



*Ralph D. Clark*

*Bill Analysis*  
*Legislative Service Commission*

## **H.B. 38**

124th General Assembly  
(As Introduced)

**Reps. Metzger, Kearns, D. Miller, Calvert, Jerse, Schuring, Salerno, Williams, Beatty, Willamowski, Callender, Britton, Hollister, Barrett, Flowers, Coates, Womer Benjamin, Jones, Key, Wolpert**

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### **BILL SUMMARY**

- Requires public children services agencies (PCSAs) and private child placing agencies (PCPAs) to provide independent living services to 16 and 17 year olds who are in the temporary or permanent custody of, or being provided care in a planned permanent living arrangement by, a PCSA or PCPA.
- Requires PCSAs, PCPAs, and certain other entities to enter into a contract to provide independent living services to a young adult on the young adult's request.
- Provides that a young adult is a person 18 years of age or older but under 21 years of age who was in the temporary or permanent custody of, or was provided care in a planned permanent living arrangement by, a PCSA or PCPA on the date the person attained age 18.
- Requires the Ohio Department of Job and Family Services (ODJFS) to establish model contracts to be used by PCSAs, PCPAs, and other entities required to provide independent living services under a contract with a young adult.
- Requires ODJFS to provide matching funds for purposes of obtaining federal funds to facilitate the provision of independent living services.
- Requires the Director of ODJFS to submit to the United States Secretary of Health and Human Services an amendment to Ohio's Medicaid plan to make an individual receiving independent living services eligible for Medicaid and requires implementation of amendment on approval.

- Makes changes to Ohio's workforce development system by requiring each workforce policy board's workforce development plan to give priority to youth receiving independent living services when determining distribution of workforce development resources and workforce development activity funding.

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## CONTENT AND OPERATION

### Independent living services

(secs. 2151.81, 2151.82, 2151.83, and 5153.16)

The bill establishes a program for the provision of independent living services to certain 16 and 17 year old children and young adults.<sup>1</sup> Independent living services, as provided by the bill, are services and other forms of support designed to aid children and young adults to successfully make the transition to independent adult living. These services include teaching skills to achieve emotional and economic self-sufficiency and may also include the provision of housing and other forms of support.

#### Provision of services to 16 and 17 year olds

Under the bill, a public children services agency (PCSA) or private child placing agency (PCPA) that has temporary or permanent custody of, or is providing care in a planned permanent living arrangement to, a child who is 16 or 17 years of age, must provide independent living services to the child. The services must be included as part of the case plan established for the child under the Juvenile Code.

#### Provision of services to young adults

The bill permits a young adult to request that a PCSA or PCPA enter into a contract for the provision of independent living services to the young adult. If the young adult appears to be eligible for services from one or more of the following entities, the PCSA or PCPA must contact the appropriate entity to determine eligibility: (1) an entity, other than the PCSA or PCPA requested to provide

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<sup>1</sup> Under the bill, "young adult" means a person 18 years of age or older but under 21 years of age who was in temporary or permanent custody of, or was provided care in a planned permanent living arrangement by, a public children services agency or private child placing agency on the date the person attained age 18.

services, that is represented on a county family and children first council, (2) the Rehabilitation Services Commission, and (3) a metropolitan housing authority<sup>2</sup>.

If a young adult qualifies for services from an entity described above, that entity and the PCSA or PCPA to which the young adult made the request for independent living services must enter into a contract with the young adult obligating the entity and the PCSA or PCPA to provide services. The contract must allocate the service responsibilities among the entities and the PCSA or PCPA that signed the contract.

If the young adult does not appear to be eligible for services, or does not qualify for services, from one or more of the entities described above, the PCSA or PCPA requested by the young adult to provide the independent living services must enter into a contract with the young adult that obligates the PCSA or PCPA to provide the services.

### **Model contracts**

(sec. 2151.84)

The bill requires the Department of Job and Family Services (ODJFS) to establish model contracts to be used by PCSAs, PCPAs, and other entities required to provide services under contract with a young adult pursuant to the bill. The model contracts must include provisions describing the specific independent living services to be provided, the duration of the services and the contract, duties of each party under the contract, and grievance procedures regarding disputes that arise regarding the contract or services provided under it.

### **Matching funds**

(sec. 2151.84)

The bill requires ODJFS, in order to facilitate the provision of independent living services, to provide funds to meet the requirement of state matching funds needed to qualify for federal funds under federal foster care law. ODJFS must seek Controlling Board approval of any fund transfers necessary to meet this requirement.

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<sup>2</sup> *Entities represented on the council from which the young adult might be eligible to receive services include, for example, county board of alcohol, drug addiction, and mental health boards; county mental retardation and developmental disabilities boards, county departments of job and family services; and city and general health district boards of health.*

### **Medicaid eligibility**

(sec. 5111.0110)

The bill requires the Director of ODJFS to submit to the United States Secretary of Health and Human Services an amendment to the state Medicaid plan to make an individual receiving independent living services eligible for Medicaid. If approved by the Secretary, the Director must implement the Medicaid plan amendment submitted.

### **Priority of workforce development resources**

(sec. 6301.07)

The federal "Workforce Investment Act of 1998" (WIA) provides for the coordination of job training, adult education and literacy, and vocational rehabilitation into flexible workforce development systems.

Under Ohio law, ODJFS administers and enforces WIA and Ohio's workforce development system. Under this system, workforce policy boards are required to prepare workforce development plans and incorporate them into a partnership agreement with ODJFS for the purpose of workforce development. The workforce development plan must accomplish certain things, including, for example: (1) identifying workforce investment needs of businesses in the local area, projected employment opportunities, and job skills necessary to obtain those opportunities, (2) determining the distribution of workforce development resources and funding for each workforce development activity to meet identified needs, and (3) establish performance standards for service providers that reflect local workforce development needs<sup>3</sup>.

The bill requires workforce development plans to give priority to youth receiving independent living services when determining distribution of workforce development resources and workforce development activity funding.

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<sup>3</sup> A "local area" is a (1) municipal corporation, (2) single county, or (3) consortium of two or more counties, one or more counties and one municipal corporation in Ohio, or one or more counties with or without one municipal corporation in Ohio and one or more counties with or without one municipal corporation in another state (if those in the other state share a labor market with those in Ohio).

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	01-31-01	p. 99

h0038-i.124/kl

