

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 200

By: Griffin

4  
5  
6 AS INTRODUCED

7 An Act relating to foster care; directing the Office  
8 of Juvenile Affairs to establish and implement a  
9 foster care program for children; providing that the  
10 Office of Juvenile Affairs shall not be liable for  
11 certain costs or expenses; requiring that foster  
12 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.

13  
14  
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

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

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

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

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

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

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

23          A. Except as otherwise provided by this section, no child in  
24 the custody of the Office of Juvenile Affairs shall be placed with

1 any foster placement unless the foster placement meets licensing  
2 standards as required by rules promulgated by the Board of Juvenile  
3 Affairs and the Oklahoma Child Care Facilities Licensing Act and is  
4 otherwise approved for foster care by the Office of Juvenile Affairs  
5 for children within its custody.

6 B. Except as otherwise provided by this section, no person  
7 shall receive a child for foster care or provide foster care  
8 services to a child unless such person meets licensing standards as  
9 required by the Oklahoma Child Care Facilities Licensing Act and  
10 rules promulgated by the Board of Juvenile Affairs, and is otherwise  
11 approved by the Board of Juvenile Affairs for children within its  
12 custody.

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

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

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

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

23

24

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

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

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

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

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

22           B. The Office of Juvenile Affairs shall provide the following  
23 information to the foster parent at the time of placement, along  
24

1 with a copy of the written contract required pursuant to subsection  
2 A of this section:

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

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

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

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

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

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

14 SECTION 5. It being immediately necessary for the preservation  
15 of the public peace, health and safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

18

19 54-1-499 JAM 1/14/2013 11:49:05 AM

20

21

22

23

24