



Public Children Services Association of Ohio

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To: Members of the House Health Committee, Rep. John White, Chair

Rep. Jim Raussen, Vice-Chair	Rep. Shirley Smith, Ranking Minority Member
Rep. Courtney Combs	Rep. Catherine Barrett
Rep. Keith Faber	Rep. Edna Brown
Rep. Larry Flowers	Rep. Michael DeBose
Rep. Geoff Smith	Rep. Sandra Stabile Harwood
Rep. James Hoops	Rep. Lance Mason
Rep. Earl Martin	Rep. Robert J. Otterman
Rep. Jon Peterson	Rep. Chris Redfern
Rep. Ross McGregor	
Rep. Linda Reidelbach	
Rep. Michelle Schneider	
Rep. Shawn Webster	
Rep. John Widowfield	

From: Crystal Ward Allen, Executive Director, PCSAO

Re: Key Sharing of Information Provisions in Sub HB 529, Adoption Bill

HB 529 (Rep. Jeff Wagner, sponsor) and its companion bill, SB 287 (Senator Tom Niehaus, sponsor) address important steps in improving child safety and ensuring permanent homes for special needs children who are adopted. An outline of the substitute bills, as accepted by the committees in each House of the General Assembly, is attached to this memo.

The Gravelle family case, in which ten adopted children and one additional child placed for adoption, were at times held in cages, clearly highlighted significant and systemic voids in the sharing of essential information, to the right entities, at the right time.

I would like to clarify how provisions relating to increased sharing of information between ODJFS, Public Children Services Agencies, private adoption agencies, and courts would work, and why they are of such value.

There are two major processes in the adoption assessment process – initial approval of a family to adopt, and then matching them with a specific child for adoption placement and finalization.

- **During the homestudy process**, the adoption assessor would have access to the **prospective family's history regarding reports where there was evidence of child abuse or neglect**. The language is careful to ensure unsubstantiated reports are not shared or considered, and language discusses use of any child maltreatment history, within the totality of information collected. Despite inaccurate testimony provided to the committee, due process rights are currently ensured for any individual alleged of abuse or neglect, and the bill would establish appeal rights for prospective adoptive families, if approval for adoption was denied.
- **During the home study process**, the adoption assessor would notify the county child welfare agency where the family resides, that an adoption homestudy is in progress. **Sharing of "relevant information" is authorized in the bill**. This information could serve to caution the assessor to look further, or allow the assessor to specifically ask about a question or just serve

as notification that the family is interested. Examples of relevant information that would not necessarily be known to the assessor, would be the provision of Post Adoptive Special Services Subsidy to that family which could comment on the capacity of the family to add to their family; rule violations; or other interactions between the agency and family.

- **At the time of an impending adoption** (the agency with custody of a child is considering placing a specific child in the approved home), **the assessor of that home is once again to notify the county agency of residence that a specific child (age, gender and any special needs) is being considered for placement.** Again, “relevant information” can be shared. Examples would be that the home agency is currently providing significant amount of PASSS (post adoptive special services) to that family with other adopted children; it could be that the current family dynamics caution against placing an older or younger child in the home at this time; it could be that the child currently being considered has special needs for which the home agency can facilitate key resource connections.

These sharing of information provisions will establish a critical, yet efficient sharing of relevant information. Additional language prohibits falsification of information, indeed makes it a misdemeanor; language indicates ODJFS would provide a form so the relevant information would be shared in writing; appeal rights are afforded the resource families; and any comments would be part of the final information provided to the court.

Who makes the final decisions?

- Professional judgment to approve a family for adoption, remains with the professional adoption assessor
- Professional judgment to place a particular child in an approved adoption home, remains with the adoption assessor of the custodial agency
- Finalization of the adoption, is made by the Probate Court Judge, based on the recommendation and information provided to the court, by the adoption assessor.

The public children agency in the county of residence has no veto power over these decisions. The sharing of information is about child safety and stability, not for screening children out. The home county agency does have ongoing responsibility to meet the needs of the child and family once the adoption is finalized. PCSAO asserts that it is very appropriate to provide known relevant information to either caution, suggest the adoption assessor further explore information, or make early and effective local connections for lasting success in meeting the child’s needs in that county.

Please do not hesitate to contact myself, Crystal Ward Allen (614/264-4549, cell phone) or Greg Kapcar (614/224-5802) with any questions, concerns or desire for further discussion. PCSAO strongly supports HB 529, and urges your support for Ohio’s children that need safe, permanent homes.

Cc: Representative Jeff Wagner
Melissa Craddock, Office of Speaker John Husted
Senator Tom Niehaus