



Public Children Services Association of Ohio

510 E. Mound Street • Suite 200 • Columbus, Ohio 43215
614/224-5802 • FAX 614/228-5150 • E-mail address: pcsao@sbcglobal.net
Website: www.pcsao.org

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HB 529, Adoption Bill Representative Jeff Wagner, Sponsor

Supportive Testimony, House Health Committee Crystal Ward Allen March 22, 2006

Good morning Chairman White and members of the House Health Committee. I am Crystal Ward Allen, the Executive Director of Public Children Services Association of Ohio. PCSAO represents the 88 public child protection agencies here in Ohio, working for safe children, stable families and supportive communities. PCSAO is pleased to provide supportive testimony for HB 529.

You have heard that just this week, the Huron County Juvenile Court Judge awarded permanent custody of the special needs children that had been housed in cages at times, to the Huron County Department of Job and Family Services. In this case, the local agency, county prosecutor, and court have all strongly responded to an unacceptable situation. Now, pending a quick decision by the appellate court (as the former adoptive parents have indicated they will appeal the decision), Huron CDJFS will seek new adoptive families for the children. It is critical we learn from this case, and put in place policies that will help prevent similar cases from happening in the future.

It is also important to note, approximately 2,000 adoptions of "waiting children" are finalized each year, thus we cannot conclude this case is typical of adoptive families, and we do not want to discourage families from adopting. After all, every child deserves a safe and loving forever home.

Thus, HB 529 proposes a number of provisions that will improve our efforts for a safe, efficient adoption process, while protecting the integrity of foster and adoptive families. I have attached an outline of the bill as introduced:

- Provisions relating to increased sharing of information between ODJFS, Public Children Services Agencies, private adoption agencies, and courts.

This will establish a critical, yet efficient sharing of relevant information. The Huron County case clearly revealed a gap in the sharing of key information among a variety of entities.

- The requirement to complete a multiple child assessment, when considering placing a child into a home that would have five or more children. We must take a special look at the capacity of any family to care for a large number of children, when adding in another special needs child. This provision will not prohibit families from adopting additional children – many families have an amazing capacity to care for large numbers of children. It will merely “trigger” additional assessment considerations – both to ensure the family and agency are carefully considering the family’s capacity, and perhaps to plan what, if any additional support services may be needed.
- The bill also proposes to increase the mandated training hours for new public agency caseworkers, reinforces frequent face to face visitations with the child and adoptive parent prior to adoption finalization, and clearly requires persons who are providing child and family services for children service agencies, to be mandated reporters of child maltreatment.

Additional provisions have also been agreed upon as improvements to this bill, and are expected to be included in a substitute bill. PCSAO supports the following conceptual amendments:

- A provision to establish equal sharing of planning and fiscal responsibility when a child comes back into agency custody within 36 months after a finalized adoption, when the original custodial agency is different than the county of residence. Of course, all reasonable efforts must be made to prevent the child from coming back into custody in the first place.
- Elimination of the proposed provision (Sec. 3107.031) that would require families to sign an additional form, addressing whether children have previously been removed from their household (with criminal penalties for falsification attached). Upon further discussion by interested parties, the provision seemed confusing, duplicative and the intent is better served by being addressed within the homestudy application.
- Authority for ODJFS to develop a model contract for public agencies to use when purchasing private provider adoption services, including both incentives and accountability provisions related to that agency’s participation in the adoption process.
- Allowing current and former foster youth, ages 18-21 to be adopted in juvenile court.
- Eliminating the opportunity for adolescents to veto adoption activities, while still considering the child’s opinion.

According to ODJFS, at the end of FFY 2005, Ohio had 2,612 children in Permanent Custody, with adoption as their identified goal. We know there are even more children in permanent custody and planned permanent living arrangements that also need permanent homes, they just don't have "adoption" listed as their goal. All of these waiting children desperately need a safe, stable, loving family as their forever family. I have attached a chart showing the characteristics of these children. I feel it is important to note the following:

- Children of color are disproportionately represented in the child welfare system – 48% of "waiting children" are African American compared to only 11% African American in our general population.
- African American children wait for adoptive homes longer than Caucasian children.
- Older children (53% of the waiting children are 10+ years) also wait longer to be adopted.

TANF funds can contribute necessary fiscal support for adoption successes. We must find permanent homes for our waiting children, and we support the higher standards proposed by this bill. Ohio has a federally approved TANF plan that allows TANF funds to support the following adoption activities:

- Resource family recruitment, especially with minority families, to match the profile of children who are waiting for adoptive homes
- Child Centered Recruitment practices for older youth and those waiting for 12+ months
- Adoption matching and placement activities, including incentives for families to adopt
- Post Adoption Special Services Subsidies (PASSS) to support families after finalization
- Support for Independent Living Services for our older foster youth that do NOT get adopted is also essential, and fully allowable under TANF regulations.

Currently 30 PCSAs receive \$0 funds to support adoption activities! **PCSAO strongly requests the Administration and General Assembly immediately dedicate \$5 Million additional TANF funds for adoption activities.** Ohio's Public Children Services Agencies have proven these are effective practices, the funds are available, and the need – finding safe permanent homes for our children - is important.

Before I sit, I also want to plant the seed that it is time for Ohio to directly provide financial support for special needs children who are adopted, and the wonderful families that adopt them. The \$250 standard monthly subsidy for these families was established in 1986 – 20 years ago! Permanently raising children with special needs costs more than \$250 / month. If we expect to match our

children with adoptive families, and that these adoptions sustain until the child is an adult, Ohio must adequately support these families.

We appreciate the intense work and leadership by Representative Jeff Wagner, along with Senator Tom Niehaus, in drafting this bill, and continuing to solicit input from PCSAO and other interested parties, to ensure the new provisions will indeed improve the safety and permanence of children, while not making the adoption process more burdensome for families willing to foster and adopt our children in Ohio. I am happy to respond to any questions.