

**Senate Finance Committee  
HB 110 – Interested Party Testimony  
Tuesday, May 18, 2021**

Good afternoon Chairman Dolan, Vice Chair Gavarone, Ranking Member Sykes, and members of the Senate Finance Committee. Thank you for the opportunity to provide testimony in support of provisions for foster youth in House Bill 110.

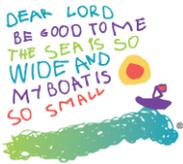
My name is Kim Eckhart and I work with the Children's Defense Fund-Ohio, a statewide non-profit organization which serves as an independent voice for all children. We work on policies and programs that lift children out of poverty, protect them from abuse and neglect, and ensure quality education as well as appropriate and targeted access to resources to meet children's health and nutrition needs. The issue that I want to speak to you about today is the need for an independent Youth Ombudsman Office, dedicated to serving youth in foster, adoptive, kinship, biological, group home and residential facilities and a Foster Youth Bill of Rights.

Today, others with lived experience in the foster care system will explain the need much more persuasively than I can. So I want to focus on why it is so important for this office to be independent as well as describe two specific amendments to HB110 that can achieve this.

CDF-Ohio is able to speak as an independent voice for children because we do not receive any government funding or dues from organizations with financial interests. The ability to speak freely without worrying about funding is essential for advocating for those who do not have power. I would like to read from research prepared by the National Center for Youth Law to address reasons that another state is rethinking its approach.

“California's foster care ombudsman is under the administrative control of the Department of Social Services, the very department responsible for the state's foster care program. This structure creates direct conflicts of interest—or, at the very least, the appearance of conflicts—because the department director controls all aspects of the program's operation and allocation of resources. This means the ombudsman has no independent authority to recommend policy or program improvements.”

In a poignant illustration of the point, when I recently asked a community leader to speak out about the need for independence, she said her employer has a contract with the Department of Job and Family Services, so she needed to double check with others before speaking publicly. An Ombudsperson must be able to present their findings without having its funding depend on an organization who may have a conflict of interest.



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The FY22-23 budget doesn't include any explicit funding for an ombudsman office, other than budget highlight materials in which the DeWine Administration indicated that \$1 million. Conversations have revealed that funding from the Department of Job and Family Services Program Operations budget will be made available for this purpose. Without an explicit Appropriation Line Item, the funding for this office is completely at the discretion of leadership at JFS. Under an interim director and during a transition, it is possible that without an amendment, priorities could easily shift away from this purpose. I have worked as a budget analyst in the Office of Budget and Management, and I know how important it is for the sustainability of a funding source for it to have its own ALL. For this reason, we are asking that you ensure the office is not just a discretionary use within a program budget, but it is set aside with clear legislative intent through a specific appropriation. To this end, we are recommending amendment SC3398 be included in HB110.

Following my time at OBM, I was privileged to work as the Chief Fiscal Officer for an independent board that was established to oversee air quality, the Ohio Air Quality Development Authority. The structure of this office provides a model of a board comprised of people in the community who are selected by members of the legislature and governor, who can ensure independence and effectiveness. This is the type of structure we are recommending with a second amendment, SC3167, which establishes a commission with members who have lived experience as children in foster care, alongside professionals in the field. Among its duties would be to design and implement this office through a procurement process as well as establish a Foster Youth Bill of Rights. Without this amendment, both implementing the office and defining a Foster Youth Bill of Rights will fall to JFS within administrative rules.

In closing, I would like to acknowledge that amending the budget bill in this way is a major undertaking and time is short, but I would also encourage you to consider the opportunity that is set before you. How much longer will children languish in an unsafe situations before we act? Many often remark that government moves too slowly, but in the next few weeks each of you will have a moment to act with courage and decisiveness on behalf of children. For my part, I hope you do.

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