

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2790

By: Walke

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to the Department of Human Services;
10 modifying membership of certain boards, commissions
11 or other entities; listing requirements for
12 additional members; providing for preference of
13 member qualifications; requiring annual report;
14 directing promulgation of rules; exempting Oklahoma
15 Commission on Children and Youth; providing for
16 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-9-125 of Title 10A, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Every board, commission or other entity tasked with
21 overseeing Titles IV-E or IV-B Child Welfare Services of the
22 Department of Human Services for a purpose that includes, but is not
23 limited to, federal compliance, planning, funding, implementation or
24 quality evaluation or is deemed by the Office of the Governor to be

1 a necessary and relevant entity for the purpose of this section
2 shall include at least one person who has been in foster care in
3 accordance with subsection B of this section serving on its board,
4 commission or other entity.

5 B. The member shall:

6 1. Have been in foster care for at least six (6) months at or
7 after fourteen (14) years of age; and

8 2. At the time of serving on the board, commission or other
9 entity, be no younger than sixteen (16) years of age and no older
10 than thirty (30) years of age.

11 C. Preference for membership selection shall be given to:

12 1. Persons who are members of the Oklahoma chapter of a
13 national group comprised of persons who were once in foster care; or

14 2. Persons who have experienced one of the following:

15 a. aged out of foster care or turned eighteen (18) while
16 still in foster care,

17 b. resided in a residential facility such as a group
18 home, institution or residential child care facility
19 for more than seven (7) nonconsecutive days,

20 c. accommodations or modifications in their educational
21 experience,

22 d. self-identify as lesbian, gay, bisexual, transgender,
23 gender nonbinary or gender nonconforming,
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- e. applicability of the Indian Child Welfare Act in their case,
- f. membership in communities that are overrepresented in the jurisdiction's foster care program,
- g. juvenile detention or probation, or
- h. received independent living, prevention or reunification services through the Department or a contracted provider.

D. Every board, commission or other entity tasked with overseeing Titles IV-E or IV-B Child Welfare Services of the Department of Human Services for a purpose that includes, but is not limited to, federal compliance, planning, funding, implementation or quality evaluation or is deemed by the Office of the Governor to be a necessary and relevant entity for the purpose of this act shall include at least one person who was a parent of a formerly deprived child in accordance with subsection E of this section serving on its board, commission or other entity.

E. The member shall:

- 1. Have been a birth parent who had a child who at some point resided in foster care and was successfully reunified through traditional reunification or guardianship as determined by the Department; and

1 2. At the time of serving on the board, commission or other
2 entity, have no substantiated child welfare referrals exceeding a
3 period of time deemed appropriate by the Department.

4 F. Preference for membership selection shall be given to
5 parents with:

- 6 1. History of substance abuse;
- 7 2. Multiple child welfare referrals prior to the finding of
8 deprivation;
- 9 3. Parental rights that have been terminated;
- 10 4. Parental rights that have been restored;
- 11 5. History of mental health diagnosis;
- 12 6. History of incarceration;
- 13 7. Former foster care experience; or
- 14 8. Diagnosed disability.

15 G. The Department shall provide an annual report to the
16 Oklahoma Legislature which indicates that the Department is in
17 compliance with the provisions and intent to this section. The
18 report shall include, but not be limited to:

- 19 1. A plan for identifying boards, commissions or other entities
20 tasked with overseeing Titles IV-E- or IV-B-funded Child Welfare
21 Services;
- 22 2. A plan for outreach to foster youth and parents of formerly
23 deprived children for participation on boards, commissions or other
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1 entities tasked with overseeing Titles IV-E- or IV-B-funded Child
2 Welfare Services;

3 3. The criteria by which foster youth and parents of formerly
4 deprived foster children are selected;

5 4. Training provided to former foster youth and parents of
6 formerly deprived children to ensure maximum feasible participation
7 on equal footing with other members of the boards, commissions or
8 other entities.

9 H. The Department shall promulgate rules to implement the
10 provisions of this section.

11 I. The provisions of this section shall not apply to the
12 Oklahoma Commission on Children and Youth.

13 SECTION 2. This act shall become effective November 1, 2020.
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15 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
16 SERVICES, dated 02/13/2020 - DO PASS, As Amended.
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