

SR-27, As Adopted by Senate, January 21, 2010

Senators Clark-Coleman and Hardiman offered the following resolution:

Senate Resolution No. 27.

A resolution to urge Congress to take certain actions with regard to the federal guardianship assistance program.

Whereas, On August 4, 2008, Governor Granholm signed and enacted into law 2008 PA 260, known as the Michigan Subsidized Guardianship Assistance Act, which provided for the development of a state-funded guardianship assistance program to assist related and unrelated foster parents in providing permanent homes for children; and

Whereas, On October 7, 2008, President Bush signed and enacted into law Public Law 110-351, the Fostering Connections to Success and Increasing Adoptions Act, which included provisions for federally-funded guardianship assistance to licensed relative foster parents; and

Whereas, These guardianship assistance programs are essential to providing an alternative permanency option for children who cannot be reunified with birth parents and where an obstacle to adoption exists; and

Whereas, The federal law requires that certain requirements be met in state guardianship assistance programs in order to be entitled to the federal funding, including a requirement that children must have resided in an already-licensed relative foster care provider's home for six consecutive months before such funding will be available; and

Whereas, Legislation has passed the Michigan Senate and is currently being considered in the House of Representatives which would make changes to the Michigan program to bring it into compliance with federal law. But it has been determined that requiring prospective guardians to meet the licensing requirement prior to triggering the beginning of the six-month residency period will unreasonably and unnecessarily delay establishing a permanent placement for the child and may result in overly burdensome increased cost to counties; and

Whereas, State experts have determined that the purpose of the residency requirement would still be served by allowing the six-month period to begin to run prior to licensing of the prospective guardians and have, therefore, decided to waive the requirement of prior licensing for state-funded guardians despite the critical need to draw on federal funding to expand the number of permanent homes available to disadvantaged children through guardianship; now, therefore, be it

Resolved by the Senate, That we urge Congress to revise the requirements for federal guardianship assistance funding to allow the six-month residency requirement to begin to run prior to licensing of the home, provided that both the home is licensed and the residency requirement is met before federal funding begins; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.