

HOUSE BILL 1205

D4

5lr3139

By: **Delegates Wivell, Baker, Hinebaugh, and Valentine**

Introduced and read first time: February 6, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Prospective Foster Care Parents and Out-of-Home Placements**

3 FOR the purpose of requiring a local department of social services to provide certain
4 information to a prospective foster care parent pertaining to the care of a child in an
5 out-of-home placement; authorizing a local department of social services to place a
6 certain number of children in an out-of-home placement; and generally relating to
7 children in out-of-home placements.

8 BY adding to

9 Article – Family Law

10 Section 5–504.1

11 Annotated Code of Maryland

12 (2019 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Family Law

15 Section 5–525.2

16 Annotated Code of Maryland

17 (2019 Replacement Volume and 2024 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Family Law**

21 **5–504.1.**

22 **EXCEPT FOR INFORMATION THAT MAY BE PRIVILEGED OR CONFIDENTIAL, A**
23 **LOCAL DEPARTMENT SHALL PROVIDE A PROSPECTIVE FOSTER PARENT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INFORMATION ON THE MEDICAL, EDUCATIONAL, AND BEHAVIORAL HISTORY OF A
2 CHILD:

3 (1) THAT DIRECTLY RELATES TO THE CARE OF THE CHILD; AND

4 (2) THAT WOULD POSSIBLY AFFECT THE CARE PROVIDED BY A
5 PROSPECTIVE FOSTER PARENT.

6 5–525.2.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) “Sibling” means a brother or sister of the whole or half blood or by
9 adoption.

10 (3) “Treatment foster care home” means an out-of-home placement facility
11 that is part of a program designed and implemented by a child placement agency to provide
12 intensive casework and treatment in a family setting to children with special physical,
13 emotional, or behavioral needs.

14 (B) A LOCAL DEPARTMENT MAY PLACE UP TO FOUR CHILDREN IN AN
15 OUT-OF-HOME PLACEMENT UNDER § 5–525 OF THIS SUBTITLE.

16 [(b)] (C) (1) A local department shall place together siblings who are in an
17 out-of-home placement under § 5–525 of this subtitle if:

18 (i) it is in the best interests of the siblings to be placed together; and

19 (ii) placement of the siblings together does not conflict with a specific
20 health or safety regulation.

21 (2) If placement of the siblings together conflicts with a specific health or
22 safety regulation, the local department may place the siblings together if the local
23 department makes a written finding describing how placement of the siblings together
24 serves the best interests of the siblings.

25 (3) Notwithstanding any other provision of law, in order to place siblings
26 together the local department may place more than two children who require treatment in
27 an eligible treatment foster care home if:

28 (i) the local department makes a written finding explaining why
29 placement of the siblings together:

30 1. is in the best interests of the siblings; and

(ii) the local department notifies the Administration of the placement.

(2) If a petitioner under this subsection petitions a court to issue a visitation decree or to amend an order, the court:

(ii) shall weigh the relative interests of each child and base its decision on the best interests of the children promoting the greatest welfare and least harm to the children; and

(iii) may issue an appropriate order or decree.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.