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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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**H.B. 865**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. T. Mathews and A. White

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### SUMMARY

- Requires the Department of Children and Youth (DCY) to establish and maintain on its “It Takes Heart” adoption initiative website a centralized database that publishes the profiles of children who are available for placement with qualified adoptive parents.
- Requires each public children services agency (PCSA), private child placing agency (PCPA), and private noncustodial agency (PNA), and permits any attorney coordinating an adoption, to create a profile for each child served by the agency or attorney who is available for placement with qualified adoptive parents.
- Regulates who can access the database and what information concerning adoptable children can be published.
- Decreases the amount of time a PCSA has to respond to adoption inquiries, from seven business days to three business days.
- Specifies adoption-related content that a PCSA’s website must contain.
- Requires each PCSA to annually submit a report on adoption data to DCY and DCY to annually submit a report on adoption data to the General Assembly.

### DETAILED ANALYSIS

#### Publication of adoptable children profiles

##### Background

Currently, numerous websites post profiles of children who are available for adoption in Ohio for the purpose of making the children known to prospective adoptive parents. These websites include, for example, the Department of Children and Youth’s (DCY’s) “It Takes Heart”

adoption initiative website,<sup>1</sup> public children services agency (PCSA) websites,<sup>2</sup> and private child placing agency (PCPA) websites.<sup>3</sup> Current law does not regulate who can publish profiles of adoptable children and what information the profiles include.

### **DCY central database**

The bill regulates who can publish profiles of adoptable children and what information the profiles include. Under the bill, DCY must establish and maintain on its “It Takes Heart” adoption initiative website (or its successor website) a centralized database that publishes the profiles of children who are available for placement with qualified adoptive parents. The profiles must be prepared by PCSAs, PCPAs, private noncustodial agencies (PNAs), and attorneys, in accordance with the bill’s requirements (see below, “**Profiles**”).<sup>4</sup>

DCY must remove a child’s profile at the child’s request. DCY must periodically review the database to remove profiles of children who either (1) are 18 years of age or older, or (2) have been adopted or are in a permanent placement.

Profiles of adoptable children may be published only through DCY’s “It Takes Heart” adoption initiative website (or its successor website). Only DCY may publish profiles of children who are available for placement with qualified adoptive parents.<sup>5</sup>

### **Profiles**

Each PCSA, PCPA, and PNA must, and any attorney coordinating an adoption may, create a profile for each child served by the agency or attorney who is available for placement with qualified adoptive parents, if the child consents to have a profile created. No agency or attorney is required to create a profile of a child who does not consent to having a profile created. In creating a profile, the agency is subject to the following:

- Any picture or video of a child must be a headshot only and cannot include any personally identifiable information, including school or activity logos.
- A profile of a child cannot include either of the following:
  - Any personally identifiable information;
  - A child’s medical information or information regarding the child’s mental, physical, or social impairment or disability, including information on behavioral issues or substance use.
- A child must have the opportunity to provide input on what the child’s profile includes and consent to any information included in the child’s profile.

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<sup>1</sup> DCY It Takes Heart, [Adoption Profiles](#).

<sup>2</sup> See, e.g., Franklin County Children Services, [Adoptable Kids](#).

<sup>3</sup> See, e.g., Northeast Ohio Adoption Services, [Waiting Children](#).

<sup>4</sup> R.C. 5103.17(B) and 5103.171(A)(1).

<sup>5</sup> R.C. 5103.171(A)(3) and (4).

The agency must, and an attorney may, submit each profile it creates to DCY’s “It Takes Heart” adoption initiative database.<sup>6</sup>

### **Database access and documentation**

The database is prohibited from being publicly accessible except by qualified adoptive parents with a password-protected account. DCY cannot allow a qualified adoptive parent to create an account until the qualified adoptive parent has completed all required training and has an approved and unexpired home study. The account is to be suspended upon the expiration of the home study or training and cannot be reinstated until the qualified adoptive parent provides a valid and unexpired home study or completes training, as applicable.

DCY must maintain verification of a qualified adoptive parent’s training and approved home study. On the request of the qualified adoptive parent’s recommending agency or attorney, DCY must share the qualified adoptive parent’s training and approved home study with the recommending agency or attorney.<sup>7</sup>

### **Rulemaking authority**

The DCY Director may adopt rules in accordance with the Administrative Procedure Act to implement the bill’s requirements regarding the DCY central database and the publication of adoptable children profiles.<sup>8</sup>

## **PCSA duties**

### **Adoption inquiry timely response**

The bill decreases the amount of time a PCSA has to respond to adoption inquiries. The bill requires a PCSA that receives a request for adoption information or an application for adoption to respond to the requestor within three business days. Under current DCY rules, a PCSA must respond within seven business days.<sup>9</sup>

### **Website content**

Under the bill, DCY must prepare a general description of adoption processes and procedures for use by each PCSA to be published on PCSA websites. Each PCSA website must include:

- Links to the following:
  - The most recent publication of DCY’s Ohio Adoption Guide;<sup>10</sup>

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<sup>6</sup> R.C. 5103.171(B).

<sup>7</sup> R.C. 5103.171(A)(1) and (2).

<sup>8</sup> R.C. 5103.171(C).

<sup>9</sup> R.C. 3107.018; Ohio Administrative Code 5180:2-48-08.

<sup>10</sup> See, DCY, [Ohio Adoption Guide: A Handbook for Prospective Adoptive Families \(PDF\)](#), last revised November 2023.

- DCY’s “It Takes Heart” website (or its successor website);
- The National Adoption Association’s “AdoptUSKids” website (or its successor website).<sup>11</sup>
- Contact information for the relevant agency staff who oversee adoption;
- The general description of adoption processes and procedures prepared by DCY.<sup>12</sup>

## **Annual report on adoptions**

The bill requires each PCSA to report the following information annually to DCY:

- The total number of children adopted in the previous calendar year;
- The total number of children available for adoption;
- The ages of the children available for adoption;
- The total number of grants awarded under the Ohio Adoption Grant Program, sorted by the amount of one-time grant payments awarded (\$10,000, \$15,000, and \$20,000 one-time grant payments may be awarded under the program).<sup>13</sup>

The bill requires DCY to compile a report of the information received from the agencies. DCY must submit a report to the General Assembly by February 14 of each year that includes the following:

- The total number of children adopted in the previous calendar year;
- The total number of children available for adoption, sorted by county;
- The ages of the children available for adoption, organized as a percentage of the total number of children available for adoption;
- The total number of grants awarded under the Ohio Adoption Grant Program, sorted by the amount of one-time grant payments awarded.

However, DCY cannot publish data, including data in the aggregate, if the total number of children adopted in the previous calendar year, the total number of children available for adoption, or the ages of the children available for adoption applies to fewer than ten children.<sup>14</sup>

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<sup>11</sup> NAA, [AdoptUSKids](#).

<sup>12</sup> R.C. 3107.019.

<sup>13</sup> R.C. 5180.23; R.C. 5180.451, not in the bill.

<sup>14</sup> R.C. 5180.23.

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## HISTORY

Action	Date
Introduced	05-12-26

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