

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. 3524

By: Goodwin

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

1 B. At the time when the Department initially makes contact with
2 or is contacted by a family member or other individual regarding
3 taking a potential guardianship of a child who was the subject of a
4 referral to the Department regarding allegations of abuse or
5 neglect, the Department shall provide the family member or other
6 individual with information regarding foster care, safety plans,
7 kinship foster placements, foster placements and guardianships.
8 This information shall include but not be limited to:

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

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

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

23 C. The Department shall obtain a signed and dated information
24 sheet from the relative or individual stating that the information

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

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

SECTION 2. This act shall become effective November 1, 2020.

COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
SERVICES, dated 02/27/2020 - DO PASS, As Amended.