

As Introduced

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H. B. No. 423

Representatives Milkovich, Wachtmann

**Cosponsors: Representatives Foley, Antonio, Blair, Bishoff, Barnes, Smith,
Grossman, Fedor, Reece, Stebelton**

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A B I L L

To amend section 5101.141 and to enact section 1
5101.1411 of the Revised Code to extend the age 2
for which a person is eligible for federal 3
payments for foster care under Title IV-E to age 4
twenty-one. 5

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

Section 1. That section 5101.141 be amended and section 6
5101.1411 of the Revised Code be enacted to read as follows: 7

Sec. 5101.141. (A) As used in sections 5101.141 to ~~5101.1410~~ 8
5101.1411 of the Revised Code, "Title IV-E" means Title IV-E of 9
the "Social Security Act," 94 Stat. 501, 42 U.S.C. 670 (1980), as 10
amended. 11

(B) The department of job and family services shall act as 12
the single state agency to administer federal payments for foster 13
care and adoption assistance made pursuant to Title IV-E. The 14
director of job and family services shall adopt rules to implement 15
this authority. Rules governing financial and administrative 16
requirements applicable to public children services agencies and 17
government entities that provide Title IV-E reimbursable placement 18

services to children shall be adopted in accordance with section 19
111.15 of the Revised Code, as if they were internal management 20
rules. Rules governing requirements applicable to private child 21
placing agencies and private noncustodial agencies and rules 22
establishing eligibility, program participation, and other 23
requirements concerning Title IV-E shall be adopted in accordance 24
with Chapter 119. of the Revised Code. A public children services 25
agency to which the department distributes Title IV-E funds shall 26
administer the funds in accordance with those rules. 27

(C)(1) The county, on behalf of each child eligible for 28
foster care maintenance payments under Title IV-E, shall make 29
payments to cover the cost of providing all of the following: 30

(a) The child's food, clothing, shelter, daily supervision, 31
and school supplies; 32

(b) The child's personal incidentals; 33

(c) Reasonable travel to the child's home for visitation. 34

(2) In addition to payments made under division (C)(1) of 35
this section, the county may, on behalf of each child eligible for 36
foster care maintenance payments under Title IV-E, make payments 37
to cover the cost of providing the following: 38

(a) Liability insurance with respect to the child; 39

(b) If the county is participating in the demonstration 40
project established under division (A) of section 5101.142 of the 41
Revised Code, services provided under the project. 42

(3) With respect to a child who is in a child-care 43
institution, including any type of group home designed for the 44
care of children or any privately operated program consisting of 45
two or more certified foster homes operated by a common 46
administrative unit, the foster care maintenance payments made by 47
the county on behalf of the child shall include the reasonable 48

cost of the administration and operation of the institution, group home, or program, as necessary to provide the items described in divisions (C)(1) and (2) of this section.

(D) To the extent that either foster care maintenance payments under division (C) of this section or Title IV-E adoption assistance payments for maintenance costs require the expenditure of county funds, the board of county commissioners shall report the nature and amount of each expenditure of county funds to the department.

(E) The department shall distribute to public children services agencies that incur and report expenditures of the type described in division (D) of this section federal financial participation received for administrative and training costs incurred in the operation of foster care maintenance and adoption assistance programs. The department may withhold not more than three per cent of the federal financial participation received. The funds withheld may be used only to fund the following:

(1) The Ohio child welfare training program established under section 5103.30 of the Revised Code;

(2) The university partnership program for college and university students majoring in social work who have committed to work for a public children services agency upon graduation;

(3) Efforts supporting organizational excellence, including voluntary activities to be accredited by a nationally recognized accreditation organization.

The funds withheld shall be in addition to any administration and training cost for which the department is reimbursed through its own cost allocation plan.

(F) All federal financial participation funds received by a county pursuant to this section shall be deposited into the county's children services fund created pursuant to section

5101.144 of the Revised Code. 80

(G) The department shall periodically publish and distribute 81
the maximum amounts that the department will reimburse public 82
children services agencies for making payments on behalf of 83
children eligible for foster care maintenance payments. 84

(H) The department, by and through its director, is hereby 85
authorized to develop, participate in the development of, 86
negotiate, and enter into one or more interstate compacts on 87
behalf of this state with agencies of any other states, for the 88
provision of social services to children in relation to whom all 89
of the following apply: 90

(1) They have special needs. 91

(2) This state or another state that is a party to the 92
interstate compact is providing adoption assistance on their 93
behalf. 94

(3) They move into this state from another state or move out 95
of this state to another state. 96

Sec. 5101.1411. The director of job and family services shall 97
submit an amendment to the state plan required by 42 U.S.C. 671 to 98
the United States secretary of health and human services to 99
implement 42 U.S.C. 675(8) to make federal payments for foster 100
care under Title IV-E available to persons up to the age of 101
twenty-one who also meet the requirements of that section. 102

Section 2. That existing section 5101.141 of the Revised Code 103
is hereby repealed. 104