

Article - Family Law

5-504.

(A) FOSTER PARENTS IN THIS STATE HAVE THE FOLLOWING RIGHTS:

(1) THE RIGHT, AT THE INITIAL PLACEMENT, AT ANY TIME DURING THE PLACEMENT OF A CHILD IN FOSTER CARE, AND AS SOON AS PRACTICABLE AFTER NEW INFORMATION BECOMES AVAILABLE, TO RECEIVE FULL INFORMATION FROM THE CASEWORKER, EXCEPT FOR INFORMATION ABOUT THE FAMILY MEMBERS THAT MAY BE PRIVILEGED OR CONFIDENTIAL, ON THE PHYSICAL, SOCIAL, EMOTIONAL, EDUCATIONAL, AND MENTAL HISTORY OF A CHILD WHICH WOULD POSSIBLY AFFECT THE CARE PROVIDED BY A FOSTER PARENT;

(2) WITH REGARD TO THE LOCAL DEPARTMENT OF SOCIAL SERVICES CASE PLANNING, THE RIGHT TO:

(I) EXCEPT FOR MEETINGS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE OR MEETINGS IN WHICH CONFIDENTIAL INFORMATION ABOUT THE NATURAL PARENTS IS DISCUSSED, BE NOTIFIED OF, AND WHEN APPLICABLE, BE HEARD AT SCHEDULED MEETINGS AND STAFFINGS CONCERNING A CHILD IN ORDER TO ACTIVELY PARTICIPATE, WITHOUT SUPERSEDING THE RIGHTS OF THE NATURAL PARENTS TO PARTICIPATE AND MAKE APPROPRIATE DECISIONS REGARDING THE CHILD, IN THE CASE PLANNING, ADMINISTRATIVE CASE REVIEWS, INTERDISCIPLINARY STAFFINGS, AND INDIVIDUAL EDUCATIONAL PLANNING AND MENTAL HEALTH TEAM MEETINGS;

(II) BE INFORMED OF DECISIONS MADE BY THE ~~JUVENILE OR FAMILY~~ COURTS OR A CHILD WELFARE AGENCY CONCERNING A CHILD; AND

(III) PROVIDE INPUT CONCERNING THE PLAN OF SERVICES FOR A CHILD AND TO HAVE THAT INPUT GIVEN FULL CONSIDERATION BY THE LOCAL DEPARTMENT OF SOCIAL SERVICES; AND

(3) THE RIGHT TO BE GIVEN REASONABLE WRITTEN NOTICE, WAIVED ONLY IN CASES OF A COURT ORDER OR WHEN A CHILD IS DETERMINED TO BE AT IMMINENT RISK OF HARM, OF:

(I) PLANS TO TERMINATE THE PLACEMENT OF A CHILD WITH A FOSTER PARENT; ~~AND~~

(II) ~~THE REASONS FOR THE CHANGE OR TERMINATION OF PLACEMENT.~~

(B) THIS SECTION DOES NOT CREATE, AND MAY NOT BE CONSTRUED TO CREATE, A CAUSE OF ACTION FOR FOSTER PARENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved April 20, 2001.