

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3524

By: Goodwin

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6 AS INTRODUCED

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
with the Department of Human Services; requiring that
a signed document be obtained; and providing an
effective date.

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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 and guardianships. This information shall
6 include but not be limited to:

7 1. Information regarding whether the family member or other
8 individual may be approved as a foster home or kinship foster
9 placement, including information that relatives can be foster
10 placements;

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 as either a kinship foster placement, safety
14 plan monitor or guardian, including disclosures that guardians
15 receive less financial assurance than foster parents; and

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

19 C. The Department shall obtain a signed document from the
20 relative stating that the information required by subsection B of
21 this section was provided in writing, explained verbally, and that
22 he or she understood the information. The Department shall also
23 make the information and document available online. The signed
24 document shall be filed along with any guardianship petition that is

1 subsequently filed regarding the same child. The court shall not
2 grant a guardianship petition when a child has been the subject of a
3 referral to the Department unless the signed document has been
4 filed.

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

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