

**As Reported by the Senate Finance and Financial Institutions  
Committee**

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**Sub. H. B. No. 38**

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**A B I L L**

To amend sections 5153.16 and 6301.07 and to enact 1  
sections 2151.81 to 2151.84 and 5111.0111 of the 2  
Revised Code regarding the provision of independent 3  
living services, Medicaid, and work force 4  
development services and activities for certain 5  
children and young adults so they may become 6  
independent adults. 7

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

**Section 1.** That sections 5153.16 and 6301.07 be amended and 8  
sections 2151.81, 2151.82, 2151.83, 2151.84, and 5111.0111 of the 9  
Revised Code be enacted to read as follows: 10

**Sec. 2151.81.** As used in sections 2151.82 to 2151.84 of the 11  
Revised Code: 12

(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: 13  
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(1) Providing housing; 18

(2) Teaching decision-making skills; 19

(3) Teaching daily living skills such as securing and maintaining a residence, money management, utilization of community services and systems, personal health care, hygiene and safety, and time management; 20  
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(4) Assisting in obtaining education, training, and employment skills; 24  
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(5) Assisting in developing positive adult relationships and community supports. 26  
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(B) "Young adult" means a person eighteen years of age or older but under twenty-one years of age who was in the temporary or permanent custody of, or was provided care in a planned permanent living arrangement by, a public children services agency or private child placing agency on the date the person attained age eighteen. 28  
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**Sec. 2151.82.** A public children services agency or private child placing agency, that has temporary or permanent custody of, or is providing care in a planned permanent living arrangement to, a child who is sixteen or seventeen years of age, shall provide independent living services to the child. The services to be provided shall be determined based on an evaluation of the strengths and weaknesses of the child, completed or obtained by the agency. If housing is provided as part of the services, the child shall be placed in housing that is supervised or 34  
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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  
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. If the entity is a board of 64  
alcohol, drug addiction, and mental health services, an alcohol 65  
and drug addiction services board, or a community mental health 66  
board, the agency shall contact the provider of alcohol, drug 67  
addiction, or mental health services that has been designated by 68  
the board to determine the young adult's eligibility for services. 69

(2) The rehabilitation services commission; 70

(3) A metropolitan housing authority established pursuant to 71  
section 3735.27 of the Revised Code. 72

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If an entity described in this division determines that the young adult qualifies for services from the entity, that entity, the young adult, and the agency to which the young adult made the request for independent living services shall enter into a written addendum to the jointly prepared agreement entered into under division (A) of this section. The addendum shall indicate how services under the agreement and addendum are to be coordinated and allocate the service responsibilities among the entities and agency that signed the addendum. 73  
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**Sec. 2151.84.** The department of job and family services shall establish model agreements that may be used by public children services agencies and private child placing agencies required to provide services under an agreement with a young adult pursuant to section 2151.83 of the Revised Code. The model agreements shall include provisions describing the specific independent living services to be provided to the extent funds are provided pursuant to this section, the duration of the services and the agreement, the duties and responsibilities of each party under the agreement, and grievance procedures regarding disputes that arise regarding the agreement or services provided under it. 82  
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To facilitate the provision of independent living services, the department shall provide funds to meet the requirement of state matching funds needed to qualify for federal funds under the "Foster Care Independence Act of 1999," 113 Stat. 1822 (1999), 42 U.S.C. 677, as amended. The department shall seek controlling board approval of any fund transfers necessary to meet this requirement. 93  
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**Sec. 5111.0111.** The director of job and family services may submit to the United States secretary of health and human services an amendment to the state medicaid plan to make an individual receiving independent living services pursuant to sections 2151.81 100  
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to 2151.84 of the Revised Code eligible for medicaid. If approved 104  
by the United States secretary of health and human services, the 105  
director of job and family services shall implement the medicaid 106  
plan amendment submitted under this section. 107

**Sec. 5153.16.** (A) Except as provided in section 2151.422 of 108  
the Revised Code, in accordance with rules of the department of 109  
job and family services, and on behalf of children in the county 110  
whom the public children services agency considers to be in need 111  
of public care or protective services, the public children 112  
services agency shall do all of the following: 113

(1) Make an investigation concerning any child alleged to be 114  
an abused, neglected, or dependent child; 115

(2) Enter into agreements with the parent, guardian, or other 116  
person having legal custody of any child, or with the department 117  
of job and family services, department of mental health, 118  
department of mental retardation and developmental disabilities, 119  
other department, any certified organization within or outside the 120  
county, or any agency or institution outside the state, having 121  
legal custody of any child, with respect to the custody, care, or 122  
placement of any child, or with respect to any matter, in the 123  
interests of the child, provided the permanent custody of a child 124  
shall not be transferred by a parent to the public children 125  
services agency without the consent of the juvenile court; 126  
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(3) Accept custody of children committed to the public 128  
children services agency by a court exercising juvenile 129  
jurisdiction; 130

(4) Provide such care as the public children services agency 131  
considers to be in the best interests of any child adjudicated to 132  
be an abused, neglected, or dependent child the agency finds to be 133  
in need of public care or service; 134

(5) Provide social services to any unmarried girl adjudicated to be an abused, neglected, or dependent child who is pregnant with or has been delivered of a child;	135 136 137
(6) Make available to the bureau for children with medical handicaps of the department of health at its request any information concerning a crippled child found to be in need of treatment under sections 3701.021 to 3701.028 of the Revised Code who is receiving services from the public children services agency;	138 139 140 141 142 143
(7) Provide temporary emergency care for any child considered by the public children services agency to be in need of such care, without agreement or commitment;	144 145 146
(8) Find certified foster homes, within or outside the county, for the care of children, including handicapped children from other counties attending special schools in the county;	147 148 149
(9) Subject to the approval of the board of county commissioners and the state department of job and family services, establish and operate a training school or enter into an agreement with any municipal corporation or other political subdivision of the county respecting the operation, acquisition, or maintenance of any children's home, training school, or other institution for the care of children maintained by such municipal corporation or political subdivision;	150 151 152 153 154 155 156 157
(10) Acquire and operate a county children's home, establish, maintain, and operate a receiving home for the temporary care of children, or procure certified foster homes for this purpose;	158 159 160 161
(11) Enter into an agreement with the trustees of any district children's home, respecting the operation of the district children's home in cooperation with the other county boards in the district;	162 163 164 165

(12) Cooperate with, make its services available to, and act 166  
as the agent of persons, courts, the department of job and family 167  
services, the department of health, and other organizations within 168  
and outside the state, in matters relating to the welfare of 169  
children, except that the public children services agency shall 170  
not be required to provide supervision of or other services 171  
related to the exercise of parenting time rights granted pursuant 172  
to section 3109.051 or 3109.12 of the Revised Code or 173  
companionship or visitation rights granted pursuant to section 174  
3109.051, 3109.11, or 3109.12 of the Revised Code unless a 175  
juvenile court, pursuant to Chapter 2151. of the Revised Code, or 176  
a commonpleas court, pursuant to division (E)(6) of section 177  
3113.31 of the Revised Code, requires the provision of supervision 178  
or other services related to the exercise of the parenting time 179  
rights or companionship or visitation rights; 180

(13) Make investigations at the request of any superintendent 181  
of schools in the county or the principal of any school concerning 182  
the application of any child adjudicated to be an abused, 183  
neglected, or dependent child for release from school, where such 184  
service is not provided through a school attendance department; 185  
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(14) Administer funds provided under Title IV-E of the 187  
"Social Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 671, as 188  
amended, in accordance with rules adopted under section 5101.141 189  
of the Revised Code; 190

(15) In addition to administering Title IV-E adoption 191  
assistance funds, enter into agreements to make adoption 192  
assistance payments under section 5153.163 of the Revised Code; 193

(16) Implement a system of risk assessment, in accordance 194  
with rules adopted by the director of job and family services, to 195  
assist the public children services agency in determining the risk 196  
of abuse or neglect to a child; 197

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

(18) Make reasonable efforts to prevent the removal of an alleged or adjudicated abused, neglected, or dependent child from the child's home, eliminate the continued removal of the child from the child's home, or make it possible for the child to return home safely, except that reasonable efforts of that nature are not required when a court has made a determination under division (A)(2) of section 2151.419 of the Revised Code;

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

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

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

(B) The public children services agency shall use the system implemented pursuant to division (B)(16) of this section in connection with an investigation undertaken pursuant to division (F)(1) of section 2151.421 of the Revised Code and may use the system at any other time the agency is involved with any child



when the agency determines that risk assessment is necessary.	229
(C) Except as provided in section 2151.422 of the Revised Code, in accordance with rules of the director of job and family services, and on behalf of children in the county whom the public children services agency considers to be in need of public care or protective services, the public children services agency may do the following:	230
(1) Provide or find, with other child serving systems, specialized foster care for the care of children in a specialized foster home, as defined in section 5103.02 of the Revised Code, certified under section 5103.03 of the Revised Code;	231
(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:	232
(i) County departments of job and family services;	233
(ii) Boards of alcohol, drug addiction, and mental health services;	234
(iii) County boards of mental retardation and developmental disabilities;	235
(iv) Regional councils of political subdivisions established under Chapter 167. of the Revised Code;	236
(v) Private and government providers of services;	237
(vi) Managed care organizations and prepaid health plans.	238
(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.	239
(c) Only a county children services board appointed under	240

section 5153.03 of the Revised Code that is a public children 258  
services agency may contract under division (C)(2)(a) of this 259  
section. If an entity specified in division (B) or (C) of section 260  
5153.02 of the Revised Code is the public children services agency 261  
for a county, the board of county commissioners may enter into 262  
contracts pursuant to section 307.982 of the Revised Code 263  
regarding the agency's duties. 264

**Sec. 6301.07.** (A) Every workforce policy board, with the 265  
agreement of the chief elected officials of the local area, and 266  
after holding public hearings that allow public comment and 267  
testimony, shall prepare a workforce development plan and 268  
incorporate that plan into and attach that plan to the partnership 269  
agreement required under section 6301.05 of the Revised Code. The 270  
plan shall accomplish all of the following: 271

(1) Identify the workforce investment needs of businesses in 272  
the local area, identify projected employment opportunities, and 273  
identify the job skills necessary to obtain those opportunities; 274

(2) Identify the local area's workforce development needs for 275  
youth, dislocated workers, adults, displaced homemakers, incumbent 276  
workers, and any other group of workers identified by the 277  
workforce policy board; 278

(3) Determine the distribution of workforce development 279  
resources and funding to be distributed for each workforce 280  
development activity to meet the identified needs, utilizing the 281  
funds allocated pursuant to the "Workforce Investment Act of 282  
1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended; 283

(4) Give priority to youth receiving independent living 284  
services pursuant to sections 2151.81 to 2151.84 of the Revised 285  
Code when determining distribution of workforce development 286  
resources and workforce development activity funding; 287

(5) Review the minimum curriculum required by the state 288  
workforce policy board for certifying training providers and 289  
identify any additional curriculum requirements to include in 290  
contracts between the training providers and the chief elected 291  
officials of the local area; 292

~~(5)~~(6) Establish performance standards for service providers 293  
that reflect local workforce development needs; 294

~~(6)~~(7) Describe any other information the chief elected 295  
officials of the local area require. 296

(B) A workforce policy board may provide policy guidance and 297  
recommendations to the chief elected officials of a local area for 298  
any workforce development activities. 299

(C) Nothing in this section prohibits the chief elected 300  
officials of a local area from assigning, through a partnership 301  
agreement, any duties in addition to the duties under this section 302  
to a workforce policy board, except that a workforce policy board 303  
cannot contract with itself for the direct provision of services 304  
in its local area. A workforce policy board may consult with the 305  
chief elected officials of its local area and make recommendations 306  
regarding the workforce development activities provided in its 307  
local area at any time. 308

**Section 2.** That existing sections 5153.16 and 6301.07 of the 309  
Revised Code are hereby repealed. 310