

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 765

(Senator Zucker, *et al.*)

Judicial Proceedings

Appropriations

**Out-of-Home Placement Providers - Individuals Enrolled in Higher Education
and Vocational Training Programs**

This bill authorizes an individual enrolled in an accredited institution of higher education or a residential vocational training program to return to an out-of-home placement provider with whom the individual was previously placed under specified circumstances. At least 30 days before a scheduled break (of the institution or program), the individual must make a request to a local department of social services. A local department must make a recommendation to the Department of Human Services (DHS) no later than 21 days before the scheduled break. If a local department recommends approving an individual's request, DHS must make a determination regarding the local department's recommendation no later than 14 days before the scheduled break. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: DHS can make determinations regarding an individual's request to return to an out-of-home placement provider using existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: An individual enrolled in an accredited institution of higher education or a residential vocational training program may return to an out-of-home placement provider with whom the individual was previously placed if (1) the individual is unable to remain

on the institution's or training program's campus due to a scheduled break, a temporary closure of the institution or training program, or a temporary leave of absence; (2) the individual's living arrangement is mutually agreed to by the individual, the out-of-home placement provider, and the provider agency; and (3) DHS has reviewed and approved the individual's request to return to the out-of-home placement provider.

Current Law: DHS, through its Social Services Administration, has the primary responsibility for child welfare services throughout the State, which are provided primarily by the local departments of social services. In general, DHS oversees the licensing and regulation of provider agencies (or child placement agencies) and out-of-home placement providers.

DHS is required to establish a program of out-of-home placement for minor children (1) who are placed in the custody of a local department, for a period of up to 180 days, by a parent or legal guardian under a voluntary placement agreement; (2) who are abused, abandoned, neglected, or dependent, if a juvenile court has determined that continued residence in the child's home is contrary to the child's welfare and has committed the child to the custody or guardianship of a local department; or (3) who, with the approval of DHS, are placed in an out-of-home placement by a local department under a voluntary placement agreement regarding a child with a developmental disability or a mental illness, as specified. An out-of-home placement may include family foster care, group and residential care, kinship care, and a treatment foster care home.

Foster youth are generally allowed to remain in care up until age 21, as long as the youth is in school, enrolled in a training program or other program or activity to promote or remove barriers to employment, employed at least 80 hours per month, or disabled. Independent living after-care services are available for youth exiting care after turning age 18 but before turning age 21, including financial assistance, assistance with utilities and room and board, educational and employment services, counseling, and other services to assist with self-sufficiency. These services are available for up to 180 days but may be extended, and youth may reapply for services until age 21.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 809 (Delegate Griffith, *et al.*) - Appropriations.

Information Source(s): Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2025
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