

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1796

By: Rosino

6 AS INTRODUCED

7 An Act relating to foster care; defining terms;
8 allowing foster parents to use certain caregivers and
9 arrangements for temporary care of foster children;
10 specifying certain time limit on temporary care;
11 requiring certain notice; requiring foster parents to
12 identify certain formal alternate caregiver;
13 specifying requirements for alternate caregivers;
14 requiring certain screenings and home evaluation for
15 alternate caregivers; authorizing respite care by
certain foster families; providing for
qualifications; authorizing certain informal care
arrangements; requiring application of certain
parenting standard; prohibiting use of certain
informal caregivers; directing promulgation of rules;
providing for codification; and providing an
effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified

19 in the Oklahoma Statutes as Section 1-7-117 of Title 10A, unless
20 there is created a duplication in numbering, reads as follows:

21 A. As used in this section:

22 1. "Alternate caregiver" means a person, assessed and approved
23 by the Department of Human Services, who for not more than fourteen
24 (14) consecutive days, relieves a foster parent's day-to-day

1 responsibilities by temporarily assuming care and supervision of the
2 child in the custody of the Department. Such term applies only to
3 traditional, contracted, and kinship foster care;

4 2. "Informal care arrangement" means an arrangement a foster
5 parent makes with one or more informal caregivers, who may be
6 friends, neighbors, or relatives, for the foster child's occasional
7 care for a period not to exceed seventy-two (72) hours; and

8 3. "Respite care" means short-term care provided by an approved
9 foster family when foster parents need breaks from day-to-day
10 parenting responsibilities while caring for a child in the custody
11 of the Department.

12 B. 1. Foster parents may use alternate caregivers, use respite
13 care, and make informal care arrangements to temporarily care for
14 their foster children as provided by this section and rules
15 promulgated by the Director of Human Services.

16 2. An individual providing care consecutively for more than
17 seventy-two (72) hours shall be an approved alternate caregiver as
18 provided by subsection C of this section or an approved foster
19 family that provides respite care in accordance with subsection E of
20 this section.

21 3. The foster parent shall notify the Department prior to using
22 an alternate caregiver, respite care, or an informal care
23 arrangement.

1 C. 1. The foster parent shall identify at least one alternate
2 caregiver, but no more than two, who can fulfill the foster parent's
3 role for the foster child placed in the foster home in case of
4 family emergencies, or when the family needs an extended break for
5 up to fourteen (14) consecutive days.

6 2. The foster parent may only use an alternate caregiver who
7 has been approved by the Department. An approved alternate
8 caregiver may only provide care for foster families for which the
9 alternate caregiver has been approved by the Department.

10 3. An alternate caregiver shall successfully complete the
11 screening requirements provided by subsection D of this section and
12 shall meet such qualifications for approval as may be prescribed by
13 the Director through rule.

14 D. The alternate caregiver and each adult household member in
15 the alternate caregiver's home shall successfully complete:

16 1. An Oklahoma State Bureau of Investigation name-based
17 criminal history records search;

18 2. A search of Department records including, but not limited
19 to, child welfare records;

20 3. A search of any applicable registries including, but not
21 limited to, the child care Restricted Registry under Section 405.3
22 of Title 10 of the Oklahoma Statutes, the community services worker
23 registry under Section 1025.3 of Title 56 of the Oklahoma Statutes,

1 and the nursing facility nontechnical services worker registry under
2 Section 1-1950.7 of Title 63 of the Oklahoma Statutes;

3 4. An evaluation of the home to assess the location, condition,
4 and capacity to accommodate the foster child; and

5 5. Any other requirements prescribed by the Director through
6 rule.

7 E. 1. Respite care may only be provided by a foster family
8 approved by the Department.

9 2. A foster family is not limited to providing respite care to
10 only one foster family.

11 3. To be approved to provide respite care, a foster family
12 shall meet such qualifications as may be prescribed by the Director
13 through rule.

14 F. 1. Foster parents may make informal care arrangements with
15 informal caregivers for the foster child's occasional care in
16 accordance with this subsection and rules promulgated by the
17 Director.

18 2. Foster parents shall apply the reasonable and prudent parent
19 standard when selecting an informal caregiver to care for the foster
20 child and shall ensure he or she possesses the maturity and skills
21 to address the child's needs.

22 3. The foster parent shall not use an informal caregiver who
23 the Department of Human Services has determined is unsafe.

1 G. The Director shall promulgate rules as necessary to
2 implement the provisions of this section.

3 SECTION 2. This act shall become effective November 1, 2026.

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