

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 640

Representative Brent

**Cosponsors: Representatives Crawley, Robinson, Hicks-Hudson, Leland, Howse,
Lightbody, Skindell, Weinstein, Boyd**

A BILL

To enact sections 5101.52, 5101.521, 5101.522, and 1
5101.523 of the Revised Code to establish a 2
kinship caregivers' bill of rights and to make 3
an appropriation. 4

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

Section 1. That sections 5101.52, 5101.521, 5101.522, and 5
5101.523 of the Revised Code be enacted to read as follows: 6

Sec. 5101.52. As used in sections 5101.521 to 5101.523, 7
"kinship caregiver" has the same meaning as in section 5101.85 8
of the Revised Code. 9

Sec. 5101.521. A kinship caregiver shall have rights to 10
all of the following: 11

(A) Be treated with consideration and respect for personal 12
dignity; 13

(B) Be actively informed of all available support 14
mechanisms that a kinship caregiver may access, including 15
information on all public or private agency policies and 16

<u>procedures relating to kinship caregivers;</u>	17
<u>(C) Receive information on how to contact agency personnel</u>	18
<u>on a seven-days-per-week, twenty-four-hours-per-day basis;</u>	19
<u>(D) Receive open, complete, and timely responses from any</u>	20
<u>agency a kinship caregiver contacts;</u>	21
<u>(E) Receive, as a newly designated kinship caregiver,</u>	22
<u>access to critical outreach services and orientation support;</u>	23
<u>(F) Receive full access to medical and mental health</u>	24
<u>services for the children placed with the kinship caregiver;</u>	25
<u>(G) Receive access to childcare, without having to meet</u>	26
<u>work requirements;</u>	27
<u>(H) Be treated equally for funding, resources, and</u>	28
<u>services, regardless of whether the kinship care is provided</u>	29
<u>through a formal or informal, or an adoptive, kinship caregiver</u>	30
<u>placement;</u>	31
<u>(I) Be informed of, and receive access to, a child</u>	32
<u>advocate for kinship care, of which one shall be appointed in</u>	33
<u>every county in this state, with more advocates appointed for</u>	34
<u>high-service counties;</u>	35
<u>(J) Receive priority for school choice, to provide</u>	36
<u>stability and fewer disruptions to their school environment</u>	37
<u>during transition;</u>	38
<u>(K) Receive additional resources for essential school</u>	39
<u>supplies, uniforms and clothing, and other essential items for</u>	40
<u>the domestic care of the child;</u>	41
<u>(L) Receive advanced notification of scheduled meetings</u>	42
<u>concerning the child to actively participate and have input into</u>	43

the case-planning and decision-making process regarding the 44
child; 45

(M) Receive from an agency with responsibilities for the 46
care of the child subject to kinship care all information about 47
the child's medical history, general behaviors, and the 48
relationships between the child and his or her biological 49
parents, as soon as that information is obtained by the agency; 50

(N) Receive from an agency with responsibility for the 51
care of the child subject to kinship care, within a reasonable 52
amount of time, the information concerning the educational 53
history, life experiences, and placement circumstances of the 54
child; 55

(O) Be consulted in the development of the permanency 56
plan; 57

(P) Be consulted in the decision to release the kinship 58
caregiver's address to the child's parent, and shall be informed 59
when such information has been shared; 60

(Q) Receive assistance with the coordination of services 61
for dealing with family loss and separation when a child placed 62
with a kinship caregiver leaves the kinship caregiver's home, 63
when relocation is not the result of threat to the health and 64
safety of the child caused by the kinship caregiver or member of 65
the kinship caregiver's household; 66

(R) Have the opportunity to receive appropriate training 67
without cost that will enhance the kinship caregiver's skills 68
and abilities; 69

(S) Be subject to confidentiality requirements in 70
accordance with division (I) of section 2141.421 of the Revised 71
Code regarding a child abuse or neglect report involving a 72

kinship caregiver or a member of the kinship caregiver's 73
household. Confidentiality requirements shall not interfere with 74
the safety of the child; 75

(T) Be informed of, and have the opportunity to be heard 76
regarding, agency decisions or practices. The agency shall not 77
discharge, threaten, or otherwise discriminate or retaliate 78
against a kinship caregiver for questioning the decisions or 79
practices of the agency; 80

(U) Be informed of the process, established by the 81
department of job and family services, for kinship caregivers to 82
make complaints about agency discrimination or retaliation for 83
questioning the agency's decisions or practices, in a reasonable 84
amount of time. 85

Sec. 5101.522. A kinship caregiver shall have the right to 86
be remunerated comparably to foster care providers and shall be 87
reimbursed for expenses under divisions (F), (G), (H), (K), and 88
(R) of section 5101.521 of the Revised Code. 89

Sec. 5101.523. The director of job and family services 90
shall adopt rules in accordance with Chapter 119. of the Revised 91
Code as necessary to implement sections 5101.521 and 5101.522 of 92
the Revised Code. 93

Section 2. On the effective date of this section, or as 94
soon as possible thereafter, the Director of Job and Family 95
Services shall certify to the Director of Budget and Management 96
the amount necessary to carry out the requirements of sections 97
5101.521 and 5101.522 of the Revised Code. The Director of 98
Budget and Management shall transfer cash from the Budget 99
Stabilization Fund, up to the amount certified without exceeding 100
the balance of the the Budget Stabilization Fund, to the General 101

Revenue Fund. The amount transferred is hereby appropriated to 102
appropriation item 600551, Job and Family Services Program 103
Support, for the relevant fiscal year. 104

Within the limits set forth in this act, the Director of 105
Budget and Management shall establish accounts indicating the 106
source and amount of funds for each appropriation made in this 107
act, and shall determine the form and manner in which 108
appropriation accounts shall be maintained. Expenditures from 109
appropriations contained in this act shall be accounted for as 110
though made in the main operating appropriations act of the 111
133rd General Assembly. 112

The appropriations made in this act are subject to all 113
provisions of H.B. 166 of the 133rd General Assembly that are 114
generally applicable to such appropriations. 115