

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 7

Representatives White, A., Ray

A BILL

To amend section 5104.30 and to enact section 1
5104.302 of the Revised Code to make foster 2
caregivers and kinship caregivers eligible for 3
publicly funded child care. 4

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

Section 1. That section 5104.30 be amended and section 5
5104.302 of the Revised Code be enacted to read as follows: 6

Sec. 5104.30. (A) The department of children and youth is 7
hereby designated as the state agency responsible for 8
administration and coordination of federal and state funding for 9
publicly funded child care in this state. Publicly funded child 10
care shall be provided to the following: 11

(1) Recipients of transitional child care as provided 12
under section 5104.34 of the Revised Code; 13

(2) Participants in the Ohio works first program 14
established under Chapter 5107. of the Revised Code; 15

(3) Individuals who would be participating in the Ohio 16
works first program if not for a sanction under section 5107.16 17
of the Revised Code and who continue to participate in a work 18

activity, developmental activity, or alternative work activity 19
pursuant to an assignment under section 5107.42 of the Revised 20
Code; 21

(4) ~~A family receiving publicly funded child care on~~ 22
~~October 1, 1997, until the family's income reaches one hundred~~ 23
~~fifty per cent of the federal poverty line~~ Subject to section 24
5104.302 of the Revised Code, foster caregivers, as defined in 25
section 5103.02 of the Revised Code, and kinship caregivers, as 26
defined in section 5101.85 of the Revised Code; 27

(5) Subject to available funds, other individuals 28
determined eligible in accordance with rules adopted under 29
section 5104.38 of the Revised Code. 30

The department shall apply to the United States department 31
of health and human services for authority to operate a 32
coordinated program for publicly funded child care, if the 33
director of children and youth determines that the application 34
is necessary. For purposes of this section, the department of 35
children and youth may enter into agreements with other state 36
agencies that are involved in regulation or funding of child 37
care. The department shall consider the special needs of migrant 38
workers when it administers and coordinates publicly funded 39
child care and shall develop appropriate procedures for 40
accommodating the needs of migrant workers for publicly funded 41
child care. 42

(B) The department of children and youth shall distribute 43
state and federal funds for publicly funded child care, 44
including appropriations of state funds for publicly funded 45
child care and appropriations of federal funds available under 46
the child care block grant act, Title IV-A, and Title XX. The 47
department may use any state funds appropriated for publicly 48

funded child care as the state share required to match any 49
federal funds appropriated for publicly funded child care. 50

(C) In the use of federal funds available under the child 51
care block grant act, all of the following apply: 52

(1) The department may use the federal funds to hire staff 53
to prepare any rules required under this chapter and to 54
administer and coordinate federal and state funding for publicly 55
funded child care. 56

(2) Not more than five per cent of the aggregate amount of 57
the federal funds received for a fiscal year may be expended for 58
administrative costs. 59

(3) The department shall allocate and use at least four 60
per cent of the federal funds for the following: 61

(a) Activities designed to provide comprehensive consumer 62
education to parents and the public; 63

(b) Activities that increase parental choice; 64

(c) Activities, including child care resource and referral 65
services, designed to improve the quality, and increase the 66
supply, of child care; 67

(d) Establishing the step up to quality program pursuant 68
to section 5104.29 of the Revised Code. 69

(4) The department shall ensure that the federal funds 70
will be used only to supplement, and will not be used to 71
supplant, federal, state, and local funds available on the 72
effective date of the child care block grant act for publicly 73
funded child care and related programs. If authorized by rules 74
adopted by the department pursuant to section 5104.42 of the 75
Revised Code, county departments of job and family services may 76

purchase child care from funds obtained through any other means. 77

(D) The department shall encourage the development of 78
suitable child care throughout the state, especially in areas 79
with high concentrations of recipients of public assistance and 80
families with low incomes. The department shall encourage the 81
development of suitable child care designed to accommodate the 82
special needs of migrant workers. On request, the department, 83
through its employees or contracts with state or community child 84
care resource and referral service organizations, shall provide 85
consultation to groups and individuals interested in developing 86
child care. The department of children and youth may enter into 87
interagency agreements with the department of education and 88
workforce, the chancellor of higher education, the department of 89
development, and other state agencies and entities whenever the 90
cooperative efforts of the other state agencies and entities are 91
necessary for the department of children and youth to fulfill 92
its duties and responsibilities under this chapter. 93

The department shall develop and maintain a registry of 94
persons providing child care. The director shall adopt rules in 95
accordance with Chapter 119. of the Revised Code establishing 96
procedures and requirements for the registry's administration. 97

(E) (1) The director shall adopt rules in accordance with 98
Chapter 119. of the Revised Code establishing both of the 99
following: 100

(a) Reimbursement rates for providers of publicly funded 101
child care not later than the first day of July in each odd- 102
numbered year; 103

(b) A procedure for reimbursing and paying providers of 104
publicly funded child care. 105

(2) In establishing reimbursement rates under division (E)	106
(1) (a) of this section, the director shall do all of the	107
following:	108
(a) Use the information obtained in accordance with 45	109
C.F.R. 98.45;	110
(b) Establish an enhanced reimbursement rate for providers	111
who provide child care for caretaker parents who work	112
nontraditional hours;	113
(c) With regard to the step up to quality program	114
established pursuant to section 5104.29 of the Revised Code,	115
establish enhanced reimbursement rates for child care providers	116
that participate in the program.	117
(3) In establishing reimbursement rates under division (E)	118
(1) (a) of this section, the director may establish different	119
reimbursement rates based on any of the following:	120
(a) Geographic location of the provider;	121
(b) Type of care provided;	122
(c) Age of the child served;	123
(d) Special needs of the child served;	124
(e) Whether the expanded hours of service are provided;	125
(f) Whether weekend service is provided;	126
(g) Whether the provider has exceeded the minimum	127
requirements of state statutes and rules governing child care;	128
(h) Any other factors the director considers appropriate.	129
<u>Sec. 5104.302.</u> (A) A foster caregiver or kinship caregiver	130
<u>shall be employed or participating in a program of education or</u>	131

training for an amount of time reasonably related to the time 132
that the child is receiving publicly funded child care in order 133
to be provided publicly funded child care under section 5104.30 134
of the Revised Code. 135

(B) Publicly funded child care shall be provided only for 136
a child that is placed with a foster caregiver or kinship 137
caregiver. 138

(C) Publicly funded child care for a foster caregiver or 139
kinship caregiver may be provided only by the following: 140

(1) Any of the following licensed by the department of 141
children and youth pursuant to section 5104.03 of the Revised 142
Code: 143

(a) A child care center, including a parent cooperative 144
child care center; 145

(b) A type A family child care home, including a parent 146
cooperative type A family child care home; 147

(c) A licensed type B family child care home. 148

(2) A licensed preschool program; 149

(3) A licensed school child program; 150

(4) A border state child care provider, except that a 151
border state child care provider may provide publicly funded 152
child care only to an individual who resides in an Ohio county 153
that borders the state in which the provider is located. 154

Section 2. That existing section 5104.30 of the Revised 155
Code is hereby repealed. 156