

As Introduced

136th General Assembly

Regular Session

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H. B. No. 908

Representative Jarrells

**Cosponsors: Representatives Brennan, Brewer, Upchurch, McNally, Lett,
Robinson**

To amend sections 307.626 and 3701.045 and to enact 1
sections 2151.4212, 2151.4214, and 2151.4216 of 2
the Revised Code to enact Cassidy's Law 3
regarding information sharing related to child 4
welfare. 5

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

Section 1. That sections 307.626 and 3701.045 be amended 6
and sections 2151.4212, 2151.4214, and 2151.4216 of the Revised 7
Code be enacted to read as follows: 8

Sec. 307.626. (A) By the first day of April of each year, 9
the person convening the child fatality review board shall 10
prepare and submit to the ~~Ohio~~ department of health a report 11
that summarizes the following information with respect to the 12
child deaths that were reviewed by the review board in the 13
previous calendar year: 14

(1) The cause of death; 15

(2) Factors contributing to death; 16

(3) Age; 17

- (4) Sex; 18
- (5) Race; 19
- (6) The geographic location of death; 20
- (7) The year of death. 21

The report shall specify the number of child deaths that were not reviewed during the previous calendar year. 22
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The report shall include recommendations to address cross-system inadequacies or gaps that may have contributed to child deaths. The report also may include recommendations for actions that might prevent other deaths, as well as any other information the review board determines should be included. 24
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~~(B)~~ (B) (1) Reports prepared under division (A) of this section shall be considered public records under section 149.43 of the Revised Code. 29
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(2) As soon as practicable after receiving a report submitted under this section, the department of health shall make the report available on the internet web site that the department maintains. Reports made available under this division shall be organized by county and region. 32
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(C) The child fatality review board shall submit individual data with respect to each child death review into the ~~Ohio~~ department of health child death review database or the national child death review database. The individual data shall include the information specified in division (A) of this section and any other information the board considers relevant to the review. Individual data related to a child death review that is contained in the ~~Ohio~~ department of health child death review database is not a public record under section 149.43 of 37
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the Revised Code. 46

Sec. 2151.4212. (A) As used in this section: 47

(1) "Disability or special needs" means a physical, 48
sensory, intellectual, developmental, behavioral, or 49
neurological condition that is congenital, acquired, or chronic 50
in nature, impairs a child's daily functioning, safety, or 51
ability to meet age-appropriate expectations in one or more 52
areas of development, including social, emotional, cognitive, 53
communicative, perceptual, motor, physical, and behavioral 54
development, and requires the child to receive additional care, 55
intervention, support, supervision, accommodations, or services. 56

(2) "Professional" means an individual who is trained or 57
experienced and holds a license or certification in good 58
standing in the fields of child welfare, medicine, psychology, 59
social work, or any related field and may be involved in caring 60
for or recommending the placement of a child. A "professional" 61
includes a physician, psychologist, therapist, counselor, or 62
guardian ad litem. 63

(B) Prior to issuing any order related to the permanent 64
placement or final reunification with a parent or caregiver of a 65
child who is under the age of five or has a disability or 66
special needs, including a grant of permanent custody under 67
section 2151.414 of the Revised Code or an order or disposition 68
upon the termination of a temporary custody order under section 69
2151.415 of the Revised Code, a court shall consider feedback or 70
recommendations by one or more professionals, as appropriate, 71
for the following purposes: 72

(1) To determine whether the permanent placement or final 73
reunification is appropriate; 74

(2) With regard to reunification with a parent or caregiver, to consider the ability of the parent or caregiver to manage the increased stress and demands associated with caring for a child who is under the age of five or has a disability or special needs. 75
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Sec. 2151.4214. (A) As used in this section, "law enforcement agency" and "peace officer" have the same meanings as in section 2151.3515 of the Revised Code. 80
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(B) A public children services agency and law enforcement agencies within the county served by the agency may collaborate to share, by electronic means or digital communication, reports regarding each residence to which a peace officer was called in the previous twenty-four hours to respond to an incident or situation involving allegations of a domestic dispute, assault, or use of a weapon, regardless of whether a child is present in the home at the time of the response. The report shall include the address of the residence, a summary of the peace officer's findings, and any actions that the peace officer took. 83
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(C) The public children services agency may use and aggregate the reports it receives under division (B) of this section to determine whether the address corresponds to an active case or a case that was closed in the previous six months regarding a child who is or was alleged or adjudicated to be an abused, neglected, or dependent child. If an address corresponds to an active case or a case that was closed in the previous six months, the agency may use the information received to make determinations and take appropriate actions regarding the safety and well-being of the child. 93
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Sec. 2151.4216. The department of children and youth, in collaboration with the department of health, shall develop and 103
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implement a continuous public awareness campaign to inform 105
citizens of this state of the signs of child abuse and neglect 106
and how to report suspected child abuse and neglect. 107

Sec. 3701.045. (A) The department of health, in 108
consultation with the department of children and youth and any 109
bodies acting as child fatality review boards on October 5, 110
2000, shall adopt rules in accordance with Chapter 119. of the 111
Revised Code that establish a procedure for county or regional 112
child fatality review boards to follow in conducting a review of 113
the death of a child. The rules shall do all of the following: 114

(1) Establish the format for the annual reports required 115
by section 307.626 of the Revised Code; 116

(2) Establish guidelines for a county or regional child 117
fatality review board to follow in compiling statistics for 118
annual reports so that the reports do not contain any 119
information that would permit any person's identity to be 120
ascertained from a report; 121

(3) Establish guidelines for a county or regional child 122
fatality review board to follow in creating and maintaining the 123
comprehensive database of child deaths required by section 124
307.623 of the Revised Code, including provisions establishing 125
uniform record-keeping procedures; 126

(4) Establish guidelines for reporting child fatality 127
review data to the department of health or a national child 128
death review database, either of which must maintain the 129
confidentiality of information that would permit a person's 130
identity to be ascertained; 131

(5) Establish guidelines, materials, and training to help 132
educate members of county or regional child fatality review 133

boards about the purpose of the review process and the 134
confidentiality of the information described in section 307.629 135
of the Revised Code and to make them aware that such information 136
is not a public record under section 149.43 of the Revised Code; 137

(6) Establish guidelines, materials, and training to help 138
county or regional child fatality review boards in disseminating 139
annual reports to individuals, public and private entities, 140
community stakeholders, and other community partners engaged in 141
efforts to improve child welfare or prevent child deaths. 142

(B) On or before the thirtieth day of September of each 143
year, the department of health and the department of children 144
and youth jointly shall prepare ~~and publish~~ a report organizing 145
and setting forth all of the data following: 146

(1) Data from the department of health child death review 147
database or the national child death review database, ~~data;~~ 148

(2) Data in all the reports provided by county or regional 149
child fatality review boards in their annual reports for the 150
previous calendar year, ~~and recommendations;~~ 151

(3) Recommendations to address cross-system inadequacies 152
or gaps identified by county or regional child fatality review 153
boards in their annual reports for the previous calendar year; 154

(4) Recommendations for any changes to law and policy that 155
might prevent future deaths. ~~The~~ 156

The department of health and the department of children 157
and youth jointly shall provide a copy of the report to the 158
governor, ~~the speaker of the house of representatives, the 159~~
~~president of the senate, the minority leaders of the house of 160~~
~~representatives and the senate~~ each member of the general 161
assembly, each county or regional child fatality review board, 162

and each county or regional family and children first council. 163

Each department also shall publish a copy of the report on 164
the internet web site that the department maintains. 165

Section 2. That existing sections 307.626 and 3701.045 of 166
the Revised Code are hereby repealed. 167

Section 3. This act shall be known as Cassidy's Law. 168