



1108 City Park Ave, Suite 200
Columbus, OH 43206
614-827-0549
ohiopovertylawcenter.org

Proponent Testimony
Tim Johnson, Policy Advocate
Ohio Poverty Law Center
Ohio Senate Judiciary Committee
March 26, 2025

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Ohio Senate Judiciary Committee, my name is Tim Johnson, and I am a policy advocate for the Ohio Poverty Law Center. The Ohio Poverty Law Center's mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working, and raising their families in poverty. Thank you for allowing me to provide proponent testimony to Senate Bill 58 which makes an important change to who may utilize power of attorney/caretaker authorization affidavit in Ohio.

Kinship Care offers many benefits to children and families over being placed in traditional foster care. Children are placed with relatives or someone they have a close relationship with, creating a sense of stability during what is often a turbulent time. The number of Ohio children in kinship care has increased due to the opioid crisis and the COVID 19 pandemic, a trend which we also see reflected nationwide. Some of the positive benefits of kinship care include:

- Better mental and behavioral health outcomes
- Better education outcomes
- Lower instances of trauma
- Promotes family connections and community identity
- Improvement in a child's well-being

However, despite the importance of kinship care, there are still barriers that make it difficult for a caregiver to fully address the needs of a child. For instance, while every state has a process for caregivers to make decisions regarding a child's education and healthcare, only Ohio restricts this process to grandparents. While it is obviously important that grandparents have the ability to make these decisions, Ohio needlessly excludes all other kinship caregiving situations. Aunts, uncles, brothers, sisters, stepparents and anyone else connected to the child and willing to provide kinship care cannot use power of attorney (POA) or a caretaker authorization affidavit (CAA) to enroll a child in school or consent to their healthcare.

When a non-grandparent caregiver cannot utilize POA or CAA, they have few remedies at their disposal. They could choose to leave the children with their parents in an environment which is unsafe, the children could end up in the overloaded foster care system, or to avoid the previous two outcomes a caregiver might feel pressured to file for custody. Many caregivers do not want custody of the children and in fact choose to be caregivers because they are not be required to get custody. Filing for custody is costly, time-consuming, and can permanently fracture familial bonds that kinship care

works so hard to maintain. Without access to POA or CAA, Ohio is putting both kinship caregivers and children in a lose-lose situation.

SB 58 makes a small but important change to Ohio law; it allows for non-grandparent caregivers to utilize POA and CAA, so that they may make decisions about a child's education and healthcare. Caregivers will no longer face unnecessary obstacles and can put the needs of the children in their care at the forefront.

Those who choose to be caregivers are taking on an enormous responsibility and we should be doing all we can to set them up for success. SB 58 will help make the job of all caregivers a little bit easier and we urge your support. Thank you for your time, I am happy to answer any questions you might have.