

HB1272 CPMC FAV JPR.pdf

Uploaded by: Diana Philip

Position: FAV

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and wellbeing.



HB1272 - Family Law – Kinship Care Senate Judicial Proceedings Committee April 2, 2026

Position: SUPPORT

The Coalition to Protect Maryland's Children is a consortium of organizations and individuals formed in 1992 who are concerned about the care of Maryland's most vulnerable children and work together to educate and promote meaningful child welfare reform. **CPMC urges a favorable report on HB1272 - Family Law – Kinship Care.**

In the last few years, Maryland has dedicated increased time and energy into placing out-of-home youth with kinship caregivers – family members, relatives, or fictive kin. In updating its regulations in December 2024 to support these efforts, the vetting provisions by local social service workers identifying appropriate and safe placements for children were (we believe inadvertently) struck from COMAR.

HB1272 seeks to establish the child-centered, safety-first provisions into statute so that these are less likely to be lost in the shuffle again. Although being placed with kin may be a positive and welcoming experience for some children, others may not feel as protected or cared for with certain relatives or friends known to the family. This vetting process is crucial for a child to be healthy, safe, and thriving after experiencing any confusion or trauma which occurred triggering the child's removal from their custody and care of their parent or legal guardian. The bill language seeks to establish that the process shall consider the child's feelings and perspectives about the potential placement. The process also shall include assessment of whether the potential caregiver understands the safety needs of the child, is able to protect the child, willing to care for the child, and willing to work with the local department and parents. Our main concerns about the absence of this vetting are not only the risk of ignoring the child's own assessment of the situation and whether being placed with the potential kinship caregiver is in their own best interests but also identifying a potential kin caregiver who is unwilling to abide by safety plans and court orders due to conflicted loyalties or collusion. We must ensure that the kin caregiver will be committed to placing the safety and health of the child first.

It is for these reasons that the Coalition to Protect Maryland's Children **urges a favorable report on HB1272 - Family Law – Kinship Care.**¹

¹ Members of CPMC represented by this written testimony include – the American Academy of Pediatrics - Maryland Chapter, Child Justice, Center for Hope, Citizen's Review Board for Children, Court Appointed Special Advocates (CASA - Baltimore County), The Family Tree, Maryland Association of Resources for Families and Youth (MARFY), Maryland Children's Alliance, Maryland Legal Aid, Maryland Network Against Domestic Violence, National Association of Social Workers – MD (NASW), the State Council on Child Abuse & Neglect (SCCAN), and individual members of this coalition.

HB1272- Maryland Legal Aid - FAV260402 Written Tes

Uploaded by: Erica LeMon

Position: FAV



HB1272 - Family Law - Kinship Care
April 2, 2026
Position: FAVORABLE

Maryland Legal Aid submits written and oral testimony on HB1272 at the request of its sponsor, Delegate Gabriel Acevero.

Maryland Legal Aid asks that the Committee report **favorably** on HB1272, which requires a local department to consider a child's feelings or views about a prospective kinship caregiver and requiring a local department to consider certain factors when determining whether to approve an individual as a kinship caregiver. Maryland Legal Aid serves residents in each of Maryland's 24 jurisdictions, providing free legal services to the State's low-income and vulnerable residents in a range of civil legal matters. Maryland Legal Aid is Maryland's largest civil non-profit law firm, representing vulnerable young people in Child in Need of Assistance (CINA) matters across the State. This proposed legislation is an important measure to provide support and stability to these children.

Maryland Legal Aid represents thousands of children in Child in Need of Assistance ("CINA") and Guardianship ("TPR") proceedings statewide. Our attorneys serve children from infancy through young adulthood, providing continuous representation under the juvenile court's jurisdiction. This deep, sustained experience in child welfare gives Maryland Legal Aid a clear understanding of the needs and vulnerabilities of children in foster care, and it is why we strongly support HB 1272.

Kinship placements offer children critical stability and emotional support when they are removed from their parents due to abuse or neglect. Maryland Legal Aid represents many children who are thriving in the safe, nurturing care of relatives and kin after such removals. Maryland Legal Aid commends the Department for its focused efforts to keep children in their families and communities through kinship care. Youth who are removed from parents or guardians and placed with relatives and kin generally have better outcomes than youth placed in other placements; they experience greater stability, improved educational and mental health outcomes, and have reduced trauma and behavioral problems.¹ HB 1272 enhances efforts to ensure kinship placement is consistent with a child's best interest by incorporating the child's opinion and ensuring all kinship placements are safe and stable.

¹ American Bar Association, Section of Litigation, Children's Rights Litigation Committee, Benefits of Kinship Placement: Social Science Support for Your In-Court and Out-of-Court Legal Advocacy: A Tool for Lawyers (Jan. 2022), available at <https://www.grandfamilies.org/Portals/0/Documents/Care-Custody/ABA%20memo-re-benefits-of-kinship-placement-adoption.pdf>.

HB 1272 incorporates the child's voice into kinship placements. The bill provides: "In selecting a placement that is in the best interest of a child in an out-of-home placement, the local department shall consider the child's feelings and views and a prospective kinship caregiver." Incorporating the child's voice into placement decisions is both intuitive and necessary. Children often have direct knowledge of which relatives and fictive kin have protected, supported, and cared for them, and, importantly, which have not. If a child is frightened of or does not feel safe with a particular relative, that perspective must be meaningfully weighed. Likewise, when a child feels loved, secure, and protected by a particular relative, that view merits real consideration. HB1272 ensures these crucial insights are recognized in law.

The bill also restores important safety-focused provisions. Per these provisions, in considering a potential kinship caregiver, the department must consider such protective factors as the caregiver's knowledge and understanding of the circumstances that led to the child's removal; previous helping, protecting, or preventing maltreatment of the child; current ability to protect the child, and understand the need for such protection; and willingness to cooperate with the department. These safeguards are not new; for many years, they were embedded in the Code of Maryland Regulations (COMAR) and routinely guided the evaluation of relative placements. polish. HB1272 simply restores these established protections to statute.

Reinstating these requirements is vital. As children's attorneys, we have witnessed cases in which relatives, despite good intentions, faced divided loyalties that compromised a child's safety. Some minimized the very concerns that led to the child's entry into foster care. Others struggled to enforce court-ordered restrictions on parental contact. In some instances, our clients have informed us that relatives themselves participated in, enabled, or turned a blind eye to the abuse or neglect. HB1272 appropriately directs the Department to assess whether a relative understands the need to protect the child and is willing and able to place the child's needs first.

We have seen these dynamics firsthand. In some of our cases, the child's relative had the opportunity to intervene to protect the child but failed to do so. In others, a relative enabled and overlooked a parent's substance use, and a relative engaged in the same physical or verbal abuse that the child previously endured. We have also encountered cases where a relative substituted their own judgment for the court's and allowed a parent inappropriate access to the child before safety concerns had been resolved. In particularly severe cases, such as those involving an infant who has suffered intentionally inflicted injuries, it can be emotionally difficult for relatives to accept the reality of the abuse. To prevent and assess such situations, the Department must have frank, informed conversations with prospective kinship caregivers to ensure they fully understand the child's safety needs and are committed to upholding them.

The Department must consider whether a prospective kinship caregiver is truly prepared to place the child's safety first. HB1272 restores essential safeguards for children who have already endured trauma. Importantly, the bill does not diminish Maryland's strong preference for placing children with kin whenever possible. Instead, it strengthens that preference by ensuring that

kinship placements are selected thoughtfully, carefully, and in alignment with best practices long recognized in child welfare, which also promotes stability.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on HB 1272 and urge its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children's Rights at elemon@mdl原因.org (410) 951-7648 or (410) 935-0937.

HB1272.pdf

Uploaded by: Laura Goldstein


Position: FAV

My name is Laura Goldstein, and I am writing in **strong support of HB1272 as both a licensed marriage and family therapist and a foster parent in Montgomery County**. I became a foster parent because a child in my neighborhood needed a safe placement and I already had a trusting relationship with them. Even so, I had to go through a six-month approval process before I could officially become a resource. In the meantime, the child was placed in alternative homes, creating additional disruption and trauma. While many adults would be willing to provide a safe placement for children they already care about, few are able to persist through these barriers. As a result, valuable **placement opportunities are lost in a system that is already critically short of foster homes**.

HB1272 addresses this severe systemic challenge. Expanding the definition of kinship caregivers to include trusted adults identified by the child recognizes that many children have meaningful relationships with supportive adults outside traditional family structures. This approach not only preserves important sources of stability, which research has **linked to improved emotional and behavioral outcomes** compared with non-relative foster care, but also **strengthens trust with biological families, increasing the likelihood of successful rehabilitation and reunification**. At the same time, expanding the pool of caregivers helps **relieve systemic strain**; social workers are often tasked with finding placements in an environment with too few homes, while foster parents are asked to stretch beyond their capacity. This chronic pressure contributes to burnout and turnover among both social workers and foster families, losses the system cannot afford amid an ongoing shortage of resource homes. Research shows kinship placements are often associated with **greater placement stability and fewer behavioral problems over time**. (pubmed.ncbi.nlm.nih.gov; pmc.ncbi.nlm.nih.gov).

HB1272 would also help ensure that children's voices are meaningfully heard. Including children's perspectives aligns with **trauma-informed care principles**, which emphasize safety, agency, and control. Research consistently shows that children in foster care want their views to be heard and considered. A 2022 meta-synthesis found that meaningful participation strengthens relationships with caregivers and **ensures child welfare decisions better meet children's needs** (pmc.ncbi.nlm.nih.gov). Allowing children to share their feelings about potential caregivers, while still centering safety, helps **restore autonomy and dignity during a time when much of their life feels out of their control**.

As both a clinician and a foster parent, I believe HB1272 represents a thoughtful, trauma-informed, and practical step toward improving outcomes for children in Maryland's child welfare system. By elevating children's voices, honoring meaningful relationships, and expanding the pool of safe, supportive kinship caregivers, this legislation supports both the emotional well-being of children and the sustainability of the foster care system. **I respectfully urge your support for HB1272**.

Sincerely, 

Laura Goldstein, LCMFT (LCM625)

Owner, Executive Director of Montgomery County Counseling Center

CFCC HB 1272 Testimony.pdf

Uploaded by: Madeleine Mason

Position: FAV

**Testimony of The University of Baltimore School of Law’s Sayra and Neil Meyerhoff
Center for Families, Children, and the Courts (CFCC)**

In Favor of HB 1272

April 2, 2026

The Sayra and Neil Meyerhoff Center for Families, Children, and the Courts (CFCC) at the University of Baltimore School of Law envisions communities where children and families thrive without unnecessary involvement in the legal system. We engage communities in all that we do to work towards transforming systems that create barriers to family well-being.

CFCC submits this testimony in support of HB 1272, which requires the local department to consider a child’s feelings and views about a potential kinship caregiver for an out-of-home placement. This bill also expands the definition of “kinship caregiver” to include unrelated individuals identified by the child as having a significant bond with that child. This ensures that youth voices are amplified and their lived experiences are considered when facing out-of-home placements. HB 1272 also prioritizes a child’s agency and supports family integrity throughout the out-of-home placement process.

**I. HB 1272 Modernizes Maryland’s Definition of Kinship to Include "Soul Family,"
Aligning State Law with Contemporary Best Practices in Youth Advocacy.**

Expanding the definition of “kinship caregiver” to include unrelated individuals identified by the youth as having a significant bond aligns Maryland law with states utilizing similar legislation to best support children being placed out of the home. For example, Kansas has added a ‘SOUL Family Legal Permanency option’¹ to the existing legal permanency options for youth. SOUL Family allows a youth in foster care to “establish a legal caregiving relationship with one

¹ Kansas Department for Children and Families. (n.d.). *SOUL family legal permanency*.
<https://www.dcf.ks.gov/services/PPS/Pages/SOUL.aspx>

or more adults”² with the goal of “supporting lifelong relationships that connect them to the people they consider their family and community.’ Importantly, this legal placement option “amplifies the voices of older youth in foster care by asking a crucial question: *Who is important to YOU?* This permanency option empowers young people to build their own support systems that will then guide them into adulthood.”³ HB 1272 effectively mirrors this youth-centered legislation by requiring local departments to consider a youth's “feelings and views” when determining an out-of-home placement. HB 1272 ensures that the law prioritizes youth’s lived experiences and allows Maryland to transition to a legal system that honors youth agency and community as they enter out-of-home care.

II. Prioritizing child agency and placement with known caregivers significantly reduces behavioral aggression and enhances placement stability.

Young people facing removal from their biological families are arguably the most impacted individuals in this process. Legislation allowing these youth to provide input on placement will mitigate some of the fear and anxiety surrounding this major change. Additionally, research from The Archive of Pediatric Medicine found that “Children placed into kinship care had fewer behavioral problems three years after placement than children who were placed into foster care. This finding supports efforts to maximize placement of children with willing and available kin when they enter out-of-home care.”⁴ HB 1272 addresses this research by restoring agency to the most affected individuals by allowing them to provide input on a desired placement. Pediatric research also suggests: “placement stability...has consistently been shown to result in better outcomes for all children living in out-of-home care. Children in kinship care are also more likely to remain in their same neighborhood, be placed with siblings, and have consistent contact with their birth parents than children in foster care, all of which might contribute to less disruptive transitions into out-of-home care.”⁵ HB 1272 grants young people the power to

² id.

³ KVC Kansas. (n.d.). *SOUL family permanency option*.
<https://kansas.kvc.org/services/foster-care/soul-family/>

⁴ Rubin, D. M., Downes, K. J., O'Reilly, A. L., Mekonnen, R., Luan, X., & Localio, R. (2008). Impact of kinship care on behavioral well-being for children in out-of-home care. *Archives of pediatrics & adolescent medicine*, 162(6), 550–556. <https://doi.org/10.1001/archpedi.162.6.550>

⁵ id.



**UNIVERSITY OF
BALTIMORE**

Sayra and Neil Meyerhoff
Center for Families,
Children and the Courts

identify their own caregivers, reducing the trauma of removal and fostering the long-term stability essential for healthy development.

III. Kinship placements facilitate superior long-term outcomes by maintaining cultural, sibling, and community continuity and by strengthening family integrity, creating a more effective environment for parental rehabilitation.

HB 1272 ideally works to preserve a child's cultural and community relationship while simultaneously creating a stable, safe environment necessary for successful parental rehabilitation and eventual family reunification. A kinship caregiver has the unique ability to understand the individual family and child's circumstances. This would serve to strengthen the family dynamic, allowing the biological parent to access and utilize support services without adding the tension of their child in an unfamiliar out-of-home placement. HB 1272 includes a stipulation requiring a kinship caregiver to cooperate with the child's parent and facilitate contact as ordered by the court. This ensures that the kinship caregiver serves as a collaborative support system rather than a barrier to reunification.

The Sayra and Neil Meyerhoff Center for Families, Children, and the Courts (CFCC) at the University of Baltimore School of Law urges you to vote favorably on HB 1272 as it modernizes Maryland law by recognizing that kinship options identified by young people create a more collaborative environment for family healing, and ensure that the youth impacted by this experience maintain agency and stability during this stressful transition.

HB1272_JPR_MARFY_FAV.pdf

Uploaded by: Therese Hessler

Position: FAV



February 26, 2026

Senate Judicial Proceedings Committee

House Bill 1272 — Kinship Placement Safety and Assessment Requirements

Position: SUPPORT

Chair and Members of the Committee:

On behalf of the Maryland Association of Resources for Families and Youth (MARFY), we respectfully submit this testimony in support of House Bill 1272.

MARFY represents private child placement agencies and child-serving organizations across Maryland that provide foster care, treatment foster care, residential care, and adoption services to youth who have experienced abuse, neglect, or significant trauma. Our members work closely with local departments of social services to ensure children entering out-of-home care are placed in environments that are safe, stable, and supportive of their well-being.

Maryland has made meaningful progress in recent years toward prioritizing kinship placements when children must be removed from their homes. Placement with relatives or fictive kin can help maintain family connections, cultural continuity, and emotional stability. MARFY strongly supports kinship care as an important component of the child welfare continuum. However, kinship placement decisions must always be grounded in careful assessment of safety, readiness, and the individual needs of the child.

House Bill 1272 addresses an important policy gap that emerged following regulatory changes in 2024 by establishing clear statutory expectations for evaluating potential kinship placements. By codifying a structured vetting process, the bill ensures that critical child-centered considerations remain part of placement decision-making regardless of future regulatory revisions.

The provisions included in the legislation appropriately emphasize that placement decisions should consider the child’s perspective and emotional needs, as well as whether the potential caregiver can provide a safe and protective environment. Assessing a caregiver’s willingness and ability to follow safety plans, comply with court requirements, and collaborate with child welfare professionals is essential to ensuring stable placements and positive outcomes.

Children entering out-of-home care are often experiencing significant trauma, uncertainty, and disruption. While placement with kin may be beneficial in many circumstances, there are also situations in which family dynamics, conflicting loyalties, or unresolved safety concerns may create additional risk. A thoughtful and consistent assessment process helps ensure that kinship placements truly serve the child’s best interests and do not unintentionally expose children to further instability or harm.



Maryland Association of
Resources for Families & Youth

Establishing these requirements in statute provides clarity for local departments, consistency across jurisdictions, and reassurance that child safety remains the central priority. It also supports placement stability by helping identify caregivers who are prepared to meet the child's needs and partner effectively with the child welfare system.

House Bill 1272 reflects a balanced and child-focused approach to kinship care — one that recognizes the value of family connections while reinforcing the responsibility to ensure safety, protection, and well-being for vulnerable children.

For these reasons, MARFY respectfully urges the Committee to issue a favorable report on House Bill 1272. Thank you for your consideration.

For more information call or email:

Therese M. Hessler | 301-503-2576 | therese@ashlargr.com

Crossover HB1272- Family Law Kinship Care- Favorab

Uploaded by: Natasha Khalfani

Position: FWA



NATASHA DARTIGUE
PUBLIC DEFENDER
KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER
HANNIBAL KEMERER
CHIEF OF STAFF
ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: House Bill 1272 - Family Law- Kinship Care

FROM: Maryland Office of the Public Defender

POSITION: Favorable with Amendments

DATE: 04/02/2026

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a **favorable report with amendments for House Bill 1272, Family Law- Kinship Care**. House Bill 1272 requires the Department of Social Services to consider the feelings of the child when determining a kinship placement and provide social workers with direction on what they should consider when determining the appropriate kinship placement.

This testimony is provided by OPD's Parental Defense Division (PDD) which represents parents from all 24 counties in Maryland who are involved in the various stages of Child In Need of Assistance (CINA) cases. Our multidisciplinary legal team, including dedicated attorneys, licensed social workers, and parent advocates with lived-experience in the DSS system, ensures that families receive high quality legal representation during their CINA and Termination of Parental Rights (TPR) cases.

Placing children with family or close friends, known as kinship care, is a vital support system. Studies consistently show that it is the most effective alternative for children who cannot live with their parents. When a child is removed from their parent's care, it is crucial that their voice is heard regarding where and with whom they should reside. Children can often articulate where they feel safe, and since they are being uprooted, they must be placed in familiar, nurturing, and secure environments.

We support the section of HB 1272 that mandates DSS to consider the child's feelings during a kinship care placement. And while the bill now incorporates some of our suggested revisions, we are concerned because the most critical language remains absent. We understand and agree with the bill's intent to ensure placement safety; however, we are concerned that the specific considerations could still be unfairly used against kinship providers and parents. This could lead to placements with providers whose loyalty is more aligned with DSS than with the child's and family's well-being, potentially hindering healing, stabilization, and reunification efforts, which

is typically the initial permanency goal. Additionally, the factors as listed could hinder placement with relatives who are considered to be “too supportive” of reunification.

Through our Better Together Program, PDD’s prepetition program, our attorneys offer legal services to parents during Child Protective Services investigations, before a CINA case is filed. In this role, we have observed firsthand instances where caseworkers¹ appear to attempt to damage relationships between parents and potential kinship caregivers by speaking negatively about the parent under the guise of disclosing circumstances leading to the child’s removal. We have also seen potential caregivers disqualified for minor reasons, particularly when they appear supportive of reunification and genuinely aim to care for the child while supporting the parents simultaneously.

There appears to be a systemic issue: on one hand, DSS seems to pressure kinship providers to choose between being a resource for the child and aligning with the DSS against the family; on the other hand, placements are sometimes made with relatives without due diligence to ensure the placement is appropriate in all respects.

Therefore, we request the addition of language to ensure kinship providers are thoroughly vetted and informed but are selected without bias against the parent. This is essential to guarantee the child's safety *and* also to ensure they are placed in an environment that can facilitate appropriate reunification and maintain strong family connections, regardless of the CINA case outcome.

For these reasons we urge the Committee to issue a favorable report as amended for House Bill 1272.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Natasha Khalfani, natasha.khalfani@maryland.gov.

Proposed Language to Amended Bill as follows:

Page 3:

(2) WHEN DETERMINING WHETHER TO APPROVE AN INDIVIDUAL AS A KINSHIP CAREGIVER, THE LOCAL DEPARTMENT SHALL CONSIDER:

(I) THE INDIVIDUAL’S KNOWLEDGE AND UNDERSTANDING OF SAFETY CONCERNS THAT LED TO THE NEED FOR THE CHILD’S PLACEMENT;

¹ In Baltimore City, DSS caseworkers are often not social workers.

~~(II) THE INDIVIDUAL'S PREVIOUS INVOLVEMENT IN HELPING OR PROTECTING THE CHILD;~~

~~(III) THE INDIVIDUAL'S PREVIOUS INVOLVEMENT IN PREVENTING OCCURRENCES OF ABUSE OR MALTREATMENT OF THE CHILD;~~

(II) WHETHER THERE HAS BEEN PAST OR CURRENT ALLEGATIONS OF ABUSE OR NEGLECT ALLEGED AGAINST THE KINSHIP CARETAKER BY THE CHILD, THE PARENT OR OTHER RELATIVE

~~(IV) (III) THE INDIVIDUAL'S CURRENT ABILITY TO PROTECT THE CHILD;~~

~~(V) THE INDIVIDUAL'S ABILITY TO UNDERSTAND THE NEED FOR PROTECTION OF THE CHILD; AND~~

(IV) THE INDIVIDUAL'S WILLINGNESS TO ABIDE BY COURT ORDERS.

(V) THE INDIVIDUAL'S WILLINGNESS TO COOPERATE AND WORK WITH THE PARENT **TO ACHIEVE REUNIFICATION, MAINTAIN THE PARENT- CHILD RELATIONSHIP**, AND FACILITATE CONTACT AS ORDERED BY THE COURT OR STATED IN A SAFETY PLAN

HB1272_DHS_UNF (JPR).pdf

Uploaded by: Gloria Brown-Burnett

Position: UNF



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 HB 1272 - FAMILY LAW - KINSHIP CARE - POSITION:
FAVORABLE WITH AMENDMENTS**

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 that the Committee issue an unfavorable report for House Bill 1272 (HB 1272).

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 Care (OOH) program which is affected by HB 1272. If enacted, HB 1272 is likely to limit kinship placements and impede implementation of Maryland's kinship placement law while reversing progress made by our investment in Family Matters culture change.

Since 2023 DHS worked to shift the culture of our child welfare system with our Family Matters approach to ensuring that youth experiencing foster care have and maintain connections with their family, community, and culture. Placement with kin, whether by blood or by choice, is critical to preventing an experience in foster care from permanently disrupting relationships that support youths' social and emotional development. HB 1272 adds placement requirements to statutes codifying our departmental Kinship Placement bill from 2023, [SB 708](#) / [HB 1499](#). In addition, HB 1272 would change our complete rewrite of [COMAR 07.02.09 - Kinship Care Program](#) which has only been in effect for one year. We also implemented new licensing regulations so kinship caregivers have the same financial support as resource homes, [24-06 Kinship Care Licensing Standards](#). SSA has only been implementing the kinship

placement law and supporting regulations for a year. No evidence suggests that additional placement criteria are necessary. No additional kinship placement requirements are needed.

In addition, HB 1272 conflates placement criteria with areas for assessment and support when licensing a potential kinship caregiver. [COMAR 07.02.06.03 Requirements for Kinship Resource Home Licensing](#) requires local departments of social services (LDSS) to complete the Kinship Caregiver and Home Assessment prior to licensing a kinship caregiver. The assessment identifies areas where a potential kinship caregiver may need support to become a licensed placement. The Kinship Caregiver Assessment largely concerns licensing, not placement. For example, two potential kinship caregivers could pursue licensing for the same child, but only one will become the placement. The licensing assessment items are not, and were never intended to be, legal placement criteria. There is a monumental difference between areas for support and placement criteria.

HB 1272 would turn areas for potential support into requirements for placement, including:

- How do you describe your relationship or bond with the child(ren)'s parents or guardians?
- What do you know about the reasons that led to the child(ren) being placed into out-of-home care?
- What is your understanding of the child(ren)'s past and current difficult experiences or trauma?
- What is your plan to support the child(ren) in addressing this trauma?

The proposed placement criteria would undermine our kin-first culture and weaken state law prioritizing kinship placements. The additional criteria proposed concern a potential kinship caregiver's prior knowledge of or relationship with a child. The proposed criteria would make it more difficult to place a child with kin if the initial placement was in a non-kin resource home. A foster family may know more about the child or situation than a potential kinship caregiver because the foster family was connected with the agency before the child's kin were identified. The proposed criteria would also make kinship placement more difficult if the child lacked a prior relationship with the potential kinship caregiver; for example when a child's paternal grandmother seeks placement after learning she has a grandchild. HB 1272 would require a kinship caregiver's prior knowledge or relationship with a child in every case, even when it isn't necessary or undermines the benefits to the child of a kinship placement.

Maryland's kinship law prefers kinship placements because children's familial, cultural, and community ties are critical to their social and emotional well-being. Maryland's kinship law already includes opportunities to assert good cause why a

kinship placement is not in a child's best interest. Additionally, in determining the best interest of a child, an LDSS or court may already consider the criteria proposed in HB1227, where appropriate. Maryland law already enables age-appropriate youth to voice their opinions about placements. Children who feel heard and have input into where they live are more likely to experience placement stability, emotional safety, and trust in the child welfare system. In the House we proposed an amendment to clarify that the proposed criteria may not be necessary in every case. However, our amendment was not accepted in the House. We believe that HB 1227 is unlikely to create harm in many cases. However, it will negatively impact our efforts to create a kin-first child welfare system and it will do so without any demonstration that the changes are needed as proposed.

We appreciate the opportunity to provide unfavorable 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,

A handwritten signature in blue ink that reads "Gloria Brown Burnett". The signature is written in a cursive style with a large initial "G".

Gloria Brown Burnett
Deputy Secretary for Operations