

HB0980 CPMC INFO ONLY JPR.docx.pdf

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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.



**HB0980 - Family Law and State Government - Child Protection and the
Office of the Child Welfare Ombudsman (Kanaiyah's Law)
Senate Judicial Proceedings Committee
April 2, 2026**

Position: INFORMATION ONLY

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. Our members bring decades of experience providing direct services, representing children in state custody, and caring for children with complex needs.

For several years, we have followed Maryland's placement crisis with growing alarm. Children with high-intensity behavioral health needs, like Kanaiyah Ward, have had literally nowhere to go but hotels with purchased supervision. We appreciate the legislature's attention to strengthening care for these children and share the goal of improving safety and stability. We wholeheartedly agree with the intent of this legislation that no child should ever experience what Kanaiyah Ward did in her short life.

While we support efforts to end inappropriate placements, prohibiting unlicensed settings alone does not create the therapeutic placements children with complex needs require. These youth have a myriad of challenges, including suicidal and homicidal thoughts and attempts, impulsive and dysregulated behaviors, and oftentimes, developmental challenges. They have suffered significant trauma in their lives that have often led to self-harming behaviors. These children desperately need therapeutic placement options that keep them safe and provide the needed treatment resources for them to heal.

In a resource-rich state like ours, no child should have "**nowhere to go.**" The real solution is sustained investment in specialized, high-quality placements that can meet these children's needs.

With respect to safety of children following termination of their services case with the Department of Social Services, we understand that recent audits identified approximately seven households out of roughly 3,000 guardianship subsidy recipients that shared an address with someone on the sex offender registry. But we also note that none of the children were ultimately deemed to be at risk. It is important to understand that guardianship is only recommended after a home study that includes criminal background checks, and once custody is awarded, these families should have the same protections from unnecessary government intrusion as any other family.

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Expanding ongoing re-checks and home visits based solely on criminal background matches - absent any indicators of maltreatment - risks widening state surveillance into family life without clear evidence of improved safety. It would also impose significant new burdens on an already strained workforce. These consequences deserve careful consideration, including whether similar monitoring would be applied to adoptive families.

The Ombudsman office is promising but as a reminder, there has been a foster youth ombudsman at the Department of Human Services (although currently that position is unfilled). Our coalition is interested in having this position at the Governor's Office for Children, and included with this testimony is state-by-state research we conducted tracking the scope, required backgrounds, and locations of such positions across the country.

Finally, in terms of priorities for child welfare expenditures, we recently helped administer a survey of local department of social services caseworkers assigned to child welfare identified needs for placement resources as one of their highest priorities. The survey showed that "limited availability of foster homes, residential, treatment centers, and appropriate placements for high-need youth, have led to prolonged hospital stays, hotel use, and unsafe interim solutions". Staff also reported the need for:

- practical tools to adequately address these challenging placement situations,
- use of agency vehicles to safely transport clients,
- functioning cell phones; and
- access to paraprofessional assistance to support health care and family visits.

We respectfully urge thoughtful refinement of this bill to protect children while also safeguarding families' rights. We strongly believe in the importance of ensuring that the system has the capacity and resources to meet the needs of youth like Kanaiyah, and to deliver on its promises to our most vulnerable youth.

HB0980 Ombudsman Placement Models (Child Welfare)

Synopsis

Thorough Model:

Model Type	Description	States
Independent & Autonomous (Child Welfare-Specific)	Separate from child welfare agency, independent oversight, subpoena power, confidentiality, public reporting	Arkansas, Colorado, Connecticut , Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts , Michigan, Missouri, Montana, Nebraska, New Hampshire, Oklahoma, Rhode Island , South Carolina, Tennessee, Virginia , Washington, West Virginia
Within Agency but Statutorily Autonomous	Located within agency but designed to operate independently	California, Illinois, New Jersey, Texas
General Jurisdiction Ombudsman	Oversees all agencies, usually legislative branch	Alaska, Arizona, Hawaii, Iowa, Montana, Nebraska
Non-Independent (Within Agency)	Fully inside DHS/child welfare agency	Florida, Illinois, Ohio, New Jersey, New Mexico, New York, Oregon, Texas
Other Ombudsman-Like Programs	Limited or specialized programs	Arkansas, California, Maryland, Minnesota, Nevada, Texas

State	Office	Jurisdiction & location within the government	Appointment & qualification	Duties & powers of the ombudsman/child advocate
Alaska Alaska Stat. 24.55.010-340	Ombudsman	The ombudsman has jurisdiction to investigate the administrative acts of all Alaska agencies and is independent and autonomous of those agencies. As part of the legislative branch, the administrative facilities and services of the legislative affairs agency may be used for the management of the office of the ombudsman.	The ombudsman is selected by the Alaska legislature's ombudsman selection committee, subject to approval by the legislature and governor. The ombudsman serves for a term of five years and may be reappointed. The ombudsman must be at least 21 years old, a qualified voter, resident in the state for three years, and cannot be a candidate for, or hold, public office.	The ombudsman may investigate complaints; has access to confidential records; issues subpoenas; and must maintain confidentiality. The ombudsman may issue investigative reports and may submit recommendations to the legislature.
Arizona	Ombudsman Citizens Aide	The ombudsman oversees all Arizona agencies and is independent and autonomous of those agencies. The office of the	The ombudsman is appointed by a legislative committee. The ombudsman serves five-year terms and	The ombudsman may investigate the administrative acts of agencies; prepare

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Ariz. Rev. Stat. 41-1371 through 41-1383		ombudsman is an independent agency of the Arizona Legislature and may not be physically located in the state office or any agency office.	cannot serve more than three full terms. The ombudsman must be at least 25 years old, have been a state resident for at least six months, and possess investigatory experience. Additionally, the ombudsman must not have served in state office within one year of their first day as ombudsman.	an annual and public report; access confidential information; issue subpoenas; maintain confidentiality; make recommendations; and appoint an ombudsman's assistant to aid their work.
Arkansas Ark. Code Ann. § 16-87-216	Public Defender's Commission's Juvenile Ombudsman	The ombudsman is part of the public defender's commission, the juvenile ombudsman provides for independent oversight of the division of youth service's facilities and programs that are unlicensed or unaccredited.	The ombudsman is appointed by the executive director of the public defender's commission. The ombudsman should have an advanced degree in a related field and four years of related experience.	The ombudsman has access to confidential information and juveniles in the state's custody; receives and investigates complaints; prepares annual reports; identifies instances where necessary services are not being provided to juveniles; and visits division of youth services facilities to ensure they are running properly and safely.
Arkansas A.C.A. § 20-82-211; Act 945	Child Welfare Ombudsman	The child welfare ombudsman is located within the Arkansas child abuse/rape/domestic violence commission and is supervised by the executive director.	The minimum qualifications include a master's degree in social work or psychology, or comparable experience in one or more programs that serve juveniles or families.	The ombudsman's duties include investigating complaints, answering questions and making referrals, providing information on department procedures, resolving complaints and advocating for improvements to the child welfare system.
California Cal. Welfare And Institutions Code § 16160-16167	Ombudsman for Foster Care	The ombudsman is established as an autonomous entity within the state department of social services with the oversight of children in foster care and relating to their care, placement or services.	The department director and an interest committee (whose members are appointed by the director) shall appoint the ombudsman for a term of four years. The ombudsman may be appointed for consecutive terms.	The California ombudsman for foster care provides training and technical assistance; investigates complaints; has access to confidential information; must maintain confidentiality; and prepares an annual report for the legislature that is available to the public.
California West's Ann.Cal.Welf. & Inst.Code § 2200-2200.7	Ombudsperson of the Office of Youth and Community Restoration	The ombudsman is established within the office of youth and community restoration.	There is no statutory procedure for appointing the ombudsman.	The ombudsman's duties include investigating complaints from youth; providing regular reports on complaints; providing training and technical assistance to youths in the juvenile systems and other relevant actors; visiting juvenile facilities; and approves juvenile grants.
Colorado	Office of the Child Protection Ombudsman	The child protection ombudsman and the related child protection ombudsman board are established in the judicial	The child protection ombudsman is selected by a 2/3 majority vote of the child protection	The child protection ombudsman receives and investigates complaints; maintains confidentiality;

Colo. Rev. Stat. § 19-3.3-101 to - 109		department as independent and autonomous agencies.	ombudsman board. This board is comprised of up to 12 individuals. These individuals are appointed by chief justice of the Colorado Supreme Court, the governor, the president and minority leader of the Senate and the speaker and minority leader of the House of Representatives.	has access to confidential information; cannot subpoena; makes recommendations; reports annually; and educates the public.
Connecticut Conn. Gen. Stat. § 46a-13k	Office of the Child Advocate	The child advocate shall act independently of any state department. The office of the child advocate is located within the office of governmental accountability.	The child advocate is appointed by the governor with approval by the General Assembly to serve a four-year term and may be reappointed.	The child advocate receives and investigates complaints; periodically reviews institutions; recommends policy changes; provides training to attorneys and guardians ad litem; has access to confidential information; issues subpoenas; maintains confidentiality; maintains a child fatality review panel; represents a child in court; and produces annual and public reports.
Delaware Del. Code Ann. tit. 29 § 9001A – 9009A	Office of the Child Advocate	The office of the child advocate is a non-judicial agency of the court. The child advocate serves as executive director to the committee of the child protection accountability commission (CPAC).	The child advocate is appointed by the executive committee of the child protection accountability commission. The child advocate shall be an attorney duly licensed to practice law in Delaware.	The child advocate provides legal representation of children; provides public education and legislative advocacy; reviews child policy; recommends changes, submits an annual report; maintains confidentiality; effectuates the purposes of the CPAC.
Florida	Children's Ombudsman	The office of the children's ombudsman exists within the Florida department of children and families.	There is no statutory procedure for appointing the ombudsman.	The office will receive complaints; identify and explain relevant policies to children and young adults; provide recommendations to address systemic problems; and consult with children and young adults when creating or revising any digital or print material
Georgia Ga. Code Ann, § 15-11-740 et. Seq.	Office of the Child Advocate	The child advocate provides independent oversight of persons, organizations and agencies responsible for providing services to or caring for children who are victims of child abuse and neglect, or whose domestic situation requires intervention by the state. The child advocate is located within the governor's office of planning and budget for administrative purposes only.	The governor shall create a nominating committee, which will submit a list of three names to the governor for consideration. The advocate will be qualified by training and experience and will have knowledge of the child welfare system, the juvenile justice system, and the legal system.	The child advocate coordinates the child fatality review panel; investigates complaints; has access to confidential records; subpoenas records; reviews the facilities and procedures of any institution or residence; provides public education and legislative advocacy; and provides annual and

				public reports.
Hawaii Hawaii Rev. Stat. § 96-1 to 96-19	Office of the Ombudsman	The ombudsman is an officer of the Legislature and has jurisdiction to investigate the administrative acts of all agencies. The ombudsman operates independently and autonomously of state and county agencies.	The ombudsman is appointed by a majority vote in each house of the Legislature for a six-year term, with a three-term limit. The ombudsman may not be a candidate for or hold any other state office. No person may serve as ombudsman within two years of serving in the legislature.	The ombudsman receives and investigates complaints; has access to confidential information; issues subpoenas; makes recommendations to state agencies; publishes recommendations; maintains confidentiality; and publishes an annual and public report.
Idaho Idaho Rev. Stat. § 56-1901 to 56-1908	The Office of the Health and Social Services Ombudsman	The office of the health and social services ombudsman operates independently and is housed in the department of self-governing agencies.	The health and social services ombudsman shall be appointed by the governor and subject to confirmation by the senate. Such individual shall be qualified by training and experience to perform the duties and exercise the powers of the health and social services ombudsman as provided in statute.	The health and social services ombudsman monitors and evaluates the compliance of public agencies and private entities with relevant statutes, rules, and policies pertaining to the provision of health and social services to service recipients.
Illinois Ch. 20 Ill. Comp. Stat. § 505/35.5	DCFS Office of the Inspector General	The inspector general shall function independently, within the department of children and family services, to conduct investigations into any employee, foster parent, service provider, or contractor of the department of children and family services.	The inspector general is appointed by the governor and confirmed by the senate for a four-year term.	The inspector general makes recommendations to the director of the department of children and family services; has access to confidential information; acts as a liaison between the department and the police; has the power to subpoena; and publishes an annual and public report.
Indiana Ind. Code § 4-13-19	Department of Child Services Ombudsman	The ombudsman is housed in the department of administration and has the authority to investigate and resolve complaints concerning the department of child services. The ombudsman is independent of DCS.	The ombudsman is appointed by the governor. The ombudsman must be an attorney licensed to practice law in Indiana or a social worker with a master's degree. They must have significant experience or education in child development and child advocacy, including at least two (2) years' experience working with child abuse and neglect. The ombudsman cannot have worked for DCS within the preceding 12 months.	The ombudsman receives and investigates complaints; provides public education; recommends changes; has access to confidential information; maintains confidentiality; makes reports.
Iowa Iowa Code § 2C-1 et.seq.	Office of Ombudsman	The ombudsman is part of the legislative branch. It acts independently and has the jurisdiction to investigate complaints about all state and local government agencies.	The ombudsman is appointed by the legislative council, with the approval of the Senate and House of representatives, for a term of four years and may be reappointed.	The ombudsman investigates administrative agencies; has access to confidential information; maintains confidentiality; investigates complaints concerning child welfare

			The ombudsman must be a U.S. citizen, an Iowa resident, and qualified to analyze problems of law, administration and public policy.	services, juvenile justice, and violence on school properties; issues subpoenas; makes recommendations; publishes conclusions; and provides annual and public reports.
Kansas Executive Order 21-28	Division of the Child Advocate	The division of the child advocate is in the department of administration and functions as an independent agency.	There is no statutory procedure for staffing the division of the child advocate.	The division of the child advocate provides oversight of state child welfare services; improves delivery of child welfare services; completes a review of Kansas child welfare policies, procedures, and practices; investigates complaints; maintains confidentiality; advocates for policies; and informs citizens.
Kentucky KY ST § 43.035	The Commonwealth Office of the Ombudsman	The ombudsman is an independent office administratively attached to the auditor of public accounts.	The auditor of public accounts appoints the executive director of the office of the ombudsman.	The ombudsman investigates administrative acts undertaken by the cabinet for health and family services; makes recommendations to improve CHFS's performance; reports cases of employee misconduct; compiles citizen complaints; and provides information to the attorney general.
Louisiana LSA-R.S. 24:525	Child Ombudsman	The ombudsman is an independent position housed in the legislative auditor's office. The ombudsman monitors agencies involved in the protection of children and delivery of services to children; reviews state policies and procedures to ensure they protect children's rights; and safeguards the welfare of children through educational advocacy, system reform, public awareness, and training.	The child ombudsman is appointed by the legislative auditor. They shall have knowledge of the child welfare system and the legal system and be qualified by training and experience.	The ombudsman evaluates the state's delivery of services to children; reviews state procedures related to children's services; reviews complaints concerning state agencies; acts as a liaison for families; reviews facilities and procedures; conducts education and advocacy programs; and prepares biennial reports.
Maine Me. Rev. Stat. tit. 22 § 4087-A	Child Welfare Services Ombudsman	The ombudsman is an independent program within the executive department that oversees child welfare services provided by the department of health and human services. The office operates by contract with a nonprofit organization.	The ombudsman office operates by contract with a nonprofit organization chosen by the executive department. The ombudsman shall be an attorney or master's level social worker with experience in child welfare, development, and advocacy. The ombudsman may not be actively involved in state politics.	The ombudsman receives and investigates complaints; provides public outreach; has access to persons, files, and records; does not have the power to subpoena; maintains confidentiality; and provides annual and public reports.
Maryland	Foster Youth Ombuds	The foster youth ombudsman is an autonomous position within the department of human resources	The foster youth ombudsman is hired by the secretary of the department	The foster parent ombudsman ensures accountability in foster

		that reports directly to the Secretary.	of human resources.	care services; investigates complaints about state and local agencies; serves as an intermediary for foster children; makes policy recommendations; and identifies best practices.
Massachusetts Mass Gen. Laws ch. 18 § 1-13	Office of the Child Advocate	The child advocate is an independent and autonomous executive branch office with the jurisdiction to oversee children served by the child welfare or juvenile justice systems.	The child advocate is appointed by a majority vote of the attorney general, the state auditor, and the governor from a list of three nominees submitted by a nominating committee. The child advocate serves a five year term and may not serve for more than two terms.	The child advocate investigates critical incidents; receives and investigates complaints; reviews and makes recommendations for system-wide changes; educates the public; has access to facilities and records; has the power to subpoena; and provides annual and public reports.
Michigan Mich. Comp. Laws § 722.921 et.seq.	Office of the Child Advocate	The ombudsman is independent and autonomous within the Executive Branch department of Technology, Management and Budget, and has the jurisdiction to oversee child welfare functions.	The ombudsman is appointed by the Governor with the consent of the Senate and serves at the pleasure of the Governor. The ombudsman must be qualified by training and experience.	The ombudsman receives and investigates complaints; advocates to the legislature; makes recommendations; has access to confidential records; issues subpoenas; holds informal hearings; maintains confidentiality; provides annual and public reports.
Minnesota Minn. Stat. § 257.0755 et.seq.	Office of Ombudsperson for Families	The Office of Ombudsperson for Families is an independent state agency. There are three ombudspersons working with three different communities of color. Each Ombudsperson works independently from, but in collaboration with, each of the following groups: the Minnesota Council on Latino Affairs; the Council for Minnesotans of African Heritage; and the Council on Asian-Pacific Minnesotans	The Ombudsperson for each community shall be selected by the applicable community-specific board and serve at the pleasure of the respective communities. Each Ombudsperson shall be highly competent and qualified to analyze questions of law, administration, and public policy regarding the protection and placement of children from families of color; must be experienced in dealing with communities of color and knowledgeable about the needs of those communities; and must not hold any other public office.	The Ombudsperson monitors agency compliance with all laws regarding child protection and placement as to the impact on children of color; provides cultural diversity training to state and local courts; receives and investigates complaints; has access to confidential information; has subpoena power; makes recommendations; and provides annual and public reports.
Minnesota MN ST § 3.9215	Ombudsperson for American Indian Families	The ombudsperson shall operate independently from and in collaboration with the Indian Affairs Council and the American Indian Child Welfare Advisory Council.	The ombudsperson shall be selected by the American Indian community-specific board. Each ombudsperson must be selected without regard to political affiliation and shall be a person highly competent and qualified to analyze questions of law, administration, and public policy regarding the protection and placement of	The ombudsman will monitor agencies' compliance with child protection laws; investigate state programs that serve American Indian communities; receive and investigate complaints; examine records; issue subpoenas; make recommendations; and issue public reports.

			children. In addition, the ombudsperson must be experienced in working collaboratively with the American Indian and Alaska Native communities or nations and knowledgeable about the needs of those communities, the Indian Child Welfare Act and Minnesota Indian Family Preservation Act, and best practices regarding prevention, cultural resources, and historical trauma. No individual may serve as the ombudsperson for American Indian families while holding any other public office.	
Missouri Mo. Rev. Stat. § 37.705	Office of Child Advocate	The Office of Child Advocate is part of the Executive Branch Office of Administration and independently monitors the services and programs offered by the department of social services, the department of mental health, and the juvenile court. The Child Advocate reports directly to the Commissioner of the Office of Administration.	The Child Advocate is appointed jointly by the Governor and the Chief Justice of the Missouri Supreme Court with the Senate's advice and consent. The Child Advocate shall hold office for a term of six years.	The Child Advocate receives and investigates complaints; communicates with children under protective services; has access to confidential information; has the power to subpoena; makes recommendations; educates the public; maintains confidentiality; coordinates mediation efforts between school districts and students when allegations of child abuse arise in a school setting; and provides annual and public reports.
Montana MCA 41-3-1208 et seq.	Office of Child and Family Ombudsman	The ombudsman is part of the department of Justice and works in consultation with the department and appropriate county attorneys to strengthen children and family services.	The ombudsman is appointed by the attorney general. They shall be a resident of Montana and qualified by training and experience.	The ombudsman investigates reports; inspects and subpoenas records; investigates reports of child abuse or neglect; reviews department procedures and promotes best practices; prepares educational materials; and provides annual and public reports.
Nebraska Neb. Rev. Stat. § 81-8,240 to 8-8,254	Public Counsel	The public counsel is part of the legislative branch and independently oversees all state agencies.	The ombudsman is appointed by a two-thirds vote of the Legislature for a term of six years. The ombudsman shall be a person well equipped to analyze problems of law, administration, and public policy and shall not be actively involved in partisan affairs. No person may serve as Public Counsel within two years of serving in the	The ombudsman receives and investigates complaints; conducts investigations into administrative agencies; has access to information; issues subpoenas; makes recommendations; and publishes annual reports.

			Legislature, or while such person is a candidate for or holds any other state office, or while engaged in any other occupation for reward or profit.	
Nebraska Neb.Rev.St. § 43-4317 et. Seq.	Office of Inspector General of Nebraska Child Welfare	The inspector general exists within the office of public counsel to conduct audits, investigations, inspections, and other reviews of Nebraska's child welfare system.	The inspector general is appointed by the public counsel with approval from the chairperson of the executive board of the legislative council and the chairperson of the Health and Human Services Committee. The inspector general shall be appointed for a five-year term and should have demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, or criminal justice administration. The inspector general must not be involved in partisan affairs.	The inspector general investigates instances of misconduct in the department of Health and Human Services, foster homes, and juvenile care centers, and receives reports from the Office of Juvenile Services and juvenile care centers on child welfare.
Nevada N.R.S. 432.157	Advocate for Missing and Exploited Children	The advocate operates within the office of the attorney general. It is directed to advocate for missing and exploited children before any public or private body.	The advocate is appointed by the attorney general and must be an attorney licensed in Nevada.	The advocate investigates crimes concerning missing and exploited children; educates the public; provides educational materials to schools; appears as an amicus curia on behalf of missing and exploited children; recommends legislation; and has access to information.
New Hampshire N.H. Rev. Stat. § 21-V:2	Office of the Child Advocate	The Office of the Child Advocate shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10	The director of the Office of the Child Advocate will be appointed by the governor and executive council upon the oversight commission's recommendation. The director shall serve a term of four years and should possess a professional graduate degree in law, social work, public health, or a related field and be qualified by education, experience, and expertise.	The Office of the Child Advocate provides independent oversight of government agencies that serve children; review and investigate complaints; provide assistance to children and families; provide information to the public; review procedures; access information; issue subpoenas; and report annually.
New Jersey	Office of Advocacy	The Office of Advocacy is a non-statutory office within the department of Children and Families that serves as an independent advocate for children and families.		The Office of Advocacy provides education; receives and reviews complaints.
New Mexico	Office of Children's Rights	The Office of Children's Rights is located within the Children, Youth & Families department.	There is no statutory process for staffing the Office of Children's Rights.	The Office of Children's Rights provides consultation on foster care and immigrants' rights

				cases; helps educate the public; advocates for public benefits and social justice; and receives and investigates complaints.
New York N.Y. Exec. Law § 523	Office of the Ombudsman	The ombudsman operates within the Office of Children and Family Services.	The ombudsman is appointed by the Commissioner of the Office of Children and Family Services. The director of the Office of the Ombudsman must be an attorney licensed to practice law. The ombudsmen staff must be licensed attorneys or persons with expertise in juvenile justice or youth rights.	The ombudsman receives and investigates complaints; monitors child welfare policy; advises residential youth; helps youth access legal support; makes recommendations; has access to confidential information; receives critical incident reports; maintains confidentiality; and provides monthly reports.
Ohio Ohio Rev. Code § 5101.891-899	Youth and Family Ombudsman Office	The youth and family ombudsman office is under the department of job and family services. The office consists of a youth ombudsman, a family ombudsman, and at least two regional ombudsmen. The office shall investigate and resolve concerns made by or on behalf of children and families involved with public children's services agencies.	The family ombudsman will be appointed by the governor, while the youth ombudsman will be appointed by the governor with advice from overcoming hurdles in Ohio youth advisory board. Employees of the office may not hold any office of trust or profit, serve on any political party committee, or engage in any activity interfering with the duties of the office.	The office will receive, investigate, and resolve complaints; establish procedures for receiving and resolving complaints; access records; and report annually.
Oklahoma OAC-340:2-3-71	Office of Client Advocacy	The office of client advocacy operates within the Oklahoma department of health. The office is led by the advocate general.	The advocate general must be an Oklahoma bar association member and should have at least 3 years' experience as an attorney.	The advocate general monitors and reviews grievance procedures; investigates complaints; investigates allegations of abuse by persons responsible for children; coordinates administrative hearings; files reports; develops policies and procedures; and maintains confidentiality.
Oregon Or. Rev. Stat. § 417.810	Office of Children's Advocate	The governor's advocacy office, also known as the office of children's advocate, is housed in the department of human services and reports to the governor. The children's advocate responds to concerns regarding child abuse and neglect, child protective services, and issues relevant to individual child welfare cases.	With the concurrence of the governor, the director of human services appoints the children's advocate. The children's advocate shall be a person who has background and experience in law enforcement with particular emphasis on crimes involving child victims or social work with particular emphasis on child abuse.	The children's advocate educates the public about the detection and prevention of child abuse; receives and reviews complaints; maintains confidentiality; and conducts criminal record checks.
Rhode Island R.I. Gen. Laws § 42-73-1 et seq.	Office of the Child Advocate	The office of the child advocate is an independent and autonomous state agency responsible for	The child advocate is appointed by the governor, with the advice and consent of the senate. The governor	The child advocate provides an annual report to the governor and legislature; insures all

		protecting the legal rights and interests of children in state care.	shall select a candidate from a list of three nominees submitted by an advisory committee. The advocate shall serve for a term of five years. The child advocate shall be a member of the Rhode Island bar for at least three years and must be qualified by training and experience to perform the duties of the office.	children in the child welfare system are appraised of their rights; reviews procedures; reviews complaints; provides training; has access to confidential information; has the power to subpoena; commences civil action against the state on behalf of a child; and maintains confidentiality.
South Carolina S.C. Code of Laws Ann. Sections 63-11-2210, et.seq.	Department of Children's Advocacy	The department of children's advocacy is an independent state agency. It is headed by the state child advocate. The department ensures children receive adequate protection and care from state services and programs.	The governor appoints the state child advocate from three candidates recommended by the joint citizens and legislative committee on children and upon advice and consent of the senate for a term of 6 years. The state child advocate must possess at least a bachelor's degree, have 10 years of experience regarding children's issues, and must not have previously served as the director of a state agency.	The state child advocate receives and investigates complaints regarding child-serving agencies; receives and investigates critical incident reports; maintains confidentiality; has access to confidential information; can issue subpoenas; makes recommendations; publishes an annual report; educates the public; and serves on the child fatality advisory committee.
Tennessee Tenn. Code Ann. § 37-3-101 et seq.	Ombudsman Children and Families	The ombudsman for children and families is part of the Tennessee commission of children and youth, an independent and autonomous agency with statutory authority to review children in the foster care system, kinship care or CPS and make recommendations for improvement.	No statutory appointment process or qualifications for the ombudsman.	The TCCY shall make recommendations regarding the state's child welfare system; coordinate the development of youth services programs; investigate complaints; publish annual reports; review licensing standards; and monitor foster care review boards.
Texas V.T.C.A., Government Code § 531.990 et seq.	Ombudsman for Children and Youth in Foster Care	The ombudsman for children and youth in foster care exists within the department of Health and Human Services.	The executive commissioner of the health and human services commission appoints the children and youth in foster care ombudsman. Neither the ombudsman nor their spouse may be employed by an entity receiving funds from the commission; control any interest in an entity receiving funds from the commission; or be a lobbyist for an entity related to the commission's operation.	The ombudsman assists children in the conservatorship of the department; receives and investigates complaints; develop procedures; help children file complaints alleging abuse; maintain confidentiality; create an outreach program; and recommend corrective actions.
Utah U.C.A. 1953 § 80-2-1104	Office of Child Protection Ombuds	The ombuds is an independent office within the Department of Health and Human Services, independent from the Division of Child and Family Services.	The ombuds shall be appointed by the executive director of the Department of Health and Human Services.	The ombuds receives and investigates complaints; makes recommendations; provides annual reports; and has access to confidential information.

			The ombuds shall have experience in child welfare, and in state laws and policies governing abused, neglected, and dependent children.	
Virginia VA ST § 2.2-439 et seq	Office of the Children's Ombudsman	The office of the children's ombudsman is under the office of the governor.	The children's ombudsman is appointed by the governor subject to confirmation by the General Assembly. The individual will be qualified by training and experience and serve for four years.	The ombudsman's duties include educating the public; reviewing government programs and agencies; ensuring compliance with existing statutes; improving delivery of care to children; receive and investigate complaints; and pursue legislative advocacy.
Washington Wash. Rev. Code § 43.06A	Office of the Family and Children's Ombudsman	The ombudsman is established within the office of the governor, reports directly to the governor and acts independently of the Department of Social and Health Services.	The ombudsman is appointed by the governor, with confirmation by the senate, for a term of three years. The ombudsman shall be qualified by training or experience, or both, in family and children's services law and policy.	The ombudsman educates the public; receives and investigates complaints; monitors child welfare procedures; reports annually; has access to confidential information; maintains confidentiality; and makes child fatality review recommendations.
West Virginia W. Va. Code, § 16B-16-1	Foster Care Ombudsman	The ombudsman exists within the West Virginia Department of Health and Human Resources, office of the inspector general and is independent of the Bureau for Children and Families.	The ombudsman is employed by the office of the inspector general and should possess experience as a former foster parent or in child welfare.	The foster care ombudsman advocates for the rights of foster children and foster/kinship parents; investigates and resolves complaints; promotes legislative advocacy; conducts public education initiatives; maintains a statewide reporting system; and makes recommendations and proposals for systemic reform.

Sources:

<https://www.ncsl.org/human-services/childrens-ombudsman-offices-office-of-the-child-advocate>

Maryland Catholic Conference_FAV_HB980_SenateCross

Uploaded by: Diane Arias

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

April 2, 2026

House Bill 980

**Family Law and Human Services - Guardianship Assistance Program and State Foster Youth Ombudsman - Establishment (Kanaiyah's Law)
Senate Judicial Proceedings Committee**

Position: Favorable

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 980 requires Secretary of Human Services to establish and maintain a Guardianship Assistance Program to promote the placement and maintenance of children in permanent guardianship homes by providing guardianship assistance to guardians of minor children; establishing the State Foster Youth Ombudsman in the Department of Human Services; generally relating to the Guardianship Assistance Program and the State Foster Youth Ombudsman.

The urgency of these reforms is clear. A child under the supervision of the Maryland Department of Human Services was found deceased on September 22 at the Residence Inn by Marriott Baltimore at The Johns Hopkins Medical Campus.¹ Her name was Kenaiyah Ward. Her death followed the release of a troubling audit of the Social Services Administration within DHS, which revealed longstanding systemic failures. Among the findings were failures to ensure required background checks for individuals interacting with children, the absence of a consistent process to reconcile providers with the Sex Offender Registry, and an overreliance on hotel placements and unlicensed providers.²

The audit further found that SSA did not consistently ensure that foster children were placed in settings authorized by state law. While short-term emergency placements may occasionally

¹ <https://www.baltimoresun.com/2025/10/02/mike-griffith-proposes-kanaiyahs-law/>

² <https://marylandmatters.org/2025/09/17/state-may-have-put-children-in-homes-where-registered-sex-offenders-lived/?emci=37fe0730-9594-f011-b484-6045bdeb7413&emdi=230d9c40-a294-f011-b484-6045bdeb7413&ceid=554789>

require temporary hotel stays, some children were housed in hotels for months—and in some cases, up to two years. Many of these children had behavioral or medical needs requiring specialized foster care placements. Yet some were supervised by one-on-one vendors who were not licensed providers, meaning there was no assurance they were receiving appropriate care, services, or oversight.

Every child deserves more than temporary shelter—they deserve stability, safety, and the opportunity to thrive. Requiring background checks for all adults in a guardian’s home and prohibiting unlicensed placements strengthens protections and affirms that children in state custody are not forgotten or overlooked. These reforms promote a child welfare system that prioritizes safe, stable, and properly supervised environments. As Pope Leo XIV has urged, we must “find ways to work together in greater harmony so that children receive care that is well balanced, taking into consideration their physical, psychological and spiritual welfare.”³ This legislation moves Maryland closer to that goal by placing the dignity, safety, and well-being of children at the center of policy decisions.

For these reasons, the Maryland Catholic Conference asks for a favorable report on **HB 980**.

Thank you for your consideration.

³ <https://www.usccb.org/news/2026/pope-warns-little-progress-has-been-made-protect-children-worldwide>

HB 980- Maryland Legal Aid - FAV 260402 FINAL Sena

Uploaded by: Erica LeMon

Position: FAV



HB 980 Family Law and Human Services - Guardianship Assistance Program and State Foster Youth Ombudsman - Establishment (Kanaiyah's Law)

April 2, 2026

Senate Finance Committee

Position: FAVORABLE

Maryland Legal Aid submits testimony on HB 980 at the request of its sponsor, Delegate Mike Griffith

Maryland Legal Aid asks that the Committee report **favorably** on HB980. HB980, also known as Kanaiyah’s Law, strengthens Maryland’s child protection framework. The proposed legislation balances the goals of promoting permanency through guardianship with the State’s ongoing obligation to protect children from known and serious risks. It also creates a foster youth ombudsman to provide a neutral avenue to resolve complaints and elevate systemic issues. The bill reflects simple and necessary principles: permanency must never come at the expense of safety, and the child’s voice is essential.

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 nonprofit law firm, representing vulnerable young people in Child in Need of Assistance (CINA) matters across the State from infancy to adulthood who would benefit directly from this proposed legislation.

Maryland Legal Aid supports HB 980 because it reinforces the responsibility to ensure that guardianship placements remain safe over time, particularly when new adults enter a child’s home. Under current law, a juvenile court order granting guardianship “terminates the local department’s legal obligations and responsibilities to the child.”¹ HB 980 appropriately and without disturbing that termination, recognizes that safety concerns do not end at the moment a guardianship order is entered.

These provisions build directly on existing Maryland law, which already requires criminal history records checks for adults residing in foster homes, kinship placements, and adoptive homes.² This carefully structured process preserves the stability of guardianships absent legitimate safety concerns but still gives the department the ability to assess the safety of the child and make determinations to keep the child safe. HB 980 strengthens, not weakens, guardianship by ensuring that children placed through the courts remain protected after permanency is achieved.

House Bill 980 also establishes a State Foster Youth Ombudsman within the Department of Human Services, creating a dedicated, professionally qualified position to address concerns

¹ Md. Code Ann., Cts. & Jud. Proc. § 3-819.2(c)(3).

² Md. Code Ann., Fam. Law § 5-551(b)(4)–(6).

raised by youth in out-of-home care. The Ombudsman must “be an attorney admitted to practice law in the State” and “have experience in child welfare,” ensuring that the role is filled by an individual with the legal and subject-matter expertise necessary to navigate complex child welfare systems.

The duties of the Ombudsman are clearly defined and narrowly tailored to improve accountability and service delivery for youth in care. The Ombudsman must “provide legal expertise” in “child welfare,” “custody and guardianship matters,” and “appeals and due process issues,” and serve as “a neutral voice” to address disputes among youth, caregivers, guardians, and the Department. The Ombudsman is also charged with investigating complaints from youth, addressing service-delivery concerns, and advocating for youth experiencing out-of-home care. By creating a knowledgeable, neutral, and independent position within existing State structures, HB 980 strengthens oversight while promoting effective and responsible use of public resources.

An Ombudsman for foster care youth is helpful because the statute expressly assigns the office functions that are otherwise diffuse or unavailable to youth themselves. Establishing this role as a statutory position ensures its permanence and prevents dissolution at the agency level. HB 980 creates a much-needed, knowledgeable, neutral, independent, youth-centered accountability mechanism within the child welfare system.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on House Bill 980 and urge its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children’s Rights at elemon@mdl.org (410) 951-7648 or (410) 935-0937.

HB0980_DHS_FAV (JPR).pdf

Uploaded by: Gloria Brown-Burnett

Position: FAV



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

XHB 980- Guardianship Assistance Program and State

Uploaded by: Jane Krienke

Position: FAV



Maryland
Hospital Association

House Bill 980 - Family Law and Human Services - Guardianship Assistance Program and State Foster Youth Ombudsman - Establishment (Kanaiyah's Law)

Position: *Support as Amended*

April 2, 2026

Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support of House Bill 980.

As amended, HB 980 requires the establishment and maintenance of a guardianship assistance program to promote the placement of children in permanent guardianship homes by offering monetary and medical assistance. Maryland hospital's support the creation of this program because hospital emergency departments and inpatient units are inappropriately serving as out of home placements for children and youth who have been medically cleared for discharge. These youth remain in the hospital for days, weeks, and months because there is no other placement option available.

Acute care hospital beds are meant for short-term stabilization. They were never meant for long-term stays and are not appropriate or licensed for the long-term non-medical care of a child. The inappropriate use of these beds is harmful. Often these youth do have biological family members and guardians involved, however, due to a lack of support, these family members and guardians can feel ill equipped to care for these youth in their homes in the community. Offering additional support to guardians could prevent unnecessary placement disruptions, reduce the youth's length of stay in the hospital and potentially prevent a youth from entering an overstay status.

HB 980 also establishes the State Foster Youth Ombudsman within the Department of Human Services. Too often the voice and needs of these youth are lost or minimized. Having a dedicated ombudsman who can step in to address differences and investigate complaints helps elevate the needs of the youth. Their needs and desires should be the focus of decisions made about the youth's care. MHA strongly supports the creation of this position.

We applaud and extend our sincere appreciation to the sponsor for his leadership and advocacy on behalf of Maryland's foster youth. For these reasons, we request a favorable report on HB 980 as amended.

For more information, please contact:

Jane Krienke, Assistant Vice President, Government Affairs & Policy

Jkrienke@mhaonline.org