An Act

ENROLLED SENATE
BILL NO. 200

By: Griffin of the Senate

and

Nelson, Pittman and Nollan
of the House

An Act relating to foster care; directing the Office of Juvenile Affairs to establish and implement a foster care program for children; providing that the Office of Juvenile Affairs shall not be liable for certain costs or expenses; requiring that foster placements meet certain standards; providing standards for contracts with foster care placement providers; directing the Office of Juvenile Affairs to provide certain information; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Foster care

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-7-613 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. The Office of Juvenile Affairs shall establish a program of foster care for children in the custody of the Office of Juvenile Affairs, and in implementing the program of foster care, shall:

1. Recruit foster families for children in the custody of the Office of Juvenile Affairs;

2. Contract with foster parents and child-placing agencies to provide foster care services to children within the custody of the Office of Juvenile Affairs;

3. Exercise supervision over all foster placements with whom the Office of Juvenile Affairs has a contract for foster care services;

4. Establish rules and standards for providing foster care services in addition to those required by the Oklahoma Child Care Facilities Licensing Act;

5. Require initial and ongoing foster parent training and education programs; and

6. Establish a grievance procedure in accordance with rules promulgated by the Board of Juvenile Affairs, including a statement of foster parent rights, for foster parents with whom the Office of Juvenile Affairs contracts.

B. The Office of Juvenile Affairs shall not be liable for any costs or expenses expended voluntarily by a foster parent for a foster child which are in excess of the funds authorized for providing foster care services to the foster child.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-7-614 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided by this section, no child in the custody of the Office of Juvenile Affairs shall be placed with any foster placement unless the foster placement meets licensing standards as required by rules promulgated by the Board of Juvenile Affairs and the Oklahoma Child Care Facilities Licensing Act and is otherwise approved for foster care by the Office of Juvenile Affairs for children within its custody.

B. Except as otherwise provided by this section, no person shall receive a child for foster care or provide foster care services to a child unless such person meets licensing standards as required by the Oklahoma Child Care Facilities Licensing Act and rules promulgated by the Board of Juvenile Affairs, and is otherwise

approved by the Board of Juvenile Affairs for children within its custody.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-7-615 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. The Office of Juvenile Affairs shall enter into a written contract with the foster care placement provider. The contract shall provide, at a minimum:

1. That the Office of Juvenile Affairs shall have access at all times to the child and to the foster placement;

2. A listing of any specific requirements, specific duties or restrictions in providing foster care services;

3. That any foster child shall have access to and be accessible by any court-appointed special advocate for the foster child and the foster child's attorney;

4. That any foster care placement provider shall comply with performance standards required pursuant to the Oklahoma Child Care Facilities Licensing Act and rules promulgated by the Board of Juvenile Affairs;

5. Information regarding the amount of payment to be made for foster care services, including but not limited to a description of the process involved in receiving payment, including projected time frames, information related to reimbursements for eligible costs and expenses for which the foster parent may be reimbursed and any information concerning the accessibility and availability of funds for foster parents;

6. Except as provided in this section, the Office of Juvenile Affairs may remove a child in its custody from a foster placement whenever the agency determines that removal is in the best interests of the child or consistent with the state's interest in the protection of the public; and

7. Such other information required by the Office of Juvenile Affairs.

B. The Office of Juvenile Affairs shall provide the following information to the foster parent at the time of placement, along with a copy of the written contract required pursuant to subsection A of this section:

1. The names and telephone numbers of the child's caseworkers;

2. A copy of applicable policy and procedures of the Office of Juvenile Affairs as pertaining to placement operations as established by the Office of Juvenile Affairs;

3. The name and telephone number of any foster parent association in the county of residence of the foster parent;

4. A copy of the statement of foster parent rights; and

5. A copy of any applicable policies and procedures of the Office of Juvenile Affairs, which pertain to placement operations of the Office of Juvenile Affairs.

SECTION 4. This act shall become effective July 1, 2013.

SECTION 5. 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 Senate the 12th day of March, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 17th
day of April, 20 13, at 3:19 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 23rd
day of April, 20 13, at 4:02 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 23rd
day of April, 20 13, at 4:17 o'clock P. M.
By: