

(A) "FOSTER PARENT" DEFINED.

IN THIS SECTION, "FOSTER PARENT" INCLUDES, AN INDIVIDUAL WHO CARES FOR A MINOR CHILD ON AN EMERGENCY BASIS UNDER A SHELTER CARE PROGRAM.

(B) INSURANCE COVERAGE REQUIRED.

(1) THE ADMINISTRATION SHALL PROVIDE LIABILITY INSURANCE FOR FOSTER PARENTS WHO CARE FOR CHILDREN UNDER FOSTER PARENT PROGRAMS.

(2) THE LIABILITY INSURANCE SHALL PROVIDE COVERAGE FOR:

(I) BODILY INJURY AND PROPERTY DAMAGE THAT A FOSTER CHILD CAUSES TO A PERSON OR THE PROPERTY OF A PERSON OTHER THAN A FOSTER PARENT; AND

(II) ACTIONS AGAINST A FOSTER PARENT BY A NATURAL PARENT FOR ANY ACCIDENT TO THE CHILD.

(3) THE ADMINISTRATION MAY ESTABLISH A REASONABLE DEDUCTIBLE LIMIT.

(C) REIMBURSEMENT.

(1) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE SECRETARY OF HUMAN RESOURCES SHALL REIMBURSE A FOSTER PARENT FOR COSTS OF BODILY INJURY OR PROPERTY DAMAGE THAT THE CHILD CAUSES TO THE FOSTER PARENT AND THAT INSURANCE DOES NOT COVER.

(2) BEFORE REIMBURSEMENT UNDER THIS SUBSECTION, THE SECRETARY OF HUMAN RESOURCES SHALL BE SATISFIED THAT THE ACTIONS OF THE FOSTER PARENT DID NOT CONTRIBUTE SUBSTANTIALLY TO THE BODILY INJURY OR PROPERTY DAMAGE SUSTAINED.

(3) REIMBURSEMENT UNDER THIS SUBSECTION SHALL BE MADE FOR ALL COSTS TO A MAXIMUM AMOUNT OF \$5,000. HOWEVER, ALL PAYMENTS IN EXCESS OF \$500 REQUIRE THE APPROVAL OF THE BOARD OF PUBLIC WORKS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 88A, § 32B.

As to subsection (b)(2)(ii) of this section, the Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the liability insurance actually provided under this provision includes coverage for actions against a foster parent by the foster child. However, there is no coverage for actions against a foster parent by a natural parent or any other third party. The General