

**As Reported by the House Children and Human Services Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Am. H. B. No. 7**

**Representatives White, A., Ray**

**Cosponsors: Representatives Lett, Fowler Arthur**



**A BILL**

To amend section 5104.30 and to enact section 1  
5104.303 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  
5104.303 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  
5104.303 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 5180.50 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) Payment rates for providers of publicly funded child 101  
care not later than the first day of July in each odd-numbered 102  
year; 103

(b) A procedure for paying providers of publicly funded 104

child care.	105
(2) In establishing payment rates under division (E) (1) (a)	106
of this section, the director shall do all of the following:	107
(a) Use the information obtained from the market rate	108
survey developed and conducted in accordance with 45 C.F.R.	109
98.45;	110
(b) Establish an enhanced payment rate for providers who	111
enroll children whose caretaker parents work nontraditional	112
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 payment rates for child care providers that	116
participate in the program.	117
(3) In establishing payment rates under division (E) (1) (a)	118
of this section, the director may establish different payment	119
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
<b><u>Sec. 5104.303.</u></b> (A) A foster caregiver or kinship caregiver	130

shall be employed or participating in a program of education or 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