

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven**

**HOUSE CONCURRENT RESOLUTION NO. 3014  
(Representatives Martin, Wentz, Jensen)  
(Senators Robinson, St. Aubyn)**

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

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

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

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

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

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

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

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

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

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Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State