



**Sub. H.B. 38**

124th General Assembly

(As Reported by S. Finance & Financial Institutions)

**Reps. Metzger, Kearns, D. Miller, Calvert, Jerse, Schuring, Salerno, Williams, Beatty, Willamowski, Callender, Britton, Hollister, Barrett, Flowers, Coates, Womer Benjamin, Jones, Key, Wolpert, Cirelli, Patton, Kilbane, Barnes, Krupinski, Perry, Brown, Carey, Seitz, Schmidt, Otterman, Sulzer, Ogg, Hartnett, Distel, Webster, Wilson, Sferra, DeBose, Woodard, R. Miller, Rhine, Setzer, Jolivette, Driehaus, Aslanides, Oakar, Latell, Strahorn**

**Sens. Amstutz, Jacobson, Spada, Carnes, Robert Gardner, Prentiss, Hagan, Mallory**

---

**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 and PCPAs to enter into a written agreement to provide independent living services to certain young adults, on the young adult's request, and requires certain other entities that determine a young adult is eligible for their services to enter into an addendum to that agreement to govern the services provided.
- Requires the Ohio Department of Job and Family Services (ODJFS) to provide matching funds for purposes of obtaining federal funds to facilitate the provision of independent living services.
- Permits 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.

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

---

## 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 and to achieve emotional and economic self-sufficiency. These services may include (1) providing housing, (2) teaching decision-making skills, (3) teaching daily living skills such as securing and maintaining a residence, money management, utilization of community services and systems, personal health care, hygiene and safety, and time management, (4) assisting in obtaining education, training, and employment skills, and (5) assisting in developing positive adult relationships and community supports.

### 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 age 16 or 17, must provide independent living services to the child. The services to be provided must be determined based on an evaluation of the strengths and weaknesses of the child, completed or obtained by the PCSA or PCPA. If housing is provided as a part of the services, the child must be placed in housing that is supervised or semi-supervised by an adult.<sup>2</sup> The services must be included as part of the case plan established for the child under the Juvenile Code.

---

<sup>1</sup> Under the bill, "young adult" means a person age 18 or older but under 21 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.

<sup>2</sup> The bill does not define "supervised" or "semi-supervised."

### **Provision of services to young adults**

The bill provides that, on the request of a young adult, a PCSA or PCPA must enter into a jointly prepared written agreement with the young adult that obligates the PCSA or PCPA to ensure that independent living services are provided to the young adult and sets forth the responsibilities of the young adult regarding the services. The agreement must be developed based on the young adult's strengths, needs, and circumstances and the availability of state matching funds provided for pursuant to the bill. The agreement must be designed to promote the young adult's successful transition to independent adult living and emotional and economic self-sufficiency.

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 services, that is represented on a county family and children first council, (2) the Rehabilitation Services Commission, and (3) a metropolitan housing authority.<sup>3</sup> If the entity is a board of alcohol, drug addiction, and mental health services, an alcohol and drug addiction services board, or a community mental health board, the PCSA or PCPA must contact the provider of alcohol, drug addiction, or mental health services that has been designated by the board to determine the young adult's eligibility for services.

If an entity described above determines that the young adult qualifies for services from the entity, that entity, the young adult, and the agency to which the young adult made the request for independent living services must enter into a written addendum to the jointly prepared agreement entered into under the bill. The addendum must indicate how services under the agreement and addendum are to be coordinated and allocate the service responsibilities among the entities and agency that signed the addendum.

### **Model agreements**

(sec. 2151.84)

The bill requires the Department of Job and Family Services (ODJFS) to establish model agreements that may be used by PCSAs and PCPAs required to provide services under an agreement with a young adult pursuant to the bill. The

---

<sup>3</sup> *Entities represented on a county family and children first council from which the young adult might be eligible to receive services include, for example, county boards of alcohol, drug addiction, and mental health services; county boards of mental retardation and developmental disabilities; county departments of job and family services; and city and general health district boards of health.*

model agreements must include provisions describing the specific independent living services to be provided to the extent state matching funds are available, the duration of the services and the agreement, the duties and responsibilities of each party under the agreement, and grievance procedures regarding disputes that arise regarding the agreement 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.

### **Medicaid eligibility**

(sec. 5111.0111)

The bill permits 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 amendment.

### **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) establishing performance standards for service providers that reflect local workforce development needs.<sup>4</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.

---

## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-31-01	p. 99
Reported, H. Health & Family Services	02-14-02	p. 1404
Passed House (87-7)	03-12-02	pp. 1510-1511
Reported, S. Finance & Financial Institutions	05-07-02	p. 1750

H0038-RS.124/jc

---

<sup>4</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).

