

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 2960

By: Seikel

AS INTRODUCED

An Act relating to foster care; requiring the development of a foster care education program; requiring promulgation of rules; providing for contents; requiring cooperation and promoting foster parent associations in each county; providing an appeal process for adverse decisions; providing certain placement information; providing contents; providing for insurance for foster care; requiring reimbursements for foster care services; providing for codification; and providing an effective date.

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

ARTICLE VII. Foster Care

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7007-1.1 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall develop a foster care education program to provide specialized training for persons intending to engage in the operation of family foster homes. Participation in the program shall be voluntary.

B. The Department shall promulgate rules for approval of programs to meet the requirements of this section. Such programs

may include, but need not be limited to: in-service training, workshops and seminars developed by the Department or by county offices; seminars and courses offered through public or private education agencies; and workshops, seminars and courses pertaining to behavioral and developmental disabilities and to the development of mutual support services for foster parents. The Department may approve programs pursuant to this subsection only after consideration of relevant factors including level of education, useful or necessary skills, location and other criteria as determined by the Department.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7007-1.2 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall cooperate with and shall help promote foster parent associations in each county. The Department shall provide county foster parent associations with data, information and guidelines on the obligations, responsibilities and opportunities of foster parenting and shall keep the associations and members apprised of ranges in laws and rules relevant to foster parenting.

B. The Department of Human Services shall, by January 1, 1997, develop a procedure by which foster parents may appeal adverse decisions affecting their rights made by the Department. Such procedure shall be mutually agreed upon by the Department and an organization of foster parents with whom they shall consult.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7007-1.3 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. In making placements in foster care, the Department of Human Services shall:

1. Arrange for a preplacement visit of the child with the persons who will be providing foster care, except in emergencies;

2. Provide full and accurate medical information and medical history to the persons providing foster care at the time of placement;

3. Give a minimum of five (5) days advance notice to the foster care family before removing a child from their care, except in emergencies; and

4. Provide the foster care family with a written statement of the reasons for removing a child at the time of the notification required by this section.

B. In order to assist the foster family to make an informed decision regarding their acceptance of a child, to help the foster family anticipate problems which may occur during the child's placement and to help the foster family meet the needs of the child in a constructive manner, the Department shall provide the following information to the foster family if the information is, or as the information becomes, available to the Department:

1. Strengths, needs and general behavior of the child;

2. Circumstances which necessitated placement;

3. Information about the child's family and the child's relationship to the family which may affect the placement;

4. Important life experiences and relationships which may affect the child's feelings, behavior, attitudes or adjustment;

5. Whether the child has third-party coverage which may be available to the child; and

6. Education history, to include present grade placement, special strengths and weaknesses.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7007-1.4 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Department of Human Services may procure a policy of accident, personal liability and excess automobile liability insurance insuring persons participating in the family foster care

program against loss in accordance with specifications of the Department of Central Services.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7007-1.5 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The court shall evaluate the ability of parents to pay part or all of the cost for foster care provided by the Department of Human Services, and shall order such payment to the Department.

B. The court may effectuate such order against any asset of the parent for failure to provide part or all of the cost of foster care according to the court order. Any assignment, attachment, garnishment, or lien against such assets shall be served upon the person in possession of the assets or shall be recorded in the office of the county clerk in the county in which the parent resides or in which the asset is located. The Department may contract on a contingency fee basis with private attorneys for the collection and enforcement of orders against such assets. Any such third party payment shall be paid directly to the Department.

SECTION 6. This act shall become effective November 1, 1996.

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