



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4769 (as reported without amendment)
Sponsor: Representative Virgil Smith
House Committee: Family and Children Services
Senate Committee: Families and Human Services

CONTENT

The bill would amend the Social Welfare Act to do the following:

- Assign to the Family Independence Agency (FIA) rights to support payable on behalf of a child for whom the FIA was making State- or Federally funded foster care maintenance payments; and provide that when the FIA ceased making payments for the child, the assignment of current and future support rights to the FIA would cease, and the maximum amount of support the FIA could retain to reimburse the State, the Federal government, or both for the cost of care could not exceed the amount of payments made from State and/or Federal money.
- Require the FIA to certify only that an adoptee was a child with special needs before paying a support subsidy to an adoptive parent. (Currently, the FIA must certify that the adoptee is a child with special needs, that an adoptive parent requests a subsidy, and that the adoptee is in foster care when the FIA certifies the subsidy.)
- Revise the term "child with special needs" to require "a specific judicial finding" that the child could not or should not return to his or her parents' home. (Currently, the State must have determined that the child cannot or should not be returned to his or her parents' home.)
- Delete a limit of 20% on the amount the Office of Children and Youth Services may spend from the Child Care Fund for early intervention to treat problems of delinquency and neglect and expedite a child's return to his or her home.
- Define the term "placement" as a placement or commitment, including the necessity of removing the child from his or her parental home, as approved by the court under an order of disposition issued under the juvenile code.

MCL 400.115b et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

It appears that the bill would have no fiscal impact on the FIA. The bill would allow for accrued and current support payments to offset Federal and State portions of foster care maintenance payments, but at this time, it is uncertain what the impact of that might be.

The bill would have no fiscal impact on the Judiciary.

Date Completed: 5-20-04

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