



SB238 Increases Adoption Oversight

Acknowledging that "there may have been an enforcement problem" with current law and regulation around adoptions in the state, Crystal Ward Allen, executive director of the Public Children Services Association of Ohio (PCSAO) went on to explain how **SB238**-Niehaus will put "teeth" into preventing circumstances like the Huron County case.

That case saw one family adopt 11 special needs children who were then discovered to be sleeping in cages. The children have since been removed from the home and placed in foster care.

She agreed that home visits are currently required under rule and that "private and public agencies and some in other states" had been involved in the placement of the 11 children. One big difference under the new law, Allen said, is addition of a special assessment directed specifically to families that would have five or more children. She said the focus has been on the parents. "Now, there will be a whole different evaluation -- one that will also look at the dynamics within that family and how the 'fit' will be with all family members."

Allen also stressed the increased communications between adoption agencies and the local children service boards as key to "protecting children, recruiting adoptive families, preparing the families and supporting the adoptions" -- the theme for many of those speaking at Wednesday's bill signing which was done at the Center for Child and Family Advocacy on the campus of Columbus Children's Hospital.

While speakers including Sen. Tom Niehaus, chief sponsor of **SB238**; Rep. Jeff Wagner, House sponsor; and Gov. Bob Taft touted the child welfare provisions of the bill which encompassed both the original children services revisions in the "as introduced" version of **SB238** and the adoption provisions of **SB287**, nothing was said about the provisions of **SB242** (Crisis care facilities) and **SB313** (Domestic violence option), which had also been merged into the bill.

SB242 provisions create a licensure category for "children's crisis care facilities" for preteens when their parents need someone to care for the children temporarily. **SB313** creates the Task Force on Implementing the Federal Domestic Violence Option in the Ohio Works First program.

Even though **SB238** will not be effective for 90 days, Allen said meetings were beginning next week to look at how the adoption application and the home study assessment needs to be done under the new law. Initially, representatives of both public and private agencies will participate but Ohio Department of Job and Family Services (ODJFS) spokesperson Carmen Stewart

stressed that there will be plenty of opportunities for input from all interested parties into the rules.

Taft commented that he knew from his days as a county commissioner that this area of law "is very complicated" and commended Niehaus and Wagner for their work to get a bill through so quickly, with his having just called for passage of these measures in his "State of the State" address in January. The adoption law revisions were based, in large measure, on the results of an inquiry Taft had ordered ODJFS conduct into the Huron County case. (See [The Hannah Report, 11/30/05](#).)

Specifically, that report had found that communications between public and private social services agencies were often insufficiently coordinated, state adoption guidelines were not consistently followed, and child abuse, neglect and dependency were not well defined in law.

The new law also applies to adoptions handled by private attorneys.