

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 984

Representatives Pizzulli, Brewer

To amend section 5180.42 of the Revised Code to 1
require the Department of Children and Youth to 2
set reimbursement rates for the placement and 3
care of children in foster care and to declare 4
an emergency. 5

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

Section 1. That section 5180.42 of the Revised Code be 6
amended to read as follows: 7

Sec. 5180.42. (A) As used in sections 5180.42 to 5180.4214 8
of the Revised Code: 9

(1) "Adopted young adult" means a person: 10

(a) Who was in the temporary or permanent custody of a 11
public children services agency; 12

(b) Who was adopted at the age of sixteen or seventeen and 13
attained the age of sixteen before a Title IV-E adoption 14
assistance agreement became effective; 15

(c) Who has attained the age of eighteen; and 16

(d) Who has not yet attained the age of twenty-one. 17

(2) "Child" means any of the following: 18

(a) A person who meets the requirements of division (B) (3)	19
of section 5153.01 of the Revised Code;	20
(b) An adopted young adult;	21
(c) An emancipated young adult.	22
(3) "Emancipated young adult" means a person:	23
(a) Who was in the temporary or permanent custody of a	24
public children services agency, a planned permanent living	25
arrangement, or in the Title-IV-E-eligible care and placement	26
responsibility of a juvenile court or other governmental agency	27
that provides Title IV-E reimbursable placement services;	28
(b) Whose custody, arrangement, or care and placement was	29
terminated on or after the person's eighteenth birthday; and	30
(c) Who has not yet attained the age of twenty-one.	31
(4) "Kinship guardianship young adult" means an individual	32
that meets the following criteria:	33
(a) Was in the temporary or permanent custody of a public	34
children services agency or a planned permanent living	35
arrangement prior to the commitment described in division (A) (4)	36
(b) of this section;	37
(b) Was committed to the legal custody or legal	38
guardianship of a kinship caregiver at the age of sixteen or	39
seventeen and attained the age of sixteen before a Title IV-E	40
kinship guardianship assistance agreement became effective;	41
(c) Has attained the age of eighteen;	42
(d) Has not yet attained the age of twenty-one.	43
(5) "Relative" means, with respect to a child, any of the	44
following who is eighteen years of age or older:	45

(a) The following individuals related by blood or adoption to the child:	46 47
(i) Grandparents, including grandparents with the prefix "great," "great-great," or "great-great-great";	48 49
(ii) Siblings;	50
(iii) Aunts, uncles, nephews, and nieces, including such relatives with the prefix "great," "great-great," "grand," or "great-grand";	51 52 53
(iv) First cousins and first cousins once removed.	54
(b) Stepparents and stepsiblings of the child;	55
(c) Spouses and former spouses of individuals named in divisions (A) (5) (a) and (b) of this section;	56 57
(d) A legal guardian of the child;	58
(e) A legal custodian of the child;	59
(f) Any nonrelative adult that has a familiar and long-standing relationship or bond with the child or the family, which relationship or bond will ensure the child's social ties.	60 61 62
(6) <u>"Licensed provider" means a foster home certified under section 5103.02 of the Revised Code or a residential facility as defined in section 5103.05 of the Revised Code.</u>	63 64 65
(7) <u>"Representative" means a person with whom the department of children and youth has entered into a contract, pursuant to division (B) (2) (b) of this section.</u>	66 67 68
(7) (8) "Title IV-E" means Title IV-E of the "Social Security Act," 94 Stat. 501, 42 U.S.C. 670 (1980), as amended.	69 70
(B) (1) Except as provided in divisions (B) (2) and (3) of	71

this section, the department of children and youth shall act as 72
the single state agency to administer federal payments for 73
foster care, kinship guardianship assistance, and adoption 74
assistance made pursuant to Title IV-E. The director of children 75
and youth shall adopt rules to implement this authority. Rules 76
governing financial and administrative requirements applicable 77
to public children services agencies and government entities 78
that provide Title IV-E reimbursable placement services to 79
children shall be adopted in accordance with section 111.15 of 80
the Revised Code, as if they were internal management rules. 81
Rules governing requirements applicable to private child placing 82
agencies and private noncustodial agencies and rules 83
establishing eligibility, program participation, and other 84
requirements concerning Title IV-E shall be adopted in 85
accordance with Chapter 119. of the Revised Code. A public 86
children services agency to which the department distributes 87
Title IV-E funds shall administer the funds in accordance with 88
those rules. 89

(2) (a) The department shall implement the state plan as 90
amended under section 5180.428 of the Revised Code if the 91
general assembly has appropriated sufficient funds to operate 92
the program required under the plan as amended. 93

(b) The department shall have, exercise, and perform all 94
new duties required under the plan as amended. In doing so, the 95
department may contract with another person to carry out those 96
new duties, to the extent permitted under Title IV-E. 97

(3) The department shall implement the state plan as 98
amended under section 5180.4213 of the Revised Code. 99

(C) (1) Except with regard to the new duties imposed on the 100
department or its contractor under division (B) (2) (b) of this 101

section that are not imposed on the county, the county, on 102
behalf of each child eligible for foster care maintenance 103
payments under Title IV-E, shall make payments to cover the cost 104
of providing all of the following: 105

(a) The child's food, clothing, shelter, daily 106
supervision, and school supplies; 107

(b) The child's personal incidentals; 108

(c) Reasonable travel to the child's home for visitation. 109

(2) In addition to payments made under division (C) (1) of 110
this section, the county may, on behalf of each child eligible 111
for foster care maintenance payments under Title IV-E, make 112
payments to cover the cost of providing the following: 113

(a) Liability insurance with respect to the child; 114

(b) If the county is participating in the demonstration 115
project established under division (A) of section 5180.421 of 116
the Revised Code, services provided under the project. 117

(3) With respect to a child who is in a child-care 118
institution, including any type of group home designed for the 119
care of children or any privately operated program consisting of 120
two or more certified foster homes operated by a common 121
administrative unit, the foster care maintenance payments made 122
by the county on behalf of the child shall include the 123
reasonable cost of the administration and operation of the 124
institution, group home, or program, as necessary to provide the 125
items described in divisions (C) (1) and (2) of this section. 126

(D) To the extent that either foster care maintenance 127
payments under division (C) of this section, Title IV-E kinship 128
guardianship assistance, or Title IV-E adoption assistance 129

payments for maintenance costs require the expenditure of county funds, the board of county commissioners shall report the nature and amount of each expenditure of county funds to the department.

(E) The department shall distribute to public children services agencies that incur and report expenditures of the type described in division (D) of this section federal financial participation received for administrative and training costs incurred in the operation of foster care maintenance, kinship guardianship assistance, and adoption assistance programs. The department may withhold not more than three per cent of the federal financial participation received. The funds withheld may be used only to fund the following:

(1) The Ohio child welfare training program established under section 5103.30 of the Revised Code;

(2) The university partnership program for college and university students majoring in social work who have committed to work for a public children services agency upon graduation;

(3) Efforts supporting organizational excellence, including voluntary activities to be accredited by a nationally recognized accreditation organization.

The funds withheld shall be in addition to any administration and training cost for which the department is reimbursed through its own cost allocation plan.

(F) All federal financial participation funds received by a county pursuant to this section shall be deposited into the county's children services fund created pursuant to section 5180.411 of the Revised Code.

~~(G)~~ (1) (G) The department shall periodically publish and

distribute the maximum amounts that the department will 159
reimburse public children services agencies for making payments 160
on behalf of children eligible for foster care maintenance 161
payments. 162

~~(2) The department may issue a request for proposals to 163
establish statewide rate cards for placement and care of 164
children eligible for foster care maintenance payments. If a 165
request for proposals is issued, the department shall review and 166
accept the reasonable cost of providing the items described in 167
division (C) of this section. Foster homes, as defined in 168
section 5103.02 of the Revised Code, and kinship caregivers, as 169
defined in section 5101.85 of the Revised Code, shall be exempt 170
from the established statewide rates. 171~~

~~(H)~~ (H) (1) The department shall develop, implement, and 172
administer a system establishing rates for the placement and 173
care of children eligible for reimbursable services provided by 174
licensed providers. The department shall consult with public 175
children services agencies, licensed providers, and boards of 176
county commissioners to develop the rates. 177

(2) Except as permitted in rules adopted pursuant to 178
division (H) (4) of this section, no payment shall be made for 179
the placement and care of children in an amount that exceeds the 180
rates established under division (H) (1) of this section. 181

(3) The department, in consultation with public children 182
services agencies, licensed providers, and boards of county 183
commissioners, may review and adjust the established rates at 184
least every two years. 185

(4) The director of children and youth shall adopt rules 186
to implement division (H) of this section. The rules may include 187

exceptions to the established rates for extraordinary or 188
specialized placements and care by establishing maximum rates 189
for extraordinary or specialized placements and care. 190

(I) The department, by and through its director, is hereby 191
authorized to develop, participate in the development of, 192
negotiate, and enter into one or more interstate compacts on 193
behalf of this state with agencies of any other states, for the 194
provision of social services to children in relation to whom all 195
of the following apply: 196

(1) They have special needs. 197

(2) This state or another state that is a party to the 198
interstate compact is providing kinship guardianship assistance 199
or adoption assistance on their behalf. 200

(3) They move into this state from another state or move 201
out of this state to another state. 202

Section 2. That existing section 5180.42 of the Revised 203
Code is hereby repealed. 204

Section 3. This act is hereby declared to be an emergency 205
measure necessary for the immediate preservation of the public 206
peace, health, and safety. The reason for such necessity is that 207
counties are facing fiscal emergencies due to the increasing 208
costs of placement and care of children. Therefore, this act 209
shall go into immediate effect. 210