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Committees:

Chair - Behavioral Health
Finance
Higher Education
Finance Subcommittee on
Agriculture, development,
and natural resources

Gail Pavliga
State Representative

Chairwoman Schmidt, Vice-Chair Miller, Ranking Member Denson, and members of the House Families and Aging Committee, thank you for the opportunity to testify on House Bill 512 today. If this bill is passed it will take a crucial step in guaranteeing the safety, health, and well-being of children across Ohio. In collaboration with the Public Children Services Association of Ohio (PCSAO) and the Portage County Department of Job and Family Services, my office worked to formulate legislation that aimed at combating the current child placement crisis in our great state of Ohio.

According to a recent report released by PCSAO, nearly 1 in 4 children who entered foster care did so primarily due to behavioral health needs, developmental delays, or involvement in the juvenile justice system, rather than due to abuse or neglect concerns. Furthermore, 6% of those youth had to spend at least one night at a local government agency and were not properly placed in a treatment facility. This could be a traumatizing experience for our already vulnerable youth, and I intend to address this issue by codifying “emergency placement facilities”. Emergency placement facilities are defined in this bill, as stand-alone residential facilities, or designated beds within residential facilities, that provide immediate short-term placement of no longer than 14 days for children. By establishing these facilities, we can ensure that children are able to access the treatment and support they require and deserve.

Through this legislation, the Ohio Department of Child and Youth (DCY) would be required to create a streamlined licensure process for emergency placement facilities for children. DCY would be required to consult with the Department of Mental Health and Addiction Services and the Department of Developmental Disabilities when creating this process. The following rules would apply to a licensed emergency placement facility:

1. A facility may accept a child that is in temporary or permanent custody of a Public Children Services agency or Title IV-E agency.
2. A facility must complete an assessment of the immediate needs of the child within 72 hours of placement.
3. A facility shall not reject a placement request or discharge a child based on behavior; however, a facility is able to reject a request based on capacity and/or staffing issues.
4. A facility is not allowed to accept a child for placement immediately after the child's placement to another facility.

This bill would also require the Ohio Family and Children First Council to work with key stakeholders to develop placement and treatment solutions for children with developmental or

intellectual challenges and high acuity behaviors. These solutions should have a particular focus on ensuring that no child will be required to sleep at a local government agency or wait in a facility with no access to treatment. Key stakeholders who will develop these solutions include PCSAO, the Ohio Children's Hospitals Association, and the Ohio Children's Alliance, among others who advocate for children's safety.

This legislation was carefully drafted with constant dialogue between Portage County JFS and PCSAO. My office analyzed recent data recorded by PCSAO, and I would like to highlight three key statistics the report found:

1. As mentioned earlier; PCSAO has found that 24% of youth came into care primarily due to severe behavioral health needs, significant disabilities or as a diversion from juvenile corrections.
2. Furthermore, 89% of Ohio counties reported that courts are placing youth into care as an alternative to the juvenile corrections system, and 89% of the Ohio counties reported that the primary reason children are placed under care is yet again, because of behavioral health needs.
3. 41% of counties reported that they are making 51-100 calls before securing private foster care placement.

Clearly Ohio lacks the infrastructure to house and care for children in need. This bill will require DCY to create a necessary licensure process for facilities geared at housing our youth that have no other place to turn. As I close, I would like to thank you Chairwoman Schmidt, Vice-Chair Miller, Ranking Member Denson, and all members of the Families & Aging Committee for allowing me to speak on behalf of this bill that I am extremely passionate about. I am more than happy to answer any questions you may have.