HOUSE BILL NO. 885
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 43-15-17, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO PAY KINSHIP CARE
3 PAYMENTS TO PERSONS WHO ASSUME CUSTODY OF A RELATED CHILD PLACED
4 IN THE DEPARTMENT'S CUSTODY BY COURT ORDER; AND FOR RELATED
5 PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 43-15-17, Mississippi Code of 1972, is
amended as follows:

43-15-17. (1) The State Department of Human Services is
authorized to make such payments as may be appropriate for
supportive services to facilitate either the return of children to
their natural parents or their adoption, depending upon and
contingent upon the availability of the State Department of Human
Services' securing or having sufficient funds to render this
supportive service. Upon court order, the parent(s) shall be
responsible for reimbursing the department for any foster care or
kinship care payments made on behalf of his or her child, based
upon financial ability to pay, until such time as there is a
termination of parental rights regarding the child, or the child
is adopted.

(2) For those children placed in foster care by the state or
county departments of human services, the department shall make
monthly payments for the support of these children's room and
board, clothing, allowance and personal needs. From and after
July 1, 1998, and subject to the availability of funds
specifically appropriated therefor, the Department of Human
Services' foster care and therapeutic care monthly payment
schedule in effect before that date shall be increased by One
Hundred Dollars ($100.00) per month, with that minimum payment not to preclude the department from increasing payments in later years as funds become available. From and after July 1, 1998, in order for foster parents to receive the monthly payments authorized under this subsection (2), the Department of Human Services shall require foster care placements to be licensed as foster care homes and shall require prospective foster parents to satisfactorily complete an appropriate training program that emphasizes the goal of the foster care program to provide stable foster placement until a permanency outcome is achieved.

(3) For a child placed in the care of the child's relative within the third degree by the state or county departments of human services, the department may make monthly payments to defray the relative's expense of furnishing room and board if the department, upon performing a home study, determines that financial inability to maintain the child is the sole reason preventing the relative from assuming custody of the child. Subject to the availability of funds therefor, the department's kinship care payment may be in an amount up to one hundred percent (100%) of the amount of the foster care board payment. The department may continue to make those payments to the relative after the department relinquishes legal custody of the child to the relative. Any such payments for kinship care shall be subject to specific appropriation therefor by the Legislature.

SECTION 2. This act shall take effect and be in force from and after July 1, 2007.