

HOUSE No. 4881

By Mr. Giordano of Methuen, petition of Larry F. Giordano for legislation to establish a bill of rights for foster parents. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT ESTABLISHING A BILL OF RIGHTS FOR FOSTER PARENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 119 of the General Laws is hereby
2 amended by inserting after section 23B the following section: —

3 Section 23C. (1) The rights established under this section shall
4 apply to every foster parent who shall receive written notice of
5 such rights within ten days of placement of a foster child with such
6 foster parent.

7 Every foster parent shall have the right to:

8 (a) information concerning the foster child which relates to the
9 safety of said child or the household;

10 (b) legal representation or consultation at the expense of the
11 department;

12 (c) privacy from the foster child's biological parents, including
13 without limitation not releasing a home address and telephone
14 number;

15 (d) support from social workers, including without limitation
16 the documentation of information provided by foster parents.

17 (2) The department shall conduct proper screenings of foster
18 parents to ensure that quality foster parents are protected.

19 (3) Notwithstanding the provisions of any law to the contrary
20 a foster home placement shall not exceed eighteen months. At the
21 expiration of such time the foster child shall be deemed to be pre-
22 adoptive.

1 SECTION 2. Section 51A of said chapter 119, as appearing in
2 the 1990 Official Edition, is hereby amended by adding the
3 following paragraph: —

4 Notwithstanding the provisions of any law to the contrary, any
5 person filing a report under this section against a foster parent
6 shall forthwith be interviewed by a court investigator to determine
7 the validity of such report; provided, however, that such a report
8 shall be investigated by the home office of the department unless
9 a death is involved.

1 SECTION 3. A foster parent, who upon the effective date of
2 this act has a foster child in his home, shall receive the written
3 notice required by section twenty-three C of chapter one hundred
4 and nineteen of the General Laws within thirty days of the effective
5 date of this act.