

**§8107. Exceptions**

The following exceptions to placement, as defined in section 8101, shall apply. [PL 1983, c. 629, §2 (NEW).]

**1. Number; placement in children's homes.** The limitations on the number of children in children's homes do not prohibit the placement of more than the allowed number if the purpose of the placement is to keep siblings together.

[PL 2017, c. 372, §1 (AMD).]

**1-A. Number; placement in family foster home.** The limitation on the number of children in a family foster home does not prohibit the placement of more than the allowed number in an individual case involving unusual circumstances if the department determines that placement to be appropriate.

[PL 2017, c. 372, §2 (NEW).]

**2. Disabled child; placement.** The definitions used do not preclude the department from placing a child who is moderately to severely disabled in any appropriate child care facility at the department's discretion, subject to the limitations on the number of children specified in section 8101, subsections 1 and 3.

[PL 2021, c. 348, §33 (AMD).]

**3. Residents 18 years of age or older.** A resident in a children's home may remain in that home after attaining the age of 18 years without the home being required to be licensed as a boarding care facility under chapter 1663 if the department determines that it is in the best interest of the resident.

[PL 1989, c. 355, §3 (NEW).]

**4. Parents of children receiving services.** Adult parents may reside with their children in a children's residential care facility in order to facilitate the care of the child when the department has determined it to be in the best interest of the child.

[PL 2013, c. 179, §9 (AMD).]

The department may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2007, c. 320, §2 (NEW).]

**SECTION HISTORY**

PL 1983, c. 629, §2 (NEW). PL 1985, c. 706, §10 (AMD). PL 1989, c. 355, §3 (AMD). PL 2007, c. 320, §§1, 2 (AMD). PL 2013, c. 179, §9 (AMD). PL 2017, c. 372, §§1, 2 (AMD). PL 2021, c. 348, §33 (AMD).

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