject of a voluntary placement agreement request for psychiatric residential treatment and who is eligible to receive medical assistance shall be referred directly to the local behavioral health authority.

Our members are strong supporters of children and their right to be treated fairly. Having a child in limbo, especially in a situation where they are experiencing abuse, neglect, or other harm because of administrative bureaucracy is just wrong. We applaud any efforts to care for these children quickly.

We strongly support this bill and recommend a **FAVORABLE** report in committee.