

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 126

Representatives Boyd, Rezabek

**Cosponsors: Representatives Seitz, Ramos, Boggs, Ashford, Smith, K., O'Brien,
Kent, Lepore-Hagan, Craig, Antonio, Miller, Reece, Bocchieri, Sykes, Howse**

A BILL

To amend sections 5101.80, 5101.85, 5101.851, and 1
5101.853; to amend, for the purpose of adopting 2
new section numbers as indicated in parentheses, 3
sections 5101.852 (5101.856) and 5101.853 4
(5101.854); and to enact new sections 5101.852 5
and 5101.853 and section 5101.855 of the Revised 6
Code to require a region-based kinship caregiver 7
navigator program. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5101.80, 5101.85, 5101.851, and 9
5101.853 be amended; sections 5101.852 (5101.856) and 5101.853 10
(5101.854) be amended for the purpose of adopting new section 11
numbers as indicated in parentheses; and new sections 5101.852 12
and 5101.853 and section 5101.855 of the Revised Code be enacted 13
to read as follows: 14

Sec. 5101.80. (A) As used in this section and in section 15
5101.801 of the Revised Code: 16

(1) "County family services agency" has the same meaning 17

as in section 307.981 of the Revised Code. 18

(2) "State agency" has the same meaning as in section 9.82 19
of the Revised Code. 20

(3) "Title IV-A administrative agency" means both of the 21
following: 22

(a) A county family services agency or state agency 23
administering a Title IV-A program under the supervision of the 24
department of job and family services; 25

(b) A government agency or private, not-for-profit entity 26
administering a project funded in whole or in part with funds 27
provided under the Title IV-A demonstration program created 28
under section 5101.803 of the Revised Code. 29

(4) "Title IV-A program" means all of the following that 30
are funded in part with funds provided under the temporary 31
assistance for needy families block grant established by Title 32
IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 33
U.S.C. 601, as amended: 34

(a) The Ohio works first program established under Chapter 35
5107. of the Revised Code; 36

(b) The prevention, retention, and contingency program 37
established under Chapter 5108. of the Revised Code; 38

(c) A program established by the general assembly or an 39
executive order issued by the governor that is administered or 40
supervised by the department of job and family services pursuant 41
to section 5101.801 of the Revised Code; 42

(d) The kinship permanency incentive program created under 43
section 5101.802 of the Revised Code; 44

(e) The Title IV-A demonstration program created under 45
section 5101.803 of the Revised Code; 46

(f) The Ohio parenting and pregnancy program created under 47
section 5101.804 of the Revised Code; 48

(g) A component of a Title IV-A program identified under 49
divisions (A) (4) (a) to (f) of this section that the Title IV-A 50
state plan prepared under division (C) (1) of this section 51
identifies as a component; 52

(h) The kinship navigator program created under section 53
5101.851 of the Revised Code. 54

(B) The department of job and family services shall act as 55
the single state agency to administer and supervise the 56
administration of Title IV-A programs. The Title IV-A state plan 57
and amendments to the plan prepared under division (C) of this 58
section are binding on Title IV-A administrative agencies. No 59
Title IV-A administrative agency may establish, by rule or 60
otherwise, a policy governing a Title IV-A program that is 61
inconsistent with a Title IV-A program policy established, in 62
rule or otherwise, by the director of job and family services. 63

(C) The department of job and family services shall do all 64
of the following: 65

(1) Prepare and submit to the United States secretary of 66
health and human services a Title IV-A state plan for Title IV-A 67
programs; 68

(2) Prepare and submit to the United States secretary of 69
health and human services amendments to the Title IV-A state 70
plan that the department determines necessary, including 71
amendments necessary to implement Title IV-A programs identified 72
in divisions (A) (4) (c) to (g) of this section; 73

(3) Prescribe forms for applications, certificates,	74
reports, records, and accounts of Title IV-A administrative	75
agencies, and other matters related to Title IV-A programs;	76
(4) Make such reports, in such form and containing such	77
information as the department may find necessary to assure the	78
correctness and verification of such reports, regarding Title	79
IV-A programs;	80
(5) Require reports and information from each Title IV-A	81
administrative agency as may be necessary or advisable regarding	82
a Title IV-A program;	83
(6) Afford a fair hearing in accordance with section	84
5101.35 of the Revised Code to any applicant for, or participant	85
or former participant of, a Title IV-A program aggrieved by a	86
decision regarding the program;	87
(7) Administer and expend, pursuant to Chapters 5104.,	88
5107., and 5108. of the Revised Code and sections 5101.801,	89
5101.802, 5101.803, and 5101.804 of the Revised Code, any sums	90
appropriated by the general assembly for the purpose of those	91
chapters and sections and all sums paid to the state by the	92
secretary of the treasury of the United States as authorized by	93
Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996),	94
42 U.S.C. 601, as amended;	95
(8) Conduct investigations and audits as are necessary	96
regarding Title IV-A programs;	97
(9) Enter into reciprocal agreements with other states	98
relative to the provision of Ohio works first and prevention,	99
retention, and contingency to residents and nonresidents;	100
(10) Contract with a private entity to conduct an	101
independent on-going evaluation of the Ohio works first program	102

and the prevention, retention, and contingency program. The 103
contract must require the private entity to do all of the 104
following: 105

(a) Examine issues of process, practice, impact, and 106
outcomes; 107

(b) Study former participants of Ohio works first who have 108
not participated in Ohio works first for at least one year to 109
determine whether they are employed, the type of employment in 110
which they are engaged, the amount of compensation they are 111
receiving, whether their employer provides health insurance, 112
whether and how often they have received benefits or services 113
under the prevention, retention, and contingency program, and 114
whether they are successfully self sufficient; 115

(c) Provide the department with reports at times the 116
department specifies. 117

(11) Not later than the last day of each January and July, 118
prepare a report containing information on the following: 119

(a) Individuals exhausting the time limits for 120
participation in Ohio works first set forth in section 5107.18 121
of the Revised Code. 122

(b) Individuals who have been exempted from the time 123
limits set forth in section 5107.18 of the Revised Code and the 124
reasons for the exemption. 125

(D) The department shall provide copies of the reports it 126
receives under division (C)(10) of this section and prepares 127
under division (C)(11) of this section to the governor, the 128
president and minority leader of the senate, and the speaker and 129
minority leader of the house of representatives. The department 130
shall provide copies of the reports to any private or government 131

entity on request. 132

(E) An authorized representative of the department or a 133
county family services agency or state agency administering a 134
Title IV-A program shall have access to all records and 135
information bearing thereon for the purposes of investigations 136
conducted pursuant to this section. An authorized representative 137
of a government entity or private, not-for-profit entity 138
administering a project funded in whole or in part with funds 139
provided under the Title IV-A demonstration program shall have 140
access to all records and information bearing on the project for 141
the purpose of investigations conducted pursuant to this 142
section. 143

Sec. 5101.85. As used in sections 5101.851 to ~~5101.853~~ 144
5101.856 of the Revised Code, "kinship caregiver" means any of 145
the following who is eighteen years of age or older and is 146
caring for a child in place of the child's parents: 147

(A) The following individuals related by blood or adoption 148
to the child: 149

(1) Grandparents, including grandparents with the prefix 150
"great," "great-great," or "great-great-great"; 151

(2) Siblings; 152

(3) Aunts, uncles, nephews, and nieces, including such 153
relatives with the prefix "great," "great-great," "grand," or 154
"great-grand"; 155

(4) First cousins and first cousins once removed. 156

(B) Stepparents and stepsiblings of the child; 157

(C) Spouses and former spouses of individuals named in 158
divisions (A) and (B) of this section; 159

(D) A legal guardian of the child;	160
(E) A legal custodian of the child.	161
Sec. 5101.851. The department of job and family services	162
may shall establish a statewide program of kinship care	163
navigators to assist kinship caregivers who are seeking	164
information regarding, or assistance obtaining, services and	165
benefits available at the state and local level that address the	166
needs of those caregivers residing in each county. The program	167
shall provide to kinship caregivers information and referral	168
services and assistance obtaining support services including the	169
following:	170
(A) Publicly funded child care;	171
(B) Respite care;	172
(C) Training related to caring for special needs children;	173
(D) A toll-free telephone number that may be called to	174
obtain basic information about the rights of, and services	175
available to, kinship caregivers;	176
(E) Legal services.	177
Sec. 5101.852. <u>The director of job and family services</u>	178
<u>shall divide the state into not less than five and not greater</u>	179
<u>than twelve regions, for the statewide program of kinship care</u>	180
<u>navigators under section 5101.851 of the Revised Code. The</u>	181
<u>director shall take the following into consideration when</u>	182
<u>establishing the regions:</u>	183
<u>(A) The population size;</u>	184
<u>(B) The estimated number of kinship caregivers;</u>	185
<u>(C) The expertise of kinship navigators;</u>	186

<u>(D) Any other factor the director considers relevant.</u>	187
<u>Sec. 5101.853. Each kinship care navigator region shall</u>	188
<u>provide information and referral services and assistance in</u>	189
<u>obtaining support services for kinship caregivers within its</u>	190
<u>region.</u>	191
<u>Sec. 5101.853 5101.854. The Not later than one year after</u>	192
<u>the effective date of this amendment, the department of job and</u>	193
<u>family services may shall adopt rules to implement the kinship</u>	194
<u>care navigators program. The rules shall be adopted under</u>	195
<u>Chapter 119. of the Revised Code, except that rules governing</u>	196
<u>fiscal and administrative matters related to implementation of</u>	197
<u>the navigators program are internal management rules and shall</u>	198
<u>be adopted under section 111.15 of the Revised Code.</u>	199
<u>Sec. 5101.855. (A) The director of job and family services</u>	200
<u>shall, not later than one year after the effective date of this</u>	201
<u>section, submit an amendment to the state plan required by 42</u>	202
<u>U.S.C. 602 to the United States secretary of health and human</u>	203
<u>services to implement 42 U.S.C. 601 et seq. to make federal</u>	204
<u>payments for kinship care navigators under Title IV-A.</u>	205
<u>(B) The department shall pay the full nonfederal share for</u>	206
<u>the kinship caregiver program. No county department of job and</u>	207
<u>family services or public children services agency shall be</u>	208
<u>responsible for the cost of the kinship care navigator program.</u>	209
<u>Sec. 5101.852 5101.856. Within available funds, the</u>	210
<u>department of job and family services shall make payments to</u>	211
<u>public children services agencies for the purpose of permitting</u>	212
<u>the agencies to provide kinship care navigator information and</u>	213
<u>referral services and assistance obtaining support services to</u>	214
<u>kinship caregivers pursuant to the kinship care navigator</u>	215

program. The department may provide training and technical 216
assistance concerning the needs of kinship caregivers to 217
employees of public children services agencies and to persons or 218
entities that serve kinship caregivers or perform the duties of 219
a kinship care navigator and are under contract with an agency. 220

Section 2. That existing sections 5101.80, 5101.85, 221
5101.851, 5101.852, and 5101.853 of the Revised Code are hereby 222
repealed. 223