

# **Terry Johnson**

State Senator

14<sup>th</sup> Senate District



## **Sponsor Testimony**

Senate Bill 216

Ohio Senate Judiciary Committee

September 21, 2021

Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee: Thank you for allowing me the opportunity to provide sponsor testimony on Senate Bill 216, Dylan's Law.

This bill will modify how Ohio's foster care system reunifies substance-exposed infants with their parents. When a child is placed under the custody of a public children services agency, or PCSA, this bill will establish certain requirements that the child's parent or parents must meet before reunification can occur.

This legislation is named in honor of Dylan Groves, a child from my district whose life was tragically ended in infancy. Dylan was born as a substance-exposed infant and as a result was taken into foster care. However, Dylan only spent 12 days in foster care before the local PCSA determined that it was time for reunification with his father. After reunification with Dylan and his father took place, supervised home visits with the PCSA, doctor's appointments, and court dates were all missed. Dylan went missing for several months. Tragically, he was found deceased at the bottom of a well at only two months old—placed there by his parents, after his mother severely injured him, resulting in his death.

The goal of this legislation is to prevent such a tragedy from ever occurring again. This bill requires a parent or parents of substance-exposed infants to do all of the following before reunification can occur:

- Complete a course specific to caring for a newborn experiencing alcohol or drug withdrawal
- Complete an inpatient rehabilitation program provided by a community addiction services provider
- Undergo, and be approved through, a home study

Until these requirements are met, the parent or parents and the child shall not have contact or reside together. Once these requirements are met, the parent or parents must also submit to monthly random alcohol or drug testing as applicable for a minimum of three months prior to reunification and for six months after reunification.

Once the parent or parents have complied with all of these requirements, the parents may incrementally transition to full-time care of the child through supervised visits with the PCSA, then through unsupervised weekend visits. Full reunification can occur once the parent or parents have tested negative to three consecutive drug or alcohol tests, have had temporary custody for a minimum of six months, and are not the subject of a pending criminal proceeding.

After reunification takes place, the parent or parents must do all of the following:

- Receive a caseworker from PCSA for a home visit once a month for three months
- Take the child to be examined by a health care professional not less than once a month for a period of six months, pursuant to which the health care professional shall submit evidence of each medical visit to the agency
- If either of the above needs to be rescheduled, the caseworker shall be notified not later than 24 hours prior to the originally scheduled visit or appointment and a follow-up visit or appointment must be scheduled
- Continue to submit to alcohol or drug tests
- If the other parent has not met the requirements for reunification, they must comply with the court's orders regarding contact and visitation with aforementioned other parent

This reform is necessary, and it is my intention that with these changes implemented, no more children will suffer the same fate as Dylan in our state.

I would also like to note that LSC has drafted a technical amendment, AM1764, which simply removes a cross-reference error to Revised Code section 2151.4611 in Revised Code section 2151.4613. I would respectfully request that the committee accept this amendment.

Thank you for your time and attention to this matter. I would be happy to answer any questions you may have.