

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 126**

**Representatives Boyd, Rezabek**

**Cosponsors: Representatives Seitz, Ramos, Boggs, Ashford, Smith, K., O'Brien,  
Kent, Lepore-Hagan, Craig, Antonio, Miller, Reece, Bocchieri, Sykes, Howse**

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**A BILL**

To amend sections 5101.80, 5101.85, 5101.851, and 1  
5101.853; to amend, for the purpose of adopting 2  
new section numbers as indicated in parentheses, 3  
sections 5101.852 (5101.856) and 5101.853 4  
(5101.854); and to enact new sections 5101.852 5  
and 5101.853 and section 5101.855 of the Revised 6  
Code to require a region-based kinship caregiver 7  
navigator program. 8

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 5101.80, 5101.85, 5101.851, and 9  
5101.853 be amended; sections 5101.852 (5101.856) and 5101.853 10  
(5101.854) be amended for the purpose of adopting new section 11  
numbers as indicated in parentheses; and new sections 5101.852 12  
and 5101.853 and section 5101.855 of the Revised Code be enacted 13  
to read as follows: 14

**Sec. 5101.80.** (A) As used in this section and in section 15  
5101.801 of the Revised Code: 16

(1) "County family services agency" has the same meaning 17

as in section 307.981 of the Revised Code. 18

(2) "State agency" has the same meaning as in section 9.82 19  
of the Revised Code. 20

(3) "Title IV-A administrative agency" means both of the 21  
following: 22

(a) A county family services agency or state agency 23  
administering a Title IV-A program under the supervision of the 24  
department of job and family services; 25

(b) A government agency or private, not-for-profit entity 26  
administering a project funded in whole or in part with funds 27  
provided under the Title IV-A demonstration program created 28  
under section 5101.803 of the Revised Code. 29

(4) "Title IV-A program" means all of the following that 30  
are funded in part with funds provided under the temporary 31  
assistance for needy families block grant established by Title 32  
IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 33  
U.S.C. 601, as amended: 34

(a) The Ohio works first program established under Chapter 35  
5107. of the Revised Code; 36

(b) The prevention, retention, and contingency program 37  
established under Chapter 5108. of the Revised Code; 38

(c) A program established by the general assembly or an 39  
executive order issued by the governor that is administered or 40  
supervised by the department of job and family services pursuant 41  
to section 5101.801 of the Revised Code; 42

(d) The kinship permanency incentive program created under 43  
section 5101.802 of the Revised Code; 44

(e) The Title IV-A demonstration program created under 45  
section 5101.803 of the Revised Code; 46

(f) The Ohio parenting and pregnancy program created under 47  
section 5101.804 of the Revised Code; 48

(g) A component of a Title IV-A program identified under 49  
divisions (A) (4) (a) to (f) of this section that the Title IV-A 50  
state plan prepared under division (C) (1) of this section 51  
identifies as a component; 52

(h) The kinship navigator program created under section 53  
5101.851 of the Revised Code. 54

(B) The department of job and family services shall act as 55  
the single state agency to administer and supervise the 56  
administration of Title IV-A programs. The Title IV-A state plan 57  
and amendments to the plan prepared under division (C) of this 58  
section are binding on Title IV-A administrative agencies. No 59  
Title IV-A administrative agency may establish, by rule or 60  
otherwise, a policy governing a Title IV-A program that is 61  
inconsistent with a Title IV-A program policy established, in 62  
rule or otherwise, by the director of job and family services. 63

(C) The department of job and family services shall do all 64  
of the following: 65

(1) Prepare and submit to the United States secretary of 66  
health and human services a Title IV-A state plan for Title IV-A 67  
programs; 68

(2) Prepare and submit to the United States secretary of 69  
health and human services amendments to the Title IV-A state 70  
plan that the department determines necessary, including 71  
amendments necessary to implement Title IV-A programs identified 72  
in divisions (A) (4) (c) to (g) of this section; 73

(3) Prescribe forms for applications, certificates, 74  
reports, records, and accounts of Title IV-A administrative 75  
agencies, and other matters related to Title IV-A programs; 76

(4) Make such reports, in such form and containing such 77  
information as the department may find necessary to assure the 78  
correctness and verification of such reports, regarding Title 79  
IV-A programs; 80

(5) Require reports and information from each Title IV-A 81  
administrative agency as may be necessary or advisable regarding 82  
a Title IV-A program; 83

(6) Afford a fair hearing in accordance with section 84  
5101.35 of the Revised Code to any applicant for, or participant 85  
or former participant of, a Title IV-A program aggrieved by a 86  
decision regarding the program; 87

(7) Administer and expend, pursuant to Chapters 5104., 88  
5107., and 5108. of the Revised Code and sections 5101.801, 89  
5101.802, 5101.803, and 5101.804 of the Revised Code, any sums 90  
appropriated by the general assembly for the purpose of those 91  
chapters and sections and all sums paid to the state by the 92  
secretary of the treasury of the United States as authorized by 93  
Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 94  
42 U.S.C. 601, as amended; 95

(8) Conduct investigations and audits as are necessary 96  
regarding Title IV-A programs; 97

(9) Enter into reciprocal agreements with other states 98  
relative to the provision of Ohio works first and prevention, 99  
retention, and contingency to residents and nonresidents; 100

(10) Contract with a private entity to conduct an 101  
independent on-going evaluation of the Ohio works first program 102

and the prevention, retention, and contingency program. The 103  
contract must require the private entity to do all of the 104  
following: 105

(a) Examine issues of process, practice, impact, and 106  
outcomes; 107

(b) Study former participants of Ohio works first who have 108  
not participated in Ohio works first for at least one year to 109  
determine whether they are employed, the type of employment in 110  
which they are engaged, the amount of compensation they are 111  
receiving, whether their employer provides health insurance, 112  
whether and how often they have received benefits or services 113  
under the prevention, retention, and contingency program, and 114  
whether they are successfully self sufficient; 115

(c) Provide the department with reports at times the 116  
department specifies. 117

(11) Not later than the last day of each January and July, 118  
prepare a report containing information on the following: 119

(a) Individuals exhausting the time limits for 120  
participation in Ohio works first set forth in section 5107.18 121  
of the Revised Code. 122

(b) Individuals who have been exempted from the time 123  
limits set forth in section 5107.18 of the Revised Code and the 124  
reasons for the exemption. 125

(D) The department shall provide copies of the reports it 126  
receives under division (C)(10) of this section and prepares 127  
under division (C)(11) of this section to the governor, the 128  
president and minority leader of the senate, and the speaker and 129  
minority leader of the house of representatives. The department 130  
shall provide copies of the reports to any private or government 131

entity on request. 132

(E) An authorized representative of the department or a 133  
county family services agency or state agency administering a 134  
Title IV-A program shall have access to all records and 135  
information bearing thereon for the purposes of investigations 136  
conducted pursuant to this section. An authorized representative 137  
of a government entity or private, not-for-profit entity 138  
administering a project funded in whole or in part with funds 139  
provided under the Title IV-A demonstration program shall have 140  
access to all records and information bearing on the project for 141  
the purpose of investigations conducted pursuant to this 142  
section. 143

**Sec. 5101.85.** As used in sections 5101.851 to ~~5101.853~~ 144  
5101.856 of the Revised Code, "kinship caregiver" means any of 145  
the following who is eighteen years of age or older and is 146  
caring for a child in place of the child's parents: 147

(A) The following individuals related by blood or adoption 148  
to the child: 149

(1) Grandparents, including grandparents with the prefix 150  
"great," "great-great," or "great-great-great"; 151

(2) Siblings; 152

(3) Aunts, uncles, nephews, and nieces, including such 153  
relatives with the prefix "great," "great-great," "grand," or 154  
"great-grand"; 155

(4) First cousins and first cousins once removed. 156

(B) Stepparents and stepsiblings of the child; 157

(C) Spouses and former spouses of individuals named in 158  
divisions (A) and (B) of this section; 159

(D) A legal guardian of the child; 160

(E) A legal custodian of the child. 161

**Sec. 5101.851.** The department of job and family services 162  
~~may~~shall establish a statewide program of kinship care 163  
navigators to assist kinship caregivers who are seeking 164  
information regarding, or assistance obtaining, services and 165  
benefits available at the state and local level that address the 166  
needs of those caregivers residing in each county. The program 167  
shall provide to kinship caregivers information and referral 168  
services and assistance obtaining support services including the 169  
following: 170

(A) Publicly funded child care; 171

(B) Respite care; 172

(C) Training related to caring for special needs children; 173

(D) A toll-free telephone number that may be called to 174  
obtain basic information about the rights of, and services 175  
available to, kinship caregivers; 176

(E) Legal services. 177

**Sec. 5101.852.** The director of job and family services 178  
shall divide the state into not less than five and not greater 179  
than twelve regions, for the statewide program of kinship care 180  
navigators under section 5101.851 of the Revised Code. The 181  
director shall take the following into consideration when 182  
establishing the regions: 183

(A) The population size; 184

(B) The estimated number of kinship caregivers; 185

(C) The expertise of kinship navigators; 186

(D) Any other factor the director considers relevant.

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**Sec. 5101.853.** Each kinship care navigator region shall  
provide information and referral services and assistance in  
obtaining support services for kinship caregivers within its  
region.

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**Sec. ~~5101.853~~ 5101.854.** ~~The~~ Not later than one year after  
the effective date of this amendment, the department of job and  
family services may shall adopt rules to implement the kinship  
care navigators program. The rules shall be adopted under  
Chapter 119. of the Revised Code, except that rules governing  
fiscal and administrative matters related to implementation of  
the navigators program are internal management rules and shall  
be adopted under section 111.15 of the Revised Code.

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**Sec. 5101.855.** (A) The director of job and family services  
shall, not later than one year after the effective date of this  
section, submit an amendment to the state plan required by 42  
U.S.C. 602 to the United States secretary of health and human  
services to implement 42 U.S.C. 601 et seq. to make federal  
payments for kinship care navigators under Title IV-A.

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(B) The department shall pay the full nonfederal share for  
the kinship caregiver program. No county department of job and  
family services or public children services agency shall be  
responsible for the cost of the kinship care navigator program.

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**Sec. ~~5101.852~~ 5101.856.** Within available funds, the  
department of job and family services shall make payments to  
public children services agencies for the purpose of permitting  
the agencies to provide kinship care navigator information and  
referral services and assistance obtaining support services to  
kinship caregivers pursuant to the kinship care navigator

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program. The department may provide training and technical 216  
assistance concerning the needs of kinship caregivers to 217  
employees of public children services agencies and to persons or 218  
entities that serve kinship caregivers or perform the duties of 219  
a kinship care navigator and are under contract with an agency. 220

**Section 2.** That existing sections 5101.80, 5101.85, 221  
5101.851, 5101.852, and 5101.853 of the Revised Code are hereby 222  
repealed. 223