

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1589 (Delegate W. Miller)
Ways and Means

Maryland Office for Refugees and Asylees - Placement Information
(Unaccompanied Alien Children Placement Transparency Act)

This bill requires the Maryland Office for Refugees and Asylees (MORA) in the Department of Human Services (DHS) to annually request a report from the federal Office of Refugee Resettlement (ORR) that contains specified information for each unaccompanied alien child who has been placed with a sponsor in the State. MORA must provide a version of the information to specified entities in each county where an unaccompanied alien child has been placed.

Fiscal Summary

State Effect: Subject to the bill's exemptions, any additional workload under the bill can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: MORA must request a report from ORR with the following information for each unaccompanied alien child who has been placed with a sponsor in the State: (1) the child's medical records, if the child is attending a public school in the State; (2) the sponsor's address and immigration status; (3) any federal public benefit the child receives; and (4) any federal public benefit the sponsor receives as a result of sponsorship.

To the extent possible, within 60 days after receiving the information, and consistent with federal and State privacy laws, MORA must provide a de-identified, aggregate version of the information to the following entities in each county where a child has been placed: (1) the governing body of the county; (2) the county board of education; and (3) the local department of social services. MORA may not release individual-level or potentially identifiable information.

Current Law/Background: An unaccompanied alien child is a legal term referring to a child who (1) has no lawful immigration status in the United States; (2) has not reached age 18; and (3) has no parent or legal guardian in the United States or for whom no parent or legal guardian in the United States is available to provide care and physical custody.

When a child who is not accompanied by a parent or legal guardian is apprehended by immigration authorities, the child is transferred to the care and custody of ORR in the U.S. Department of Health and Human Services. Federal law requires ORR to provide food, shelter, and medical care for an unaccompanied alien child until it is able to release the child to safe settings with sponsors (usually family members), while they await immigration proceedings. Sponsors are adults who are suitable to provide for the child's physical and mental well-being. All sponsors must pass a background check and agree to ensure the child's presence at all future immigration proceedings. They also must agree to ensure that the minor reports for removal from the country if an immigration judge issues a removal order or voluntary departure order. According to ORR, between October 2016 and September 2017 (federal fiscal 2017), 2,953 children were released to sponsors in Maryland.

MORA, within DHS, provides support and services to federally recognized refugees and political asylees to ease their integration into American society. MORA works with public and private service providers to plan, administer, and coordinate transitional services aimed at helping refugees become self-sufficient as quickly as possible.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City; Montgomery County; Department of Human Services; U.S. Department of Health and Human Services; Department of Legislative Services

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mm/jc

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