

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83C, § 2-128.

In subsection (a)(1) of this section, the reference to the "juvenile" courts is substituted for the former reference to the "several" courts for clarity and consistency within this subtitle.

Throughout subsections (b) and (c) of this section, the references to the "juvenile" court are added for clarity and consistency within this subtitle.

In subsection (b)(2) of this section, the former word "[h]owever" is deleted as surplusage.

Defined term: "Secretary" § 9-101

9-245. FOSTER PARENTS — LIABILITY INSURANCE AND REIMBURSEMENT.

(A) "FOSTER PARENT" DEFINED.

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

(B) INSURANCE REQUIRED.

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

(2) SUBJECT TO A REASONABLE DEDUCTIBLE LIMIT THAT THE DEPARTMENT SETS, THE LIABILITY INSURANCE SHALL COVER:

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

(II) ACTIONS AGAINST A FOSTER PARENT BY A PARENT FOR ANY ACCIDENTAL INJURY TO THE FOSTER CHILD.

(C) REIMBURSEMENT.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY SHALL REIMBURSE A FOSTER PARENT FOR THE COSTS OF BODILY INJURY OR PROPERTY DAMAGE THAT THE FOSTER CHILD CAUSES TO THE FOSTER PARENT AND THAT INSURANCE DOES NOT COVER, IF THE SECRETARY IS SATISFIED THAT THE ACTIONS OF THE FOSTER PARENT DID NOT CONTRIBUTE SUBSTANTIALLY TO THE BODILY INJURY OR PROPERTY DAMAGE.

(2) (I) REIMBURSEMENT UNDER THIS SUBSECTION MAY NOT EXCEED \$5,000.

(II) REIMBURSEMENT EXCEEDING \$2,000 REQUIRES THE APPROVAL OF THE BOARD OF PUBLIC WORKS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83C, § 2-131.