

An Act

ENROLLED HOUSE
BILL NO. 1359

By: Peters, Kirby, Denney,
Dorman, Tibbs, Derby,
Walker, Peterson, Nelson,
Nollan, Brumbaugh and
Pittman of the House

and

Brinkley, David, Holt,
Treat, Eason McIntyre and
Brecheen of the Senate

An Act relating to children; establishing Foster Care System Improvement Task Force; providing for membership; designating cochairs; providing for staff assistance; providing for travel reimbursement; providing powers and duties; requiring certain report; defining terms; providing for noncodification; and declaring an emergency.

SUBJECT: Foster Care System Improvement Task Force

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created until January 1, 2013, the Foster Care System Improvement Task Force.

B. The task force shall consist of twenty-three (23) members as follows:

1. The Director of the Oklahoma Commission on Children and Youth, or designee;

2. The Director of the Department of Human Services, or designee;

3. The Executive Coordinator of the District Attorneys Council, or designee;

4. A child welfare worker employed by the Department of Human Services to be appointed by the Director of the Department of Human Services;

5. Three presiding judges of courts having juvenile law jurisdiction, one from Tulsa County, one from Oklahoma County and one from a district other than Tulsa and Oklahoma Counties to be appointed by the President of the State Judicial Conference;

6. Eight members shall be appointed by the Speaker of the Oklahoma House of Representatives as follows:

- a. one shall be the president of a state foster parent association,
- b. one shall be an individual who has recent experience providing foster care for a child placed in the home for more than six (6) months,
- c. one shall be a representative of a child-advocacy organization,
- d. one shall be a member of an Oklahoma Indian child welfare association,
- e. one shall be a court-appointed special advocate for deprived children,
- f. one shall be a representative of a faith-based organization that is actively involved in working with the foster care system,
- g. one shall be a member of a local multidisciplinary coalition of children's services providers that works to improve and strengthen the child protection system, and
- h. one shall be a member of the Oklahoma House of Representatives; and

7. Eight members shall be appointed by the President Pro Tempore of the Oklahoma State Senate as follows:

- a. one shall represent a statewide association of therapeutic foster care agencies,
- b. one shall be a former foster youth,
- c. one shall represent a statewide association of youth services agencies,
- d. one shall be a child welfare worker employed by the Department of Human Services selected from a list submitted by a statewide public employee association,
- e. one shall be a public defender with experience representing the interests of deprived children,
- f. one shall be a member of a statewide association representing psychiatric hospitals,
- g. one shall be a representative of a nonprofit organization comprised of agencies that provide child care to deprived children, and
- h. one shall be a member of the Oklahoma State Senate.

C. 1. Members shall serve at the pleasure of their appointing authorities. A vacancy on the task force shall be filled by the original appointing authority.

2. Appointments to the task force shall be made within thirty (30) days of the effective date of this act.

3. A majority of the members of the task force shall constitute a quorum. A majority of the members present at a meeting may act for the task force.

4. The Director of the Oklahoma Commission on Children and Youth, or designee, and task force member who represents a child-advocacy organization shall serve as cochairs of the task force and shall hold an organizational meeting no later than July 1, 2011.

D. Staff assistance for the task force shall be provided by the Oklahoma House of Representatives, the Oklahoma State Senate and the Oklahoma Commission on Children and Youth.

E. All departments, officers, agencies and employees of this state shall cooperate with the task force in fulfilling its duties and responsibilities including, but not limited to, providing any information, records or reports requested by the task force.

F. Members of the task force may, as necessary, seek the advice and input of professionals who are not members of the task force and the services of experts in furtherance of their duties.

G. The Foster Care System Improvement Task Force may divide into subcommittees in furtherance of its purpose.

H. Members of the task force shall receive no compensation for their service, but shall receive travel reimbursement as follows:

1. Legislative members of the task force shall be reimbursed for necessary travel expenses incurred in the performance of their duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes; and

2. Nonlegislative members of the task force shall be reimbursed by their appointing authorities or respective agencies for necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The purpose of the Foster Care System Improvement Task Force shall be to:

1. Compare Oklahoma's foster care system outcomes to the Federal Children and Family Services Review standards;

2. Review current practices in the state's foster care system;

3. Study best practices that may assist in improving the system; and

4. Identify specific areas for improvement in the state's foster care system.

B. The task force shall issue a report to the Legislature and to the Governor by March 15, 2012, that includes:

1. The indentified areas of the state's foster care system that require improvement;

2. A delineation of desired outcomes that should occur for children who become a part of the foster care system;

3. A compilation of best practices to assist in achieving the desired outcomes for children and families;

4. The accountability standards that will be used to measure the state's success in meeting the desired outcomes; and

5. A reporting of the estimated cost for implementing the recommendations.

C. As used in this section:

1. "Foster care system" means the services and practices related to children who have been removed from their home due to abuse or neglect and who are alleged or found to be deprived. The meaning shall encompass regular, kinship and therapeutic foster care and more complex levels of care including group homes and residential treatment centers. "Foster care system" shall also include foster parent recruitment and retention, certification and training and related services including case management; and

2. "Best practice" means a practice that has been rigorously researched through at least three independent clinical trials and, upon implementation according to specified guidelines, the practice can be systematically replicated in a way that renders statistically significant outcomes. "Best practice" shall also mean a practice that has expert consensus or other support or utilizes very specific approaches to problems that result in high rates of consumer or clinician satisfaction, but which may not be widely known.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 22nd day of February, 2011.

Lee Doney

Presiding Officer of the House of Representatives

Passed the Senate the 30th day of March, 2011.

Kim Dail

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 31st
day of March, 2011,
at 11:34 o'clock A. M.

By: Jessie R. Doyers

Approved by the Governor of the State of Oklahoma the 6th day of
April, 2011, at 4:26 o'clock P. M.

Mary Fallin

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this
6th day of April, 2011,
at 4:59 o'clock P. M.

By: Michelle R Day