

SENATE BILL 833

D4, O4

5lr3162
CF HB 1057

By: **Senator Charles**

Introduced and read first time: January 28, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2025

CHAPTER _____

1 AN ACT concerning

2 ~~**Family Law**~~ **Department of Human Services – Study on Private Treatment**
3 **Foster Care Homes** ~~**Child Care Stipends for Private Providers**~~

4 FOR the purpose of requiring, ~~beginning in a certain fiscal year, the Secretary of Human~~
5 ~~Services to review and reallocate a portion of the Department of Human Services'~~
6 ~~annual budget to be used to provide child care stipends to certain private treatment~~
7 ~~foster care homes to cover child care expenses; requiring, beginning in a certain fiscal~~
8 ~~year, the Secretary to include in the Department's annual budget proposal certain~~
9 ~~funding for child care stipends for private treatment foster care homes; requiring the~~
10 ~~Secretary to adopt certain procedures to award child care stipends to private~~
11 ~~treatment foster care homes; the Department of Human Services to conduct a study~~
12 to determine the types of State support that would be appropriate and beneficial to
13 assist private providers of treatment foster care homes in the provision of services;
14 and generally relating to treatment foster care homes.

15 ~~BY repealing and reenacting, without amendments,~~
16 ~~Article – Family Law~~
17 ~~Section 5–525.2(a)(1) and (3)~~
18 ~~Annotated Code of Maryland~~
19 ~~(2019 Replacement Volume and 2024 Supplement)~~

20 ~~BY adding to~~
21 ~~Article – Family Law~~
22 ~~Section 5–525.3~~
23 ~~Annotated Code of Maryland~~

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.



~~(2019 Replacement Volume and 2024 Supplement)~~

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

~~Article — Family Law~~

~~§ 5-525.2.~~

~~(a) (1) In this section the following words have the meanings indicated:~~

~~(3) “Treatment foster care home” means 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.~~

~~§ 5-525.3.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) “SECRETARY” MEANS THE SECRETARY OF HUMAN SERVICES.~~

~~(3) “TREATMENT FOSTER CARE HOME” HAS THE MEANING STATED IN § 5-525.2 OF THIS SUBTITLE.~~

~~(B) (1) BEGINNING IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, AND SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL, BEFORE SUBMITTING A BUDGET PROPOSAL UNDER PARAGRAPH (2) OF THIS SUBSECTION, REVIEW AND REALLOCATE A PORTION OF THE DEPARTMENT’S ANNUAL BUDGET TO BE USED FOR PROVIDING CHILD CARE STIPENDS TO PRIVATE TREATMENT FOSTER CARE HOMES TO COVER CHILD CARE EXPENSES IN A SIMILAR MANNER AS PUBLIC TREATMENT FOSTER CARE HOMES.~~

~~(2) FOR FISCAL YEAR 2027 AND EACH FISCAL YEAR THEREAFTER, THE SECRETARY SHALL INCLUDE IN THE DEPARTMENT’S ANNUAL BUDGET PROPOSAL TO THE DEPARTMENT OF BUDGET AND MANAGEMENT A REQUEST FOR AN AMOUNT OF FUNDING THAT IS AT LEAST EQUAL TO THE AMOUNT OF FUNDING THE SECRETARY REALLOCATED FOR THE CURRENT FISCAL YEAR FOR PRIVATE TREATMENT FOSTER CARE HOMES IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(C) WHEN REVIEWING WHETHER ANY FUNDS SHOULD BE REALLOCATED UNDER SUBSECTION (B)(1) OF THIS SECTION, THE SECRETARY SHALL DETERMINE THE REALLOCATION BASED ON THE FUNDING NEEDS FOR EACH LOCAL~~

~~DEPARTMENT THAT WORKS WITH PRIVATE TREATMENT FOSTER CARE HOMES AND
THE FAMILIES OF THE CHILDREN BEING PLACED IN A HOME.~~

~~(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
SECRETARY SHALL ADOPT PROCEDURES TO CARRY OUT THIS SECTION, INCLUDING
APPLICATION PROCEDURES AND CRITERIA FOR AWARDING CHILD CARE STIPENDS
TO PRIVATE TREATMENT FOSTER CARE HOMES UNDER THIS SECTION.~~

~~(2) THE APPLICATION PROCEDURES DEVELOPED UNDER
PARAGRAPH (1) OF THIS SUBSECTION SHALL REQUIRE THAT A PRIVATE TREATMENT
FOSTER CARE HOME:~~

~~(I) MEET OR EXCEED THE SAME STANDARDS AS A PUBLIC
TREATMENT FOSTER CARE HOME WITH RESPECT TO EQUITY STANDARDS AND
CULTURAL COMPETENCY REQUIREMENTS; AND~~

~~(II) DOES NOT DISCRIMINATE BASED ON RACE, COLOR,
RELIGION, SEX, AGE, NATIONAL ORIGIN, MARITAL STATUS, SEXUAL ORIENTATION,
GENDER IDENTITY, OR DISABILITY WHEN PROVIDING SERVICES OR PLACEMENTS.~~

(a) The Department of Human Services shall conduct a study to determine the
types of State support, in the form of funding or otherwise, that would be appropriate and
beneficial to assist private providers of treatment foster care homes, as defined in § 5-525.2
of the Family Law Article, in the provision of services.

(b) On or before December 1, 2025, the Department of Human Services shall
report its findings and recommendations, in accordance with § 2-1257 of the State
Government Article, to the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
June 1, 2025. It shall remain effective for a period of 1 year and, at the end of May 31, 2026,
this Act, with no further action required by the General Assembly, shall be abrogated and
of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.