



**DEPARTMENT OF HUMAN SERVICES**

*Wes Moore, Governor · Aruna Miller, Lt. Governor · Gloria Brown Burnett, Interim Secretary*

February 26, 2026

The Honorable Sandy Bartlett, Chair  
House Judiciary Committee  
100 Lowe House Office Building  
Annapolis, Maryland 21401

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

Dear Chair Bartlett and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable with amendments report on 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. HB 1272 proposes to codify existing practice and policy that incorporates the opinions of youth in our care about a potential kinship caregiver before placing the youth with that individual. The bill also outlines specific items that the Department shall consider when determining the suitability of a potential kinship caregiver.

Under the Moore-Miller Administration DHS has made strides through our Family Matters initiative to ensure that youth in the care and custody of the Department are placed with kin, whether by blood or by choice. HB 1272 builds upon our departmental bill from 2023, [SB 708](#) / [HB 1499](#). In accordance with the passage of SB 708 / HB 1499 in 2023, we implemented a new policy, [24-06 Kinship Care Licensing Standards](#), and promulgated a complete rewrite of [COMAR 07.02.09 - Kinship Care Program](#). HB 1272 furthers the Department's efforts by taking into account the child's opinions and preferences toward placement with the prospective kinship caregiver.

For children in OOH care in Maryland, having the LDSS consider both the caregiver's protective capacity and the child's feelings about the kinship caregiver centers the child's voice in placement decisions. 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.

Department practices already reflect aspects of HB 1272 when learning about potential kinship caregivers, and including these considerations is consistent with current DHS policy and regulations. [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 approving a kinship caregiver. HB 1272 would codify several considerations that are already asked during assessments such as:

- 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?

Our current kinship caregiver assessments as outlined in policy and COMAR 07.02.09, are separate from and superseded by statute. Therefore, we recommend one simple amendment to ensure that other efforts to improve and build upon kinship identification and consideration are not hindered. The considerations on page three of the bill are helpful, but not all-encompassing. Mandating the Department to make these considerations, and only these considerations, would threaten to reverse much of the progress we've made in ensuring the compatibility and appropriateness of kinship caregivers. Our amendment is outlined on page four of this testimony, and changes a "shall" to a "may" to give our LDSSs more flexibility in these decisions.

We appreciate the opportunity to provide favorable with amendments testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at [justin.hayes1@maryland.gov](mailto:justin.hayes1@maryland.gov).

In service,



Gloria Brown Burnett  
Interim Secretary

## **Proposed Amendments**

### **Amendment No. 1**

On page 3, line 10, after “the local department”, strike the word “shall” and replace it with “**may**”.

Page 3, lines 9 and 10 will now read:

**WHEN DETERMINING WHETHER TO APPROVE AN INDIVIDUAL AS A KINSHIP CAREGIVER, THE LOCAL DEPARTMENT ~~SHALL~~ MAY CONSIDER:**