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As Introduced

132nd General Assembly

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Representatives Gonzales, Rezabek

Cosponsors: Representatives Hambley, Goodman, Retherford, Boggs, Thompson, Miller, Dean, Kent

A BILL

To enact sections 2131.03, 2131.031, 2131.032, 2131.033, and 2131.034 of the Revised Code to generally prohibit a person's blindness from being used to

deny or limit custody, parenting time, visitation, adoption, or service as a guardian or foster caregiver, regarding a minor.

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

Section 1. That sections 2131.03, 2131.031, 2131.032, 2131.033, and 2131.034 of the Revised Code be enacted to read as follows:

Sec. 2131.03. As used in sections 2131.03 to 2131.034 of the Revised Code, "blind" has the same meaning as in section 3304.28 of the Revised Code.

Sec. 2131.031. (A) Except when necessary to serve the best interests of a minor, no court, public children services agency, private child placing agency,

or private noncustodial agency shall deny or limit a person from any of the following because the person is blind:

(1) Exercising custody, parenting time, or visitation rights with a minor;

(2) Adopting a minor;

(3) Serving as a foster caregiver for a minor;

(4) Appointment as a guardian for a minor.

(B) A determination of detrimental impact under section 2131.032 of the Revised Code may be considered when determining the best interests of the minor,

with respect to the requirements of this section.

Sec. 2131.032. (A) A court may determine that a person's blindness has or could have a detrimental impact on a minor if a party demonstrates, by clear

and convincing evidence, that a blindness-connected behavior endangers the health, safety, or welfare of the minor. The burden of proof is on the party

asserting the detrimental impact.

(B) Before making a determination under division (A) of this section, the court shall permit the blind person to demonstrate how supportive services could

alleviate any detrimental impact on the minor.

Sec. 2131.033. When making a determination under section 2131.032 of the Revised Code, a court may order that supportive services that alleviate possible

detrimental impact be implemented, with an opportunity to review the need for continuation of such services, after a reasonable amount of time.

Sec. 2131.034.

If a court determines that the exercise of

custody, parenting time, or visitation rights, adoption, service

as a foster caregiver, or appointment as a guardian, regarding a

minor should be denied or limited in any manner

, it shall make

specific written findings of fact and conclusions of law

providing the basis for such determination and why supportive

services are insufficient to alleviate any detrimental impact

determined under section 2131.032 of the Revised Code.

My name is Suzanne Turner and I was born visually impaired.  I believe that this bill is quite important and significant to the blind in having the right to raise and develop their adopted or biological children.

I was raised by an grandmother who believed that I had the potential to do anything that I set my mind to.  This would include having children and nurturing them to their fullest potential.  I adopted two young girls and they have children of their own.  I wanted to give a blind child the same opportunity that was afforded to me.  Therefore, I adopted Danielle and her non-disabled sister.  Danielle is currently employed and has a six year old flourishing daughter. This young woman saw her blind mother providing, employed and quite successful.  She has modeled that and it is beautiful.  Danielle is independent, active and productive.

I am a former employee of the Social Security Administration.  I also worked in a nonprofit and now for Medical Mutual of Ohio.  I have worked closely with persons with disabilities on barriers and victories that have been life changing.  I know how hard it can be to raise children.  I have five sisters and two brothers who are not disabled struggle with hard times.  However, those trials have been very memoable, and yet rewarding for them.  This is true with those who are blind and disabled trying to make a way for themselves and their families.

As a blind individual, raising a child with a disability; I have fought for the right for her to have an equal education, occupation and housing in Ohio.  She is blind in one eye and born developmentally delayed and that has not slowed her down.  Danielle was seven when I adopted her.  She is twenty-six and is a proud lady, due to her family unconditional support.

It is wrong to remove or separate children from their parents; unless there is harm within the household.  I have heard about many families torn apart, due to their relatives, providers and officials thinking that the blind is incompetent.  It is 2017 and the court system still find favor in society’s misconceptions.  I hosted a radio show, called Aware a few years ago. N On that broadcast, I interviewed two women who told the story of interference of their physicians attempting to remove their children prior to their discharge from the hospital.  Thelia and Joann are over sixty years of age now, and their children are Case Workers, Teachers and Security Officers.  They are not disabled nor blind, and yet quite successful.

Finally, I had no difficulty adopting my children.  It so happen that my Social Worker roomed with a blind person while at college.  This case worker had an opportunity to witness the blind in a productive manner.  I have been very fortunate to have such an open minded individual aide me in the adoption process.  But, this is not true for most.  I also have been quite blessed in my career path as well.  Again, this is not true for others who are blind.  This is why the National Federation of the Blind of Ohio is fighting so hard for equality in every arena including to keep our children in its own environment with parents who born and love them. Please take a moment to think of someone removing your child. It would be a devastating, rigid and emotive to say the least. We have enough children in foster care, due to many circumstances. So, why take custody of children who are in a safe and loving environment. Please vote to support this bill. We as blind parents are capable of caring and providing for our children. Most of all, we do love them tremendously. They are our own.