

HOUSE BILL 968

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By: **Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena-Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker**

Introduced and read first time: February 9, 2007

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Family Law - ~~Flex Funds - Adopted Children~~ Post Adoption Support**
3 **Services Pilot Program**

4 FOR the purpose of ~~requiring that a child who is eligible for certain funds before~~
5 ~~adoption remains eligible after adoption; defining a certain term; and generally~~
6 ~~relating to funding for adopted children~~ establishing the Post Adoption Support
7 Services Pilot Program; providing for the purpose of the Program; identifying
8 children eligible for post adoption support services; requiring the local
9 Department of Social Services to conduct a certain assessment of the needs of
10 the adopted child and adoptive family; requiring the local Department of Social
11 Services to create a post adoption support service plan; requiring the
12 submission of a post adoption support service plan by a local Department of
13 Social Services to the Department of Human Resources; requiring a local
14 Department of Social Services or a certain vendor to provide certain services;
15 providing for funding for the Program; providing for Program funds; requiring
16 the Secretary of the Department of Human Resources to submit a certain report

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 to the General Assembly on or before a certain date; defining certain terms;
 2 providing for the termination of this Act; and generally relating to post adoption
 3 support services.

4 ~~BY adding to~~
 5 ~~Article — Family Law~~
 6 ~~Section 5-413~~
 7 ~~Annotated Code of Maryland~~
 8 ~~(2006 Replacement Volume)~~

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

11 ~~Article — Family Law~~

12 ~~5-413.~~

13 ~~(A) IN THIS SECTION, “FLEX FUNDS” MEANS THOSE DISCRETIONARY~~
 14 ~~FUNDS AVAILABLE TO A LOCAL DEPARTMENT TO PURCHASE GOODS AND~~
 15 ~~SERVICES TO SUPPORT A FAMILY’S SERVICE PLAN WHEN NO OTHER RESOURCE~~
 16 ~~IS AVAILABLE.~~

17 ~~(B) A CHILD WHO IS ELIGIBLE FOR FLEX FUNDS BEFORE ADOPTION~~
 18 ~~SHALL REMAIN ELIGIBLE FOR FLEX FUNDS AFTER ADOPTION.~~

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 20 MARYLAND, That:

21 (a) (1) In this Act the following words have the meanings indicated.

22 (2) “Post adoption support services” means medical treatment, mental
 23 health services, parenting classes, or any other direct services provided by the
 24 Department of Human Resources after a child is adopted that:

25 (i) aid an adopted child or adoptive family in which an adopted
 26 child is in crisis; and

27 (ii) assist in preventing the child from being returned to the
 28 care and supervision of the Department of Human Resources.

1 (3) “Program” means the Post Adoption Support Services Pilot
2 Program.

3 (b) There is a Post Adoption Support Services Pilot Program.

4 (c) The purpose of the Program is to:

5 (1) provide post adoption support services to adopted children and
6 their adoptive families; and

7 (2) provide additional State funds for adopted children.

8 (d) An adopted child or adoptive family shall be eligible for post adoption
9 support services if the adoption was ordered under § 5–338 of the Family Law Article.

10 (e) At the request of an adoptive parent for post adoption support services
11 from the local Department of Social Services, the local Department of Social Services
12 shall conduct a clinical assessment of the needs of the adopted child and adoptive
13 family.

14 (f) After a determination by the local Department of Social Services that the
15 adopted child or adoptive family is in need of post adoption support services, the local
16 Department of Social Services shall submit a proposed post adoption support service
17 plan to the Department of Human Resources for approval and funding.

18 (g) On approval and the release of funds by the Department of Human
19 Resources, the local Department of Social Services or a vendor designated by the local
20 Department of Social Services shall provide the post adoption support services to the
21 adopted child or adoptive family.

22 (h) (1) Funding for the Program shall be provided from existing resources
23 of the Department of Human Resources.

24 (2) It is the intent of the General Assembly that not more than
25 \$250,000 from any fund source be expended per fiscal year.

1 (i) On or before December 1, 2009, the Secretary of the Department of
 2 Human Resources shall report to the General Assembly, in accordance with § 2-1246
 3 of the State Government Article, on:

4 (1) the number of adopted children and adoptive families served by the
 5 Program;

6 (2) the number of adopted children and adoptive families that made
 7 applications for post adoption support services under the Program;

8 (3) the types of post adoption support services provided to adopted
 9 children and adoptive families by the Program; and

10 (4) the effectiveness of the post adoption support services provided
 11 under this Program.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 13 ~~October 1, 2007~~ July 1, 2008. It shall remain effective for a period of 1 year and 6
 14 months and, at the end of December 31, 2009, with no further action required by the
 15 General Assembly, this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.