

HOUSE CONCURRENT RESOLUTION NO. 3014

Introduced by

Representatives Martin, Wentz, Jensen

Senators Robinson, St. Aubyn

1 A concurrent resolution urging Congress to enact legislation to allow an exception to the
2 requirement that parents relinquish custody in order to receive out-of-home treatment services
3 for children with serious emotional disorders.

4 **WHEREAS**, parents of children with serious emotional disorders often require access to
5 public funds in order to obtain out-of-home mental health treatment services for their children
6 with serious emotional disorders; and

7 **WHEREAS**, the primary source of federal funding for out-of-home services for children
8 is under the federal foster care program; and

9 **WHEREAS**, the Adoption Assistance Child Welfare Act of 1980 (Pub. L. 96-272),
10 providing for the federal foster care program, requires that in order to receive foster care
11 maintenance payments, the child must be removed from the home as a result of a judicial
12 determination, the child's placement and care must be the responsibility of a state agency or
13 other public agency, and the child must be placed in a foster home or a child care institution;
14 and

15 **WHEREAS**, in order to obtain funds for out-of-home mental health services for their
16 children, many parents relinquish custody in order to have their children receive the needed
17 services under the foster care program; and

18 **WHEREAS**, after custody is relinquished, parents have minimal involvement in
19 decisions made by the public agencies which affect their children;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
21 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

22 That the Fifty-fifth Legislative Assembly urges the Congress of the United States to
23 consider changes to the federal foster care program to allow an exception to the requirement
24 that parents relinquish custody in order to receive out-of-home treatment services for children
25 with serious emotional disorders; and

- 1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
- 2 resolution to each member of the North Dakota Congressional Delegation.