

House State and Local Government Committee

Interested Party testimony HB442

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Chair Rep. Wiggam, Vice Chair Rep. John, and Ranking Member Rep. Kelly, we are submitting interested party testimony on behalf of Lucas County Children Services in regard to HB 442. HB 442 purposes to amend RC section 3107.014 to expand the qualification for adoption and foster care home assessors. The bill also adds a new RC section that would add to the already established definition of professional treatment staff as currently defined in OAC 5101:2-1-01. Lucas County Children Services currently licenses and oversees treatment foster homes and has an invested interest in any changes to the quality and demands of that process.

Ohio's implementation of the Family First Act's restrictions on congregate care placements for youth in foster care began October 1, 2021. These restrictions provide that youth can only be placed in a congregate care setting if a qualified individual completes an assessment that determines the youth qualifies for that placement. In addition to these restrictions there are time frames that are required to be met for the youth to remain in a congregate care setting including an approval by the court in 60 days. These restrictions do not take into account a lack of foster homes, the lack of qualified individuals or the lack of court docket space. There is a concern arising in PCSAs that due to these restrictions there may not be appropriate placement settings for youth that cannot safely remain in a foster home but do not meet the criteria to be placed in a congregate care setting.

Due to the new restrictions, the State is working with a number of interested parties on developing and expanding tiered treatment foster care. This workgroup is relatively new and is hoping to expand the availability of specialized treatment homes that will allow youth to remain out of congregate care but also prepare the caregivers for the needs of these special youth. Currently, Lucas County is the only county which provides this option through its county PCSA and is why Lucas County has a small number of youth in congregate care. Still, treatment foster care is a difficult task as the youth placed in these homes have special needs and require more intensive services.

HB 442 was brought to our agency's attention very recently. There are two main concerns regarding this proposed legislation as drafted. First, the amendment to RC 3107.014, which expands the allowable qualifications of an assessor, appears too broad. This expansion goes beyond the original intent of the statute which was to require assessors to have relevant training and experience prior to conducting these important assessments. Lucas County Children Services has reservations regarding persons with an unrelated bachelor's degree performing assessments for adoption or foster care.

The second concern is regarding the proposed RC 5103.57. This new section appears to allow professional treatment staff employed by private entities to perform clinical and rehabilitative services without the OAC 5101:2-1-01(245) requirement that the private professional treatment staff be appropriately licensed. Lucas County Children Services can see the benefits surrounding the ideology of HB 442 especially when workforce issues are on the rise. However, Lucas County Children Services believes that if clinical or rehabilitative services are being offered by professional treatment staff that the staff should be appropriately licensed to do so.

For these reasons, Lucas County Children Services believes more information is needed before moving forward on this bill. Please contact us with any questions or concerns. Thank you.