

1 ENGROSSED HOUSE
2 BILL NO. 3524

By: Goodwin of the House

3 and

4 Young of the Senate

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7 An Act relating to children; amending 10A O.S. 2011,
8 Section 1-9-122, which relates to Department of Human
9 Services guardianship programs; requiring certain
10 information be provided to individuals upon contact
11 with the Department of Human Services; requiring that
12 a signature be obtained; providing that information
sheet is not a binding agreement; and providing an
effective date.

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

14 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-122, is
15 amended to read as follows:

16 Section 1-9-122. A. The Department of Human Services shall
17 establish and administer an ongoing program of supported
18 guardianship to assist families wishing to make a long-term
19 commitment to a child by accepting guardianship of the child. The
20 supported guardianship program shall enable the family to assume the
21 parental role without ongoing Department oversight but allow the
22 family to return to the Department for services as needed.

23 B. At the time when the Department initially makes contact with
24 or is contacted by a family member or other individual regarding

1 taking a potential guardianship of a child who was the subject of a
2 referral to the Department regarding allegations of abuse or
3 neglect, the Department shall provide the family member or other
4 individual with information regarding foster care, safety plans,
5 kinship foster placements, foster placements and guardianships.

6 This information shall include but not be limited to:

7 1. Information regarding potential options for taking custody
8 of a child such as foster placement or kinship foster placement,
9 including information that relatives can be foster placements if
10 able to meet requisite qualifications under the law;

11 2. Information regarding potential resources and assistance,
12 whether monetary or in services, that would be available to the
13 child and family member or other individual as either a kinship
14 foster placement, foster placement, safety plan monitor or guardian,
15 including disclosures that guardianship placements receive less
16 financial assistance than foster placements; and

17 3. Information regarding the family member or other
18 individual's duties and responsibilities to the parents of the child
19 as either a guardian, kinship foster placement, foster placement or
20 safety plan monitor.

21 C. The Department shall obtain a signed and dated information
22 sheet from the relative or individual stating that the information
23 required by subsection B of this section was provided in writing,
24 explained verbally, and that he or she understood the information.

1 The information sheet shall also be signed and dated by personnel
2 from the Department stating that the information sheet was provided
3 to the relative or other individual and that the information was
4 explained verbally. A copy of the information sheet may be kept by
5 the family member or other individual. In the event that the
6 individual declines to be provided the information sheet, Department
7 personnel shall have the individual sign and date the information
8 sheet and indicate that he or she does not wish to be provided the
9 information sheet. The Department shall also make the information
10 sheet available online and the information sheet may be signed
11 electronically. The signed information sheet shall be filed along
12 with any guardianship petition that is subsequently filed regarding
13 the same child or children.

14 D. The information sheet shall be for informational purposes
15 only. The signed information sheet shall not constitute a binding
16 agreement between the individual and the Department. The
17 information sheet does not confer any additional duties or
18 obligations to the Department other than those already prescribed by
19 law, nor does it guarantee placement. Further, the information
20 sheet does not constitute legal advice.

21 SECTION 2. This act shall become effective November 1, 2020.
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1 Passed the House of Representatives the 9th day of March, 2020,
2 2020.

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4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2020.

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8 Presiding Officer of the Senate