

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 107

H.P. 94

House of Representatives, January 11, 1999

An Act to Amend the Laws Regarding Foster Parents.

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BROOKS of Winterport.
Cosponsored by Representatives: BAKER of Bangor, BRAGDON of Bangor, BUCK of Yarmouth, COLWELL of Gardiner, HATCH of Skowhegan, McALEVEY of Waterboro, VOLENIK of Brooklin.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

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6 Whereas, foster parents are providing invaluable service to
the State by caring for our most needy children; and

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10 Whereas, foster parent reimbursement has not been increased
for years, causing a gap between actual costs and the level of
reimbursement provided by the State; and

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14 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore,

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

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Sec. 1. 22 MRSA §4005-C, as enacted by PL 1997, c. 715, Pt.
B, §5, is amended to read:

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§4005-C. Rights of persons who are not parties

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26 The foster parent of a child, if any, and any preadoptive
parent or relative providing care for the child must be provided
notice of, ~~the right to attend~~ and an opportunity to be heard in
28 any review or hearing to be held with respect to the child. The
right to be heard includes the right to testify but does not
include the right to present other witnesses or evidence, to
30 attend any other portion of the review or hearing or to have
access to pleadings or records. This section may not be
32 construed to require that any foster parent, preadoptive parent
or relative providing care for the child be made a party to the
34 review or hearing solely on the basis of the notice and
36 opportunity to be heard.

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38 **Sec. 2. Rate of reimbursement.** The Department of Human
Services shall increase the rate of reimbursement for foster and
40 preadoptive parents by 15% from the current rate beginning July
1, 1999.

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44 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect July 1, 1999.

SUMMARY

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4 This bill provides foster and preadoptive parents with the
right to attend court hearings regarding the child and directs
the Department of Human Services to increase the rate of
6 reimbursement 15% from the current rate beginning July 1, 1999.