

By: Representative Holland

To: Public Health and Human Services

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.

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

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

9 43-15-17. (1) The State Department of Human Services is
10 authorized to make such payments as may be appropriate for
11 supportive services to facilitate either the return of children to
12 their natural parents or their adoption, depending upon and
13 contingent upon the availability of the State Department of Human
14 Services' securing or having sufficient funds to render this
15 supportive service. Upon court order, the parent(s) shall be
16 responsible for reimbursing the department for any foster care or
17 kinship care payments made on behalf of his or her child, based
18 upon financial ability to pay, until such time as there is a
19 termination of parental rights regarding the child, or the child
20 is adopted.

21 (2) For those children placed in foster care by the state or
22 county departments of human services, the department shall make
23 monthly payments for the support of these children's room and
24 board, clothing, allowance and personal needs. From and after
25 July 1, 1998, and subject to the availability of funds
26 specifically appropriated therefor, the Department of Human
27 Services' foster care and therapeutic care monthly payment
28 schedule in effect before that date shall be increased by One

29 Hundred Dollars (\$100.00) per month, with that minimum payment not
30 to preclude the department from increasing payments in later years
31 as funds become available. From and after July 1, 1998, in order
32 for foster parents to receive the monthly payments authorized
33 under this subsection (2), the Department of Human Services shall
34 require foster care placements to be licensed as foster care homes
35 and shall require prospective foster parents to satisfactorily
36 complete an appropriate training program that emphasizes the goal
37 of the foster care program to provide stable foster placement
38 until a permanency outcome is achieved.

39 (3) For a child placed in the care of the child's relative
40 within the third degree by the state or county departments of
41 human services, the department may make monthly payments to defray
42 the relative's expense of furnishing room and board if the
43 department, upon performing a home study, determines that
44 financial inability to maintain the child is the sole reason
45 preventing the relative from assuming custody of the child.
46 Subject to the availability of funds therefor, the department's
47 kinship care payment may be in an amount up to one hundred percent
48 (100%) of the amount of the foster care board payment. The
49 department may continue to make those payments to the relative
50 after the department relinquishes legal custody of the child to
51 the relative. Any such payments for kinship care shall be subject
52 to specific appropriation therefor by the Legislature.

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