As Introduced

131st General Assembly Regular Session 2015-2016

S. B. No. 240

Senator Eklund

Cosponsors: Senators Gardner, Cafaro, Seitz, Patton, Williams, Skindell, Beagle, Bacon, Yuko

A BILL

То	amend sections 2151.353, 5101.141, and 5103.30	1
	and to enact sections 5101.1411, 5101.1412,	2
	5101.1413, and 5101.1414 of the Revised Code to	3
	extend the age for which a person is eligible	4
	for federal foster care and adoption assistance	5
	payments under Title IV-E to age twenty-one; and	6
	to make an appropriation.	7

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

Section 1. That sections 2151.353, 5101.141, and 5103.30	8
be amended and sections 5101.1411, 5101.1412, 5101.1413, and	9
5101.1414 of the Revised Code be enacted to read as follows:	10
Sec. 2151.353. (A) If a child is adjudicated an abused,	11
neglected, or dependent child, the court may make any of the	12
following orders of disposition:	13
(1) Place the child in protective supervision;	14
(2) Commit the child to the temporary custody of a public	15
children services agency, a private child placing agency, either	16
parent, a relative residing within or outside the state, or a	17

probation officer for placement in a certified foster home, or in any other home approved by the court;

(3) Award legal custody of the child to either parent or 20 to any other person who, prior to the dispositional hearing, 21 files a motion requesting legal custody of the child or is 22 identified as a proposed legal custodian in a complaint or 23 motion filed prior to the dispositional hearing by any party to 24 the proceedings. A person identified in a complaint or motion 25 filed by a party to the proceedings as a proposed legal 26 custodian shall be awarded legal custody of the child only if 27 28 the person identified signs a statement of understanding for legal custody that contains at least the following provisions: 29

(a) That it is the intent of the person to become the legal custodian of the child and the person is able to assume legal responsibility for the care and supervision of the child;

(b) That the person understands that legal custody of the 33 child in question is intended to be permanent in nature and that 34 the person will be responsible as the custodian for the child 35 36 until the child reaches the age of majority. Responsibility as custodian for the child shall continue beyond the age of 37 majority if, at the time the child reaches the age of majority, 38 the child is pursuing a diploma granted by the board of 39 education or other governing authority, successful completion of 40 the curriculum of any high school, successful completion of an 41 individualized education program developed for the student by 42 any high school, or an age and schooling certificate. 43 Responsibility beyond the age of majority shall terminate when 44 the child ceases to continuously pursue such an education, 45 completes such an education, or is excused from such an 46 education under standards adopted by the state board of 47

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education, whichever occurs first.

(c) That the parents of the child have residual parental 49 rights, privileges, and responsibilities, including, but not 50 limited to, the privilege of reasonable visitation, consent to 51 adoption, the privilege to determine the child's religious 52 affiliation, and the responsibility for support; 53

(d) That the person understands that the person must be
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present in court for the dispositional hearing in order to
affirm the person's intention to become legal custodian, to
affirm that the person understands the effect of the
custodianship before the court, and to answer any questions that
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the court or any parties to the case may have.

(4) Commit the child to the permanent custody of a public 60 children services agency or private child placing agency, if the 61 court determines in accordance with division (E) of section 62 2151.414 of the Revised Code that the child cannot be placed 63 with one of the child's parents within a reasonable time or 64 should not be placed with either parent and determines in 65 accordance with division (D)(1) of section 2151.414 of the 66 Revised Code that the permanent commitment is in the best 67 interest of the child. If the court grants permanent custody 68 under this division, the court, upon the request of any party, 69 shall file a written opinion setting forth its findings of fact 70 and conclusions of law in relation to the proceeding. 71

(5) Place the child in a planned permanent living
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arrangement with a public children services agency or private
child placing agency, if a public children services agency or
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private child placing agency requests the court to place the
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child in a planned permanent living arrangement and if the court
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finds, by clear and convincing evidence, that a planned
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permanent living arrangement is in the best interest of the 78 child and that one of the following exists: 79 (a) The child, because of physical, mental, or 80 psychological problems or needs, is unable to function in a 81 family-like setting and must remain in residential or 82 institutional care now and for the foreseeable future beyond the 83 date of the dispositional hearing held pursuant to section 84 2151.35 of the Revised Code. 85

(b) The child is sixteen years of age or older, the 86 parents of the child have significant physical, mental, or 87 psychological problems and are unable to care for the child 88 because of those problems, adoption is not in the best interest 89 of the child, as determined in accordance with division (D)(1) 90 of section 2151.414 of the Revised Code, and the child retains a 91 significant and positive relationship with a parent or relative. 92

(c) The child is sixteen years of age or older, has been counseled on the permanent placement options available to the child, and is unwilling to accept or unable to adapt to a permanent placement.

(6) Order the removal from the child's home until further 97 order of the court of the person who committed abuse as 98 described in section 2151.031 of the Revised Code against the 99 child, who caused or allowed the child to suffer neglect as 100 described in section 2151.03 of the Revised Code, or who is the 101 parent, quardian, or custodian of a child who is adjudicated a 102 dependent child and order any person not to have contact with 103 the child or the child's siblings. 104

(B) (1) When making a determination on whether to place a 105child in a planned permanent living arrangement pursuant to 106

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division (A) (5) (b) or (c) of this section, the court shall107consider all relevant information that has been presented to the108court, including information gathered from the child, the109child's guardian ad litem, and the public children services110agency or private child placing agency.111

(2) A child who is placed in a planned permanent living
arrangement pursuant to division (A) (5) (b) or (c) of this
section shall be placed in an independent living setting or in a
family setting in which the caregiver has been provided by the
agency that has custody of the child with a notice that
addresses the following:

(a) The caregiver understands that the planned permanent
living arrangement is intended to be permanent in nature and
that the caregiver will provide a stable placement for the child
through the child's emancipation or until the court releases the
child from the custody of the agency, whichever occurs first.

(b) The caregiver is expected to actively participate in
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the youth's independent living case plan, attend agency team
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meetings and court hearings as appropriate, complete training,
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as provided in division (B) of section 5103.035 of the Revised
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Code, related to providing the child independent living
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services, and assist in the child's transition into adulthood.
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(3) The department of job and family services shall
develop a model notice to be provided by an agency that has
custody of a child to a caregiver under division (B) (2) of this
section. The agency may modify the model notice to apply to the
needs of the agency.

(C) No order for permanent custody or temporary custody ofa child or the placement of a child in a planned permanent135

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living arrangement shall be made pursuant to this section unless 136 the complaint alleging the abuse, neglect, or dependency 137 contains a prayer requesting permanent custody, temporary 138 custody, or the placement of the child in a planned permanent 139 living arrangement as desired, the summons served on the parents 140 of the child contains as is appropriate a full explanation that 141 the granting of an order for permanent custody permanently 142 divests them of their parental rights, a full explanation that 143 an adjudication that the child is an abused, neglected, or 144 dependent child may result in an order of temporary custody that 145 will cause the removal of the child from their legal custody 146 until the court terminates the order of temporary custody or 147 permanently divests the parents of their parental rights, or a 148 full explanation that the granting of an order for a planned 149 permanent living arrangement will result in the removal of the 150 child from their legal custody if any of the conditions listed 151 in divisions (A)(5)(a) to (c) of this section are found to 152 exist, and the summons served on the parents contains a full 153 explanation of their right to be represented by counsel and to 154 have counsel appointed pursuant to Chapter 120. of the Revised 155 Code if they are indigent. 156

If after making disposition as authorized by division (A) 157 (2) of this section, a motion is filed that requests permanent 158 custody of the child, the court may grant permanent custody of 159 the child to the movant in accordance with section 2151.414 of 160 the Revised Code. 161

(D) If the court issues an order for protective
supervision pursuant to division (A) (1) of this section, the
court may place any reasonable restrictions upon the child, the
child's parents, guardian, or custodian, or any other person,
including, but not limited to, any of the following:

or for a specified period of time;

(1) Order a party, within forty-eight hours after the167issuance of the order, to vacate the child's home indefinitely168

(2) Order a party, a parent of the child, or a physical
custodian of the child to prevent any particular person from
having contact with the child;

(3) Issue an order restraining or otherwise controlling
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 the conduct of any person which conduct would not be in the best
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 interest of the child.
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(E) As part of its dispositional order, the court shall
journalize a case plan for the child. The journalized case plan
shall not be changed except as provided in section 2151.412 of
the Revised Code.

(F)(1) The court shall retain jurisdiction over any child 180 for whom the court issues an order of disposition pursuant to 181 division (A) of this section or pursuant to section 2151.414 or 182 2151.415 of the Revised Code until the child attains the age of 183 eighteen years if the child is not mentally retarded, 184 developmentally disabled, or physically impaired, the child 185 attains the age of twenty-one years if the child is mentally 186 retarded, developmentally disabled, or physically impaired, or 187 the child is adopted and a final decree of adoption is issued, 188 except that the court may retain jurisdiction over the child and 189 continue any order of disposition under division (A) of this 190 section or under section 2151.414 or 2151.415 of the Revised 191 Code for a specified period of time to enable the child to 192 graduate from high school or vocational school. The court shall 193 retain jurisdiction over a person who meets the requirements 194 described in division (A)(1) of section 5101.1411 of the Revised 195 Code and who is subject to a voluntary participation agreement 196

<u>that is in effect.</u> The court shall make an entry continuing its 197 jurisdiction under this division in the journal. 198

(2) Any public children services agency, any private child 199 placing agency, the department of job and family services, or 200 any party, other than any parent whose parental rights with 201 respect to the child have been terminated pursuant to an order 202 issued under division (A)(4) of this section, by filing a motion 203 with the court, may at any time request the court to modify or 204 terminate any order of disposition issued pursuant to division 205 (A) of this section or section 2151.414 or 2151.415 of the 206 Revised Code. The court shall hold a hearing upon the motion as 207 if the hearing were the original dispositional hearing and shall 208 give all parties to the action and the guardian ad litem notice 209 of the hearing pursuant to the Juvenile Rules. If applicable, 210 the court shall comply with section 2151.42 of the Revised Code. 211

(G) Any temporary custody order issued pursuant to 212 division (A) of this section shall terminate one year after the 213 earlier of the date on which the complaint in the case was filed 214 or the child was first placed into shelter care, except that, 215 upon the filing of a motion pursuant to section 2151.415 of the 216 Revised Code, the temporary custody order shall continue and not 217 terminate until the court issues a dispositional order under 218 that section. In resolving the motion, the court shall not order 219 an existing temporary custody order to continue beyond two years 220 after the date on which the complaint was filed or the child was 221 first placed into shelter care, whichever date is earlier, 222 regardless of whether any extensions have been previously 223 ordered pursuant to division (D) of section 2151.415 of the 224 Revised Code. 225

(H)(1) No later than one year after the earlier of the

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date the complaint in the case was filed or the child was first 227 placed in shelter care, a party may ask the court to extend an 228 order for protective supervision for six months or to terminate 229 230 the order. A party requesting extension or termination of the order shall file a written request for the extension or 231 termination with the court and give notice of the proposed 232 extension or termination in writing before the end of the day 233 after the day of filing it to all parties and the child's 234 quardian ad litem. If a public children services agency or 235 private child placing agency requests termination of the order, 236 the agency shall file a written status report setting out the 237 facts supporting termination of the order at the time it files 238 the request with the court. If no party requests extension or 239 termination of the order, the court shall notify the parties 240 that the court will extend the order for six months or terminate 241 it and that it may do so without a hearing unless one of the 242 parties requests a hearing. All parties and the guardian ad 243 litem shall have seven days from the date a notice is sent 244 pursuant to this division to object to and request a hearing on 245 the proposed extension or termination. 246

(a) If it receives a timely request for a hearing, the 247 court shall schedule a hearing to be held no later than thirty 248 days after the request is received by the court. The court shall 249 give notice of the date, time, and location of the hearing to 250 all parties and the guardian ad litem. At the hearing, the court 251 shall determine whether extension or termination of the order is 252 in the child's best interest. If termination is in the child's 253 best interest, the court shall terminate the order. If extension 254 is in the child's best interest, the court shall extend the 255 order for six months. 256

(b) If it does not receive a timely request for a hearing, 257

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the court may extend the order for six months or terminate it 258 without a hearing and shall journalize the order of extension or 259 termination not later than fourteen days after receiving the 260 request for extension or termination or after the date the court 261 notifies the parties that it will extend or terminate the order. 2.62 If the court does not extend or terminate the order, it shall 2.63 264 schedule a hearing to be held no later than thirty days after the expiration of the applicable fourteen-day time period and 265 give notice of the date, time, and location of the hearing to 266 all parties and the child's guardian ad litem. At the hearing, 267 the court shall determine whether extension or termination of 268 the order is in the child's best interest. If termination is in 269 the child's best interest, the court shall terminate the order. 270 If extension is in the child's best interest, the court shall 271 issue an order extending the order for protective supervision 272 six months. 273

(2) If the court grants an extension of the order for
protective supervision pursuant to division (H) (1) of this
section, a party may, prior to termination of the extension,
file with the court a request for an additional extension of six
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months or for termination of the order. The court and the
parties shall comply with division (H) (1) of this section with
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respect to extending or terminating the order.

(3) If a court grants an extension pursuant to division
(H) (2) of this section, the court shall terminate the order for
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protective supervision at the end of the extension.
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(I) The court shall not issue a dispositional order
pursuant to division (A) of this section that removes a child
from the child's home unless the court complies with section
2151.419 of the Revised Code and includes in the dispositional
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order the findings of fact required by that section.

(J) If a motion or application for an order described in
division (A) (6) of this section is made, the court shall not
issue the order unless, prior to the issuance of the order, it
provides to the person all of the following:

(1) Notice and a copy of the motion or application; 293

(2) The grounds for the motion or application;

(3) An opportunity to present evidence and witnesses at a 295hearing regarding the motion or application; 296

(4) An opportunity to be represented by counsel at the297hearing.

(K) The jurisdiction of the court shall terminate one year
after the date of the award or, if the court takes any further
action in the matter subsequent to the award, the date of the
latest further action subsequent to the award, if the court
awards legal custody of a child to either of the following:

(1) A legal custodian who, at the time of the award of
legal custody, resides in a county of this state other than the
county in which the court is located;
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(2) A legal custodian who resides in the county in which
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the court is located at the time of the award of legal custody,
but moves to a different county of this state prior to one year
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after the date of the award or, if the court takes any further
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action in the matter subsequent to the award, one year after the
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date of the latest further action subsequent to the award.

The court in the county in which the legal custodian313resides then shall have jurisdiction in the matter.314

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Sec. 5101.141. (A) As used in sections 5101.141 to	315
5101.1410 <u>5101.1414</u> of the Revised Code₇:	316
(1) "Child" includes a person who meets the requirements	317
of division (A)(1) of section 5101.1411 of the Revised Code or	318
an adopted person who meets the requirements applicable to such	319
a person under division (B)(1) of section 5101.1411 of the	320
Revised Code.	321
(2) "Designee" means a person with whom the department of	322
job and family services has entered into a contract pursuant to	323
division (B)(2) of this section.	324
(3) "Title IV-E" means Title IV-E of the "Social Security	325
Act," 94 Stat. 501, 42 U.S.C. 670 (1980), as amended.	326
(B) The (1) Except as provided in division (B)(2) of this	327
section, the department of job and family services shall act as	328
the single state agency to administer federal payments for	329
foster care and adoption assistance made pursuant to Title IV-E.	330
The director of job and family services shall adopt rules to	331
implement this authority. Rules governing financial and	332
administrative requirements applicable to public children	333
services agencies and government entities that provide Title IV-	334
E reimbursable placement services to children shall be adopted	335
in accordance with section 111.15 of the Revised Code, as if	336
they were internal management rules. Rules governing	337
requirements applicable to private child placing agencies and	338
private noncustodial agencies and rules establishing	339
eligibility, program participation, and other requirements	340
concerning Title IV-E shall be adopted in accordance with	341
Chapter 119. of the Revised Code. A public children services	342
agency to which the department distributes Title IV-E funds	343
shall administer the funds in accordance with those rules.	344

(2) If the state plan is amended under divisions (A) and	345
(B) of section 5101.1411 of the Revised Code, the department	346
shall have, exercise, and perform all new duties required under	347
the plan as amended. In doing so, the department may contract	
with another person to carry out those new duties to the extent	349
permitted under Title IV-E.	350
(C)(1) The county, on behalf of each child eligible for	351
foster care maintenance payments under Title IV-E, shall make	352
payments to cover the cost of providing all of the following:	353
(a) The child's food, clothing, shelter, daily	354
supervision, and school supplies;	355
(b) The child's personal incidentals;	356
(c) Reasonable travel to the child's home for visitation.	357
(2) In addition to payments made under division (C)(1) of	358
this section, the county may, on behalf of each child eligible	359
for foster care maintenance payments under Title IV-E, make	360
payments to cover the cost of providing the following:	361
(a) Liability insurance with respect to the child;	362
(b) If the county is participating in the demonstration	363
project established under division (A) of section 5101.142 of	364
the Revised Code, services provided under the project.	365
(3) With respect to a child who is in a child-care	366
institution, including any type of group home designed for the	367
care of children or any privately operated program consisting of	368
two or more certified foster homes operated by a common	369
administrative unit, the foster care maintenance payments made	370
by the county on behalf of the child shall include the	371
reasonable cost of the administration and operation of the	372

institution, group home, or program, as necessary to provide the 373 items described in divisions (C)(1) and (2) of this section. 374

(D) To the extent that either foster care maintenance 375
payments under division (C) of this section or Title IV-E 376
adoption assistance payments for maintenance costs require the 377
expenditure of county funds, the board of county commissioners 378
shall report the nature and amount of each expenditure of county 379
funds to the department. 380

(E) The department shall distribute to public children 381 services agencies that incur and report expenditures of the type 382 described in division (D) of this section federal financial 383 participation received for administrative and training costs 384 incurred in the operation of foster care maintenance and 385 adoption assistance programs. The department may withhold not 386 more than three per cent of the federal financial participation 387 received. The funds withheld may be used only to fund the 388 following: 389

 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
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to work for a public children services agency upon graduation;
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(3) Efforts supporting organizational excellence,
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 including voluntary activities to be accredited by a nationally
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 recognized accreditation organization.
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The funds withheld shall be in addition to any398administration and training cost for which the department is399reimbursed through its own cost allocation plan.400

(F) All federal financial participation funds received by 401

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a county pursuant to this section shall be deposited into the 402 county's children services fund created pursuant to section 403 5101.144 of the Revised Code. 404 (G) The department shall periodically publish and 405 distribute the maximum amounts that the department will 406 reimburse public children services agencies for making payments 407 on behalf of children eligible for foster care maintenance 408 409 payments. (H) The department, by and through its director, is hereby 410 authorized to develop, participate in the development of, 411 negotiate, and enter into one or more interstate compacts on 412 behalf of this state with agencies of any other states, for the 413 provision of social services to children in relation to whom all 414 of the following apply: 415 (1) They have special needs. 416 (2) This state or another state that is a party to the 417 interstate compact is providing adoption assistance on their 418 behalf. 419 (3) They move into this state from another state or move 420 out of this state to another state. 421 Sec. 5101.1411. (A) (1) The director of job and family_ 422 services shall, not later than January 1, 2017, submit an 423 amendment to the state plan required by 42 U.S.C. 671 to the 424 United States secretary of health and human services to 425 implement 42 U.S.C. 675(8) to make federal payments for foster 426 care under Title IV-E directly to, or on behalf of, any person 427 who meets the following requirements: 428 (a) The person has attained the age of eighteen but not 429 430 attained the age of twenty-one.

(b) The person was in the custody of a public children	431
services agency upon attaining the age of eighteen.	432
(c) The person signs a voluntary participation agreement.	433
(d) The person satisfies division (C) of this section.	434
(2) Any person who meets the requirements of division (A)	435
(1) of this section may apply for foster care payments and make	
the appropriate application at any time.	
(B)(1) The director of job and family services shall, not	438
later than January 1, 2017, submit an amendment to the state	439
plan required by 42 U.S.C. 671 to the United States secretary of	440
health and human services to implement 42 U.S.C. 675(8) to make	441
federal payments for adoption assistance under Title IV-E	442
available to any parent who meets all of the following	443
requirements:	
<u>requirementes.</u>	444
(a) The parent adopted a person while the adopted person	445
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the	445 446
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent	445 446 447
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C.	445 446 447 448
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent	445 446 447
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C.	445 446 447 448
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673.	445 446 447 448 449
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen	445 446 447 448 449 450
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one.	445 446 447 448 449 450 451
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one. (c) The parent maintains parental responsibility to that	445 446 447 448 449 450 451 452
(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one. (c) The parent maintains parental responsibility to that adopted person.	445 446 447 448 449 450 451 452 453
<pre>(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one. (c) The parent maintains parental responsibility to that adopted person. (d) The adopted person satisfies division (C) of this section.</pre>	445 446 447 448 449 450 451 452 453 454 455
<pre>(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one. (c) The parent maintains parental responsibility to that adopted person. (d) The adopted person satisfies division (C) of this section. (2) Any parent who meets the requirements of division (B)</pre>	445 446 447 448 449 450 451 452 453 454
<pre>(a) The parent adopted a person while the adopted person was sixteen or seventeen years of age and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673. (b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one. (c) The parent maintains parental responsibility to that adopted person. (d) The adopted person satisfies division (C) of this section.</pre>	445 446 447 448 449 450 451 452 453 454 455 456

the adopted person reaches age twenty-one.		
(C) In addition to other requirements, a person who is in	460	
foster care or has been adopted must meet at least one of the		
following criteria:		
(1) To completing coordony oducation on a program loading	463	
(1) Is completing secondary education or a program leading		
to an equivalent credential;	464	
(2) Is enrolled in an institution that provides post-	465	
secondary or vocational education;	466	
(3) Is participating in a program or activity designed to	467	
promote or remove barriers to employment;	468	
(4) Is employed for at least eighty hours per month;	469	
(1) ib employed for de redbe ergney nourb per monen,	105	
(5) Is incapable of doing any of the activities described	470	
in divisions (C)(1) to (4) of this section due to a medical	471	
condition, which incapacity is supported by regularly updated	472	
information in the person's case record or plan.	473	
(D) Any person described in division (A)(1) of this	474	
section who is directly receiving foster care payments, or on	475	
whose behalf such foster care payments are received, or any		
parent receiving adoption assistance payments pursuant to this	477	
section may refuse the payments at any time. If the person or	478	
parent refuses payments and seeks payments at a later date, the	479	
person or parent must reapply for the payments in accordance	480	
with this section.	481	
(E)(1) A person described in division (A)(1) of this	482	
section who is directly receiving foster care payments, or on	483	
whose behalf such foster care payments are received, or a parent	484	
receiving adoption assistance payments and the adopted person,	485	
pursuant to this section, shall be eligible for services set		

forth in the federal "Fostering Connections to Success and 487 Increasing Adoptions Act of 2008," P.L. 110-351, 122 Stat. 3949. 488 (2) A person described in division (A)(1) of this section 489 who is directly receiving foster care payments or on whose 490 behalf such foster care payments are received pursuant to this 491 section may be eligible to reside in a supervised independent 492 living setting, including apartment living, room and board 493 arrangements, college or university dormitories, host homes, and 494 shared roommate settings. 495 (F) Any determination by the department that terminates 496 foster care or adoption assistance payments shall be subject to 497 Chapter 119. of the Revised Code. 498 Sec. 5101.1412. (A) Without the approval of a court, a 499 child who receives payments or on whose behalf payments are 500 received under division (A) of section 5101.1411 of the Revised 501 Code may enter into a voluntary participation agreement with the 502 department of job and family services or its designee for the 503 child's care and placement. The agreement shall expire within 504 one hundred eighty days and may not be renewed without court 505 506 approval. (B) Prior to the agreement's expiration, the department or 507 its designee shall seek approval from the court that the child's 508 best interest is served by extending the care and placement with 509 the department or its designee. 510 Sec. 5101.1413. Notwithstanding section 5101.141 of the 511 Revised Code and any rules adopted thereunder, the department of 512 job and family services shall pay the full nonfederal share of 513 payments made pursuant to section 5101.1411 of the Revised Code. 514 No public children services agency shall be responsible for the 515

cost of any payments made pursuant to section 5101.1411 of the 516 Revised Code. 517 Sec. 5101.1414. The department of job and family services 518 shall adopt rules necessary to carry out the purposes of 519 sections 5101.1411 to 5101.1413 of the Revised Code including 520 rules that do all of the following: 521 522 (A) Allow a person described in division (A)(1) of section 5101.1411 of the Revised Code who is directly receiving foster 523 care payments, or on whose behalf such foster care payments are 524 received, or a person whose adoptive parents are receiving 525 adoption assistance payments to maintain eligibility while 526 transitioning into or out of gualified employment or educational 527 activities; 528 (B) Require that a thirty-day notice of termination be 529 given by the department to a person described in division (A)(1) 530 of section 5101.1411 of the Revised Code who is receiving foster 531 care payments, or on whose behalf such foster care payments are 532 received, or to a parent receiving adoption assistance payments 533 for an adopted person described in division (B)(1) of section 534 5101.1411 of the Revised Code who is determined to be ineligible 535 536 for payments; (C) Create an advisory council to evaluate and make 537 recommendations for statewide implementation of sections 538 5101.1411 and 5101.1412 of the Revised Code; 539 (D) Establish the scope of practice and training necessary 540 for foster care workers and foster care worker supervisors who 541 care for persons described in division (A)(1) of section 542 5101.1411 of the Revised Code who are receiving foster care 543 pavments or on whose behalf such foster care payments are 544 received under section 5101.1411 of the Revised Code. 545 Sec. 5103.30. The Ohio child welfare training program is 546 hereby established in the department of job and family services 547 as a statewide program. The program shall provide all of the 548 following: 549 (A) The training that section 3107.014 of the Revised Code 550 551 requires an assessor to complete; (B) The preplacement training that sections 5103.031 and 552 5103.033 of the Revised Code require a prospective foster 553 554 caregiver to complete; (C) The continuing training that sections 5103.032 and 555 5103.033 of the Revised Code require a foster caregiver to 556 complete; 557 (D) The training that section 5153.122 of the Revised Code 558 requires a PCSA caseworker to complete; 559 (E) The training that section 5153.123 of the Revised Code 560 requires a PCSA caseworker supervisor to complete; 561 (F) The training required under section 5101.1414 of the 562 563 Revised Code for a foster care worker or foster care worker supervisor. 564 Section 2. That existing sections 2151.353, 5101.141, and 565 5103.30 of the Revised Code are hereby repealed. 566 Section 3. All appropriation items in this act are 567 appropriated out of money in the state treasury to the credit of 568 the designated fund. For all appropriations made in this act, 569 the amounts in the first column are for fiscal year 2016 and the 570 amounts in the second column are for fiscal year 2017. The 571 appropriations made in this act are in addition to any other 572

appropriations made for the FY 2016-FY 2017 biennium.			
JFS DEPARTMENT OF JOB AND FAMILY SERVICES			574
General Revenue Fund			
GRF 600423 Family and Children Programs	\$550 , 000	\$266,798	576 577
GRF 600523 Family and Children Services	\$O	\$4,207,844	578 579
GRF 600528 Adoption Services	\$0	\$494,160	580
Total GRF General Revenue Fund Federal Fund Group	\$550 , 000	\$4,968,802	581 582
3980 600627 Adoption Program -	\$0	\$854,501	583
Federal			584
3N00 600628 Foster Care Program - Federal	\$0	\$6,560,986	585 586
Total FED Federal Fund	\$0	\$7,415,487	587
TOTAL ALL BUDGET FUND GROUPS \$550,000 \$12,384,289			588
EXPANSION OF FOSTER CARE PROGRAM			
The foregoing appropriation item, 600423, Family and Children Programs, shall be used in each fiscal year by the Department of Job and Family Services to plan the expansion of			
foster care services for individuals aged 18 to 21.			
The foregoing appropriation items 600523, Family and Children Services, 600528, Adoption Services, 600627, Adoption			
Program-Federal, and 600628, Foster Care Program-Federal, shall			
be used by the Department of Job and Family Services in fiscal			

year 2017 to implement the expansion of foster care services for

individuals age 18 to age 21.

Section 4. Within the limits set forth in this act, the600Director of Budget and Management shall establish accounts601indicating the source and amount of funds for each appropriation602made in this act and shall determine the form and manner in603which appropriation accounts shall be maintained.604

Expenditures from appropriations contained in this act 605 shall be accounted for as though made in Am. Sub. H.B. 64 of the 606 131st General Assembly that are generally applicable to such 607 appropriations. 608