

As Reported by the House Health and Family Services Committee

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A B I L L

To amend sections 5153.16 and 6301.07 of the Revised Code and to enact sections 2151.81 to 2151.84 and 5111.0111 of the Revised Code regarding the provision of independent living services, Medicaid, and work force development services and activities for certain children and young adults so they may become independent adults.

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

Section 1. That sections 5153.16 and 6301.07 be amended and sections 2151.81, 2151.82, 2151.83, 2151.84, and 5111.0111 of the Revised Code be enacted to read as follows:

Sec. 2151.81. As used in sections 2151.82 to 2151.84 of the Revised Code:

(A) "Independent living services" means services and other forms of support designed to aid children and young adults to successfully make the transition to independent adult living and to achieve emotional and economic self-sufficiency. "Independent living services" may include the following:

(1) Providing housing; 18

(2) Teaching decision-making skills; 19

(3) Teaching daily living skills such as securing and 20
maintaining a residence, money management, utilization of 21
community services and systems, personal health care, hygiene and 22
safety, and time management; 23

(4) Assisting in obtaining education, training, and 24
employment skills; 25

(5) Assisting in developing positive adult relationships and 26
community supports. 27

(B) "Young adult" means a person eighteen years of age or 28
older but under twenty-one years of age who was in the temporary 29
or permanent custody of, or was provided care in a planned 30
permanent living arrangement by, a public children services agency 31
or private child placing agency on the date the person attained 32
age eighteen. 33

Sec. 2151.82. A public children services agency or private 34
child placing agency that has temporary or permanent custody of, 35
or is providing care in a planned permanent living arrangement to, 36
a child who is sixteen or seventeen years of age, shall provide 37
independent living services to the child. The services to be 38
provided shall be determined based on an evaluation of the 39
strengths and weaknesses of the child, completed or obtained by 40
the agency. If housing is provided as part of the services, the 41
child shall be placed in housing that is supervised or 42
semi-supervised by an adult. 43

The services shall be included as part of the case plan 44
established for the child pursuant to section 2151.412 of the 45
Revised Code. 46

Sec. 2151.83. (A) A public children services agency or 47

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private child placing agency, on the request of a young adult, 48
shall enter into a jointly prepared written agreement with the 49
young adult that obligates the agency to ensure that independent 50
living services are provided to the young adult and sets forth the 51
responsibilities of the young adult regarding the services. The 52
agreement shall be developed based on the young adult's strengths, 53
needs, and circumstances and the availability of funds provided 54
pursuant to section 2151.84 of the Revised Code. The agreement 55
shall be designed to promote the young adult's successful 56
transition to independent adult living and emotional and economic 57
self-sufficiency. 58

(B) If the young adult appears to be eligible for services 59
from one or more of the following entities, the agency must 60
contact the appropriate entity to determine eligibility: 61

(1) An entity, other than the agency, that is represented on 62
a county family and children first council established pursuant to 63
section 121.37 of the Revised Code; 64

(2) The rehabilitation services commission; 65

(3) A metropolitan housing authority established pursuant to 66
section 3735.27 of the Revised Code. 67

If an entity described in this division determines that the 68
young adult qualifies for services from the entity, that entity, 69
the young adult, and the agency to which the young adult made the 70
request for independent living services shall enter into a written 71
addendum to the jointly prepared agreement entered into under 72
division (A) of this section. The addendum shall indicate how 73
services under the agreement and addendum are to be coordinated 74
and allocate the service responsibilities among the entities and 75
agency that signed the addendum. 76

Sec. 2151.84. The department of job and family services shall 77
establish model agreements that may be used by public children 78

services agencies and private child placing agencies required to 79
provide services under an agreement with a young adult pursuant to 80
section 2151.83 of the Revised Code. The model agreements shall 81
include provisions describing the specific independent living 82
services to be provided to the extent funds are provided pursuant 83
to this section, the duration of the services and the agreement, 84
the duties and responsibilities of each party under the agreement, 85
and grievance procedures regarding disputes that arise regarding 86
the agreement or services provided under it. 87

To facilitate the provision of independent living services, 88
the department shall provide funds to meet the requirement of 89
state matching funds needed to qualify for federal funds under the 90
"Foster Care Independence Act of 1999," 113 Stat. 1822 (1999), 42 91
U.S.C. 677, as amended. The department shall seek controlling 92
board approval of any fund transfers necessary to meet this 93
requirement. 94

Sec. 5111.0111. The director of job and family services may 95
submit to the United States secretary of health and human services 96
an amendment to the state medicaid plan to make an individual 97
receiving independent living services pursuant to sections 2151.81 98
to 2151.84 of the Revised Code eligible for medicaid. If approved 99
by the United States secretary of health and human services, the 100
director of job and family services shall implement the medicaid 101
plan amendment submitted under this section. 102

Sec. 5153.16. (A) Except as provided in section 2151.422 of 103
the Revised Code, in accordance with rules of the department of 104
job and family services, and on behalf of children in the county 105
whom the public children services agency considers to be in need 106
of public care or protective services, the public children 107
services agency shall do all of the following: 108

(1) Make an investigation concerning any child alleged to be 109

- an abused, neglected, or dependent child; 110
- (2) Enter into agreements with the parent, guardian, or other 111
person having legal custody of any child, or with the department 112
of job and family services, department of mental health, 113
department of mental retardation and developmental disabilities, 114
other department, any certified organization within or outside the 115
county, or any agency or institution outside the state, having 116
legal custody of any child, with respect to the custody, care, or 117
placement of any child, or with respect to any matter, in the 118
interests of the child, provided the permanent custody of a child 119
shall not be transferred by a parent to the public children 120
services agency without the consent of the juvenile court; 121
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- (3) Accept custody of children committed to the public 123
children services agency by a court exercising juvenile 124
jurisdiction; 125
- (4) Provide such care as the public children services agency 126
considers to be in the best interests of any child adjudicated to 127
be an abused, neglected, or dependent child the agency finds to be 128
in need of public care or service; 129
- (5) Provide social services to any unmarried girl adjudicated 130
to be an abused, neglected, or dependent child who is pregnant 131
with or has been delivered of a child; 132
- (6) Make available to the bureau for children with medical 133
handicaps of the department of health at its request any 134
information concerning a crippled child found to be in need of 135
treatment under sections 3701.021 to 3701.028 of the Revised Code 136
who is receiving services from the public children services 137
agency; 138
- (7) Provide temporary emergency care for any child considered 139
by the public children services agency to be in need of such care, 140

without agreement or commitment;	141
(8) Find certified foster homes, within or outside the	142
county, for the care of children, including handicapped children	143
from other counties attending special schools in the county;	144
(9) Subject to the approval of the board of county	145
commissioners and the state department of job and family services,	146
establish and operate a training school or enter into an agreement	147
with any municipal corporation or other political subdivision of	148
the county respecting the operation, acquisition, or maintenance	149
of any children's home, training school, or other institution for	150
the care of children maintained by such municipal corporation or	151
political subdivision;	152
(10) Acquire and operate a county children's home, establish,	153
maintain, and operate a receiving home for the temporary care of	154
children, or procure certified foster homes for this purpose;	155
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(11) Enter into an agreement with the trustees of any	157
district children's home, respecting the operation of the district	158
children's home in cooperation with the other county boards in the	159
district;	160
(12) Cooperate with, make its services available to, and act	161
as the agent of persons, courts, the department of job and family	162
services, the department of health, and other organizations within	163
and outside the state, in matters relating to the welfare of	164
children, except that the public children services agency shall	165
not be required to provide supervision of or other services	166
related to the exercise of parenting time rights granted pursuant	167
to section 3109.051 or 3109.12 of the Revised Code or	168
companionship or visitation rights granted pursuant to section	169
3109.051, 3109.11, or 3109.12 of the Revised Code unless a	170
juvenile court, pursuant to Chapter 2151. of the Revised Code, or	171

a common pleas court, pursuant to division (E)(6) of section 172
3113.31 of the Revised Code, requires the provision of supervision 173
or other services related to the exercise of the parenting time 174
rights or companionship or visitation rights; 175

(13) Make investigations at the request of any superintendent 176
of schools in the county or the principal of any school concerning 177
the application of any child adjudicated to be an abused, 178
neglected, or dependent child for release from school, where such 179
service is not provided through a school attendance department; 180

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(14) Administer funds provided under Title IV-E of the 182
"Social Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 671, as 183
amended, in accordance with rules adopted under section 5101.141 184
of the Revised Code; 185

(15) In addition to administering Title IV-E adoption 186
assistance funds, enter into agreements to make adoption 187
assistance payments under section 5153.163 of the Revised Code; 188

(16) Implement a system of risk assessment, in accordance 189
with rules adopted by the director of job and family services, to 190
assist the public children services agency in determining the risk 191
of abuse or neglect to a child; 192

(17) Enter into a plan of cooperation with the board of 193
county commissioners under section 307.983 of the Revised Code and 194
comply with the partnership agreement the board enters into under 195
section 307.98 of the Revised Code and contracts the board enters 196
into under sections 307.981 and 307.982 of the Revised Code that 197
affect the public children services agency; 198

(18) Make reasonable efforts to prevent the removal of an 199
alleged or adjudicated abused, neglected, or dependent child from 200
the child's home, eliminate the continued removal of the child 201
from the child's home, or make it possible for the child to return 202

home safely, except that reasonable efforts of that nature are not 203
required when a court has made a determination under division 204
(A)(2) of section 2151.419 of the Revised Code; 205

(19) Make reasonable efforts to place the child in a timely 206
manner in accordance with the permanency plan approved under 207
division (E) of section 2151.417 of the Revised Code and to 208
complete whatever steps are necessary to finalize the permanent 209
placement of the child; 210

(20) Administer a Title IV-A program identified under 211
division (A)(3)(c) or (d) of section 5101.80 of the Revised Code 212
that the department of job and family services provides for the 213
public children services agency to administer under the 214
department's supervision pursuant to section 5101.801 of the 215
Revised Code; 216

(21) Provide independent living services pursuant to sections 217
2151.81 to 2151.84 of the Revised Code. 218

(B) The public children services agency shall use the system 219
implemented pursuant to division (B)(16) of this section in 220
connection with an investigation undertaken pursuant to division 221
(F)(1) of section 2151.421 of the Revised Code and may use the 222
system at any other time the agency is involved with any child 223
when the agency determines that risk assessment is necessary. 224

(C) Except as provided in section 2151.422 of the Revised 225
Code, in accordance with rules of the director of job and family 226
services, and on behalf of children in the county whom the public 227
children services agency considers to be in need of public care or 228
protective services, the public children services agency may do 229
the following: 230

(1) Provide or find, with other child serving systems, 231
specialized foster care for the care of children in a specialized 232
foster home, as defined in section 5103.02 of the Revised Code, 233

certified under section 5103.03 of the Revised Code;	234
(2)(a) Except as limited by divisions (C)(2)(b) and (c) of this section, contract with the following for the purpose of assisting the agency with its duties:	235
(i) County departments of job and family services;	236
(ii) Boards of alcohol, drug addiction, and mental health services;	237
(iii) County boards of mental retardation and developmental disabilities;	238
(iv) Regional councils of political subdivisions established under Chapter 167. of the Revised Code;	239
(v) Private and government providers of services;	240
(vi) Managed care organizations and prepaid health plans.	241
(b) A public children services agency contract under division (C)(2)(a) of this section regarding the agency's duties under section 2151.421 of the Revised Code may not provide for the entity under contract with the agency to perform any service not authorized by the department's rules.	242
(c) Only a county children services board appointed under section 5153.03 of the Revised Code that is a public children services agency may contract under division (C)(2)(a) of this section. If an entity specified in division (B) or (C) of section 5153.02 of the Revised Code is the public children services agency for a county, the board of county commissioners may enter into contracts pursuant to section 307.982 of the Revised Code regarding the agency's duties.	243
Sec. 6301.07. (A) Every workforce policy board, with the agreement of the chief elected officials of the local area, and after holding public hearings that allow public comment and	244
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testimony, shall prepare a workforce development plan and 263
incorporate that plan into and attach that plan to the partnership 264
agreement required under section 6301.05 of the Revised Code. The 265
plan shall accomplish all of the following: 266

(1) Identify the workforce investment needs of businesses in 267
the local area, identify projected employment opportunities, and 268
identify the job skills necessary to obtain those opportunities; 269

(2) Identify the local area's workforce development needs for 270
youth, dislocated workers, adults, displaced homemakers, incumbent 271
workers, and any other group of workers identified by the 272
workforce policy board; 273

(3) Determine the distribution of workforce development 274
resources and funding to be distributed for each workforce 275
development activity to meet the identified needs, utilizing the 276
funds allocated pursuant to the "Workforce Investment Act of 277
1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended; 278

(4) Give priority to youth receiving independent living 279
services pursuant to sections 2151.81 to 2151.84 of the Revised 280
Code when determining distribution of workforce development 281
resources and workforce development activity funding; 282

(5) Review the minimum curriculum required by the state 283
workforce policy board for certifying training providers and 284
identify any additional curriculum requirements to include in 285
contracts between the training providers and the chief elected 286
officials of the local area; 287

~~(5)~~(6) Establish performance standards for service providers 288
that reflect local workforce development needs; 289

~~(6)~~(7) Describe any other information the chief elected 290
officials of the local area require. 291

(B) A workforce policy board may provide policy guidance and 292
recommendations to the chief elected officials of a local area for 293

any workforce development activities. 294

(C) Nothing in this section prohibits the chief elected 295
officials of a local area from assigning, through a partnership 296
agreement, any duties in addition to the duties under this section 297
to a workforce policy board, except that a workforce policy board 298
cannot contract with itself for the direct provision of services 299
in its local area. A workforce policy board may consult with the 300
chief elected officials of its local area and make recommendations 301
regarding the workforce development activities provided in its 302
local area at any time. 303

Section 2. That existing sections 5153.16 and 6301.07 of the 304
Revised Code are hereby repealed. 305