

**BILL SUMMARY**  
1st Session of the 53rd Legislature

<b>Bill No.:</b>	<b>HB 2136</b>
<b>Version:</b>	<b>Senate Amendments</b>
<b>Request Number:</b>	<b>N.A.</b>
<b>Author:</b>	<b>Rep. Steele</b>
<b>Date:</b>	<b>5/10/2011</b>
<b>Impact:</b>	<b>\$213,440</b>

**Research Analysis**

The Engrossed Senate Amendment to Engrossed HB 2136 requires the Department of Human Services, upon receiving a report alleging abuse or neglect, to conduct an investigation rather than an assessment if the family has been the subject of a deprived petition or has been the subject of three or more referrals to the agency.

The measure requires the Department to conduct a criminal background check of any adult in the home prior to a trial reunification of a child with the child's parent(s) and provides that service provider progress reports and critical incident reports be submitted to the court and be delivered to certain parties in a deprived action. Finally, the bill allows the Oklahoma Commission on Children and Youth to disclose any previous child welfare encounters or investigations involving a child who has died or nearly died and the person responsible for the child has been charged.

Prepared By: Marcia Goff

**Fiscal Analysis**

The Senate Amendments to Engrossed HB 2136 requires a OSBI/FBI background search of certain individuals. According to the Oklahoma Department of Human Services (OKDHS), a combined OSBI/FBI background search using fingerprints, processed by OSBI, costs \$43 per individual. OKDHS provides a \$15 voucher to law enforcement for taking each set of fingerprints. The total cost per individual for criminal background results is \$58.

In FY10, 1,344 children left OKDHS care due to reunification. Estimating that two adults reside in each of these households, 2,688 OSBI name-based and FBI fingerprint-based searches will be required yearly.  $58 \times 2,688 = \underline{\$155,904 \text{ annually}}$

The FBI requires any individual, authorized to access fingerprint results to also be fingerprinted. Estimating there will be 192 OKDHS personnel who will need access to the FBI reports, the cost for fingerprinting OKDHS employees will be approximately \$11,136.

If other individuals involved in a deprived case such as the judge, district attorney, child's attorney, Indian Child Welfare tribal workers, etc. are allowed to review the FBI rap sheet, there will be a requirement to fingerprint the majority of these persons. The most economical and efficient way to accomplish these background checks may be to process them through OKDHS; however, this will potentially increase the fiscal impact by as much as \$46,400 for an estimated 800 additional individuals statewide.

Federal funds are not available at this time for 100% dedicated fingerprinting for reunification.

There is no fiscal impact of conducting an investigation instead of an assessment and there will be little to no operational impact for this requirement.

Prepared By: David Ligon

**Other Considerations**

The bill creates another safeguard to protect children and adds transparency to child welfare encounters and investigations involving children who have died or nearly died.