

**Sponsor Testimony for SB 238
Child Welfare Update Legislation
Senator Tom Niehaus
January 11, 2006**

Thank you Senator Coughlin and members of the Health, Human Services and Aging Committee for allowing me to present sponsor testimony on SB 238.

This bill is what we typically call a “clean up” bill in that its purpose is to update our laws as they relate to child welfare issues. The legislation before you today represents the collaborative efforts of the Public Children’s Services Assn. of Ohio and the Department of Job and Family Services.

Senate Bill 238 has three major provisions which:

- makes Ohio statute compliant with the reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA).
- implements the new Statewide Automated Child Welfare Information System (SACWIS).
- cleans up language that is either outdated, erroneous or not clear.

Child Advocacy

- SB 238 ensures that Guardian Ad Litem appointed to represent children have received the thorough and appropriate training to enable them to advocate on behalf of abused and neglected children.
- SB 238 strengthens the requirements that determine eligibility to perform the duties of an adoption assessor. The new provisions will not only ensure that those who supervise adoptions are prepared and qualified, but also ensure high standards and quality of service to children and their families.
- The bill also would require prospective adoptive parents to complete specific training as part of the home study, prior to the child being placed in the home.
- Each PCSA worker and supervisor must receive training in the importance of accurate data, preparation for court and maintenance of case record information.
- Senate Bill 238 also makes the criminal offenses that exclude potential foster parents consistent with those required of hiring PCSA employees. Basically we’re adding to the “list” of crimes that prohibit a person from becoming a foster parent.

Foster Services

- Senate Bill 238 serves to protect foster children by ensuring that pre-placement foster training is adequate for Foster Home Certification. The bill ALSO provides for additional, ongoing training to FOSTER parents.

- The bill clarifies that no stipends will be paid to an individual for attending pre-placement training if the individual fails to obtain a Foster Home Certificate.

Family & Child Welfare

- Senate Bill 238 enhances the Child Protective Service system by developing, improving and implementing safety assessment tools and protocols.

For example, SB 238 would mandate that during the first two years of employment at a Public Children Services Agency (PCSA), a caseworker must complete at least 12 hours of training in recognizing signs of domestic violence and its relationship to child abuse. The caseworker training will be mandated to include courses in assessing safety in addition to risk.

Adult Protective Services

- SB 238 will mandate the reporting of adult protective service data from all 88 counties to ensure consistent statewide data. In order to make this process easier for the counties, ODJFS is automating the reporting process. The collection of accurate data is essential in order to validate the need for additional funding for the program.

SACWIS

- Senate Bill 238 replaces the central registry maintained by ODJFS with SACWIS, a new statewide child welfare information database by January 1, 2009.

The new information system will make central registry information, which is currently provided from the central registry via an ODJFS report, accessible to the public children services agencies (PCSA's); which gives the PCSA's the ability to conduct child abuse and neglect investigations in "real time."

What is SACWIS:

SACWIS is the federally regulated and funded statewide automated child welfare information system. [It supports Ohio's administration of child welfare, foster care, and adoption systems (Titles IV-B and IV-E of the Social Security Act)].

SACWIS provides improved county children services case planning and management, greatly enhanced tracking and management oversight, increased reporting and supervision, resource management, and interfacing with other relevant state automated systems.

SACWIS will be piloted in Muskingum County in April of this year. The Department of Job and Family Services anticipates having SACWIS implemented statewide by Spring of 2007.

Why SACWIS legislation is critical:

SACWIS legislation is necessary to ensure that the information in SACWIS is maintained confidentially as required by federal law.

SACWIS legislation is necessary to mandate county usage of this statewide system and to allow for ODJFS rulemaking to ensure the statewide implementation of this system.

Therefore, SACWIS legislation is necessary before it is implemented so that the information system can operate properly and confidentially as federally required.

Let me talk about one sensitive issue this bill does not address. Last year you remember hearing and reading about a situation in Huron County where 11 special needs children were removed from the home of their adoptive parents. Local officials cited unacceptable living conditions and the case garnered national headlines

While I am not familiar with the confidential details of this case, from reading continuing updates on this unfortunate situation, it appears as if some of the initial reports misrepresented what was actually happening in that home. There is an ongoing investigation into the Huron County case.

ODJFS issued a report to Governor Taft outlining some needed changes in current law to protect the interests of children.

This bill does not address those suggestions. Work on SB 238 started long before the Huron County situation came to light. The report to the governor requires an extensive and broad discussion with all interested parties. I have begun and will continue that work with Representative Jeff Wagner over the next couple months with the intent of introducing a bill by the end of March.

While there is a sense of urgency to address these matters, I do not believe SB 238, at this time, is the right vehicle.

However, I do not want to delay passage of this bill while waiting for a more thorough review of those recommendations.

Over the next few weeks you will hear testimony supporting passage of this legislation. Those individuals will also be able to provide more detailed testimony on the more technical aspects of this bill.

At this time I am not aware of any group opposing passage of this bill.

Thank you for the opportunity to present sponsor testimony, and I will try to answer any questions you may have.