

FOR the purpose of allowing certain adoptive parents, under certain circumstances, to receive reimbursement for certain nonrecurring adoption expenses; establishing certain application and filing procedures; establishing a maximum limit for reimbursement costs; providing certain exceptions; making this Act an emergency measure; and generally relating to the reimbursement of certain nonrecurring adoption expenses.

BY adding to

Article - Family Law

Section 5-410.1

Annotated Code of Maryland

(1984 Volume and 1989 Supplement)

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

Article - Family Law

5-410.1.

(A) IF THE DEPARTMENT MAKES THE DETERMINATIONS UNDER SUBSECTION (B) OF THIS SECTION, AN ADOPTIVE PARENT INVOLVED IN AN INDEPENDENT OR INTERCOUNTRY ADOPTION OF A ~~SPECIAL NEEDS~~ CHILD IS ENTITLED TO REIMBURSEMENT BY THE STATE FOR CERTAIN NONRECURRING ADOPTION EXPENSES ASSOCIATED WITH THE ADOPTION.

(B) ~~TO BE AN ADOPTIVE PARENT IS~~ ELIGIBLE FOR REIMBURSEMENT OF NONRECURRING ADOPTION EXPENSES, IF THE DEPARTMENT ~~SHALL DETERMINE~~ DETERMINES THAT:

(1) THE CHILD SHOULD NOT BE RETURNED TO ITS BIOLOGICAL PARENTS;

(2) ~~A SPECIFIC FACTOR OR CONDITION, SUCH AS ETHNIC BACKGROUND, AGE, MEMBERSHIP OF A SIBLING GROUP, OR THE PRESENCE OF MEDICAL CONDITIONS OR PHYSICAL, MENTAL, OR EMOTIONAL HANDICAPS EXISTS WITH RESPECT TO THE CHILD AND REQUIRES ASSISTANCE TO EXECUTE A SUCCESSFUL ADOPTION~~ THE CHILD CANNOT BE PLACED WITH ADOPTIVE PARENTS WITHOUT PROVIDING ASSISTANCE BECAUSE OF CERTAIN FACTORS OR CONDITIONS REGARDING THE CHILD, INCLUDING ETHNIC BACKGROUND, AGE, THE PRESENCE AND NUMBER OF SIBLINGS, OR PHYSICAL, MENTAL, OR EMOTIONAL HANDICAPS; AND

(3) EXCEPT WHERE IT WOULD BE AGAINST THE BEST INTEREST OF THE CHILD, PREVIOUS ADOPTION ATTEMPTS HAVE BEEN MADE WITHOUT ASSISTANCE AND WERE UNSUCCESSFUL.

(C) APPLICATION FOR NONRECURRING ADOPTION EXPENSES