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Testimony of the Office of Child and Family Services
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In opposition to LD 1409, *An Act Regarding the Rights of Foster Parents*

Sponsor: Representative Griffin
Hearing Date: April 8, 2025

Senator Ingwersen, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, my name is Bobbi Johnson, and I serve as the Director of the Office of Child and Family Services (OCFS) in the Maine Department of Health and Human Services. I am here today to testify in opposition to LD 1409, *An Act Regarding the Rights of Foster Parents*.

This bill would establish a requirement that a foster parent who has had a child in their home for a continuous period of one year or more has the same rights as an adult relative of the child.

OCFS is concerned that this change would result in a significant increase in contested litigation related to placements and adoptions. The existing statute's deference to relative and kinship placements is born out of extensive research and experience with the impact of removal on children and the importance of maintaining family connections whenever safely possible. The Statute as currently written was established by the Legislature based on the understanding of the importance of utilizing kinship resources when possible. OCFS believes LD 1409 would directly undermine that intent. Furthermore, OCFS believes LD 1409 also runs contrary to the federal government's preference for kinship caregivers, including their most recent shift to encourage states to enact a licensing structure for kinship/relative placements with requirements that are less stringent than the licensing requirements for non-relative resource homes.

OCFS greatly appreciates the role of resource parents and the distress that they may experience when a child they previously cared for is later placed with or adopted by relatives because of the preference for relative placements over unrelated resource homes. OCFS' policy and procedural expectations for staff, as well as the training resource parents receive, place a strong emphasis on supporting resource parents in understanding the child welfare process to ensure realistic expectations about all aspects of the process including the reunification process, the statutory emphasis on kinship/relative caregivers, etc.

OCFS would also point out that although we do not believe it is the intent of the sponsor to confer upon resource parents the same rights as biological parents involved in child protection

proceedings the language of this bill as drafted is concerning as a parent could be considered to be “an adult relative of the child.”

OCFS would encourage the Committee not to undermine the current statutory emphasis on kinship/relative placements contained in 22 MRSA §4005-G which is based on a core tenant of the child welfare system emphasizing the importance of maintaining a child’s connection to family, which is based on significant research.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.