

HOUSE BILL 1465

D4, O4

6lr2866

By: **Delegate M. Washington**

Introduced and read first time: February 12, 2016

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Foster Care – Standards for Foster Parents**

3 FOR the purpose of requiring the Social Services Administration of the Department of
4 Human Resources to adopt regulations that require local departments of social
5 services to ensure that potential foster parents have the capacity to value, respect,
6 appreciate, and educate a child regarding the child's racial, ethnic, religious, and
7 cultural heritage, and sexual orientation or gender identity; and generally relating
8 to children in out-of-home care.

9 BY repealing and reenacting, with amendments,
10 Article – Family Law
11 Section 5–525(j)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2015 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Family Law**

17 5–525.

18 (j) The Administration shall adopt regulations that:

19 (1) establish goals and specify permanency planning procedures that:

20 (i) maximize the prospect for reducing length of stay in out-of-home
21 placement in the best interests of children; and

22 (ii) implement the intent of this section;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) prohibit a local department from seeking the custody or guardianship
2 of a child for placement in foster care solely because the child's parent or guardian lacks
3 shelter or has a disability or solely because the child's parents are financially unable to
4 provide treatment or care for a child with a developmental disability or mental illness;

5 (3) specify the compelling reasons for placing a child in a local jurisdiction
6 other than the local jurisdiction where the child's parent or guardian resides, under
7 subsection (f)(3)(ii) of this section;

8 (4) require the local department to make appropriate referrals to
9 emergency shelter and other services for families with children who lack shelter;

10 (5) establish criteria for investigating and approving foster homes,
11 including requirements for window coverings in accordance with § 5-505 of this subtitle;

12 (6) for cases in which the permanency plan recommended by the local
13 department or under consideration by the court includes appointment of a guardian and
14 rescission of the local department's custody or guardianship of a child:

15 (i) establish criteria for investigating and determining the
16 suitability of prospective relative or nonrelative guardians; and

17 (ii) require the filing of a report with the court as provided in §
18 3-819.2 of the Courts Article; [and]

19 (7) ensure that all children in foster care who are at least 18 years of age
20 have a birth certificate, a Social Security card, health insurance information, medical
21 records, and a driver's license or State-issued identification card at emancipation; **AND**

22 **(8) REQUIRE LOCAL DEPARTMENTS TO ENSURE THAT POTENTIAL**
23 **FOSTER PARENTS HAVE THE CAPACITY TO VALUE, RESPECT, APPRECIATE, AND**
24 **EDUCATE A CHILD REGARDING THE CHILD'S RACIAL, ETHNIC, RELIGIOUS AND**
25 **CULTURAL HERITAGE, AND SEXUAL ORIENTATION OR GENDER IDENTITY.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2016.