

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 248

H. P. 203

House of Representatives, January 21, 1975

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Subsidized Adoptions.

Be it enacted by the People of the State of Maine, as follows:

19 MRSA, c. 10, is enacted to read:

CHAPTER 10

ADOPTION SUBSIDY ACT

§ 540. Purpose

Subsidized adoption is an ongoing program within the Department of Health and Welfare intended to make possible the most appropriate adoption of each child legally eligible for adoption who otherwise may not be adopted. Such a child may be one who is physically or mentally handicapped, emotionally disturbed or in special circumstances by virtue of age, sibling relationship or ethnicity, and who is under the care of and placed for adoption by an approved public or private licensed agency.

§ 541. Funding

Subject to the availability of its own funds or funds available from other sources, the Department of Health and Welfare may subsidize adoption for any eligible child and shall establish rules and regulations for the subsidized adoption program. The amount of the subsidy may vary depending upon the resources of the adoptive parents, the special needs of the child as well as the availability of other resources. The duration of the subsidy may continue until the cessation of legal parental responsibility.

§ 542. Eligibility and terms

Foster parents interested in adopting an eligible child in their care, and any other persons interested in adopting, may apply for a subsidy. All applicants for adoption subsidy must meet agency standards with the exception of financial ability. The subsidy may be for special services only, for a limited period, for a long term or for a combination thereof. The type of adoption subsidy may vary depending on the special needs of the child.

§ 543. Administration

A written agreement between the family entering into subsidized adoption and the Department of Health and Welfare must precede the final decree of adoption. In case of subsidies that continue for more than one year, there shall be an annual redetermination of the need for subsidy. If the adopting family moves from the original jurisdiction, such family, if otherwise eligible, shall continue to receive the subsidy from the original state.

§ 544. Promulgation of rules and regulations

The Department of Health and Welfare must promulgate rules and regulations consistent with this chapter within 90 days of its enactment.

STATEMENT OF FACT

This Act will provide for the adoptive placement of hard-to-place children, who would otherwise remain in long-term foster care.