

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 85

(Senator Conway, *et al.*)

Judicial Proceedings

Judiciary

Family Law - Treatment Foster Care Homes - Siblings

This bill authorizes a local department of social services, in order to place “siblings” together, to place more than two children who require treatment in an eligible “treatment foster care home” if the local department (1) makes a written finding explaining why the placement is in the best interests of the siblings and will not harm other children at the same home and (2) notifies the Social Services Administration (SSA) of the placement. A “sibling” means a brother or sister of the whole or half blood or by adoption. A “treatment foster care home” is an out-of-home placement facility that is part of a program designed and implemented by a child placement agency to provide intensive casework and treatment in a family setting to children with special physical, emotional, or behavioral needs.

Fiscal Summary

State Effect: The bill does not materially impact the operations or finances of the Department of Human Resources (DHR).

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A local department of social services must place together siblings who are in an out-of-home placement if it is in the best interests of the siblings to be placed together and the placement does not conflict with a specific health or safety regulation. If there is a conflict with a specific regulation, the local department may place the siblings together if it makes a written finding describing how the placement serves the best interests of the

siblings. Pursuant to the Code of Maryland Regulations (COMAR), no more than two children may be placed in a treatment home without prior justification and written approval from SSA within DHR. (See COMAR 07.02.21.09.)

Any siblings who are separated due to foster care or an adoptive placement may petition a court for reasonable sibling visitation rights, as specified.

Additional Information

Prior Introductions: None.

Cross File: HB 1207 (Delegate Pena-Melnyk, *et al.*) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - January 19, 2017
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