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Bill Analysis
Legislative Service Commission

S.B. 286

124th General Assembly
(As Introduced)

Sen. Mead

BILL SUMMARY

WELLNESS BLOCK GRANT PROGRAM

- Eliminates the Children's Trust Fund Board's involvement in the Wellness Block Grant Program.
- Makes the Ohio Department of Job and Family Services (ODJFS) the administrative agent of the Wellness Block Grant Program instead of the Children's Trust Fund Board.

CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS

- Requires that the Children's Trust Fund Board allocate funds, rather than make a block grant, to each county and multi-county child abuse and child neglect prevention advisory board for child abuse and child neglect prevention programs.
- Requires the Children's Trust Fund Board to also allocate funds for child abuse and child neglect prevention programs to entities other than the advisory boards.
- Requires an advisory board to provide effective public notice to potential applicants about the availability of funds from the Children's Trust Fund.
- Requires an advisory board to review applications for grants from the Children's Trust Fund using criteria the Children's Trust Fund Board, rather than the advisory board, specifies.
- Requires that each recipient of a Children's Trust Fund grant from an advisory board include in an annual report information the Children's Trust Fund Board, rather than the advisory board, requires.

- Provides that returned Children's Trust Fund grants be returned to the State Treasurer if an advisory board does not redistribute the grant within the state fiscal year in which the grant is received.

CHILDREN'S TRUST FUND BOARD MEMBERSHIP

- Requires five of the eight public members of the Children's Trust Fund Board to be residents of different metropolitan statistical areas.
- Changes the manner in which the chairperson of the Children's Trust Fund Board is to be appointed and requires the vice-chair of the Board to be biennially selected from among its non-legislative members.

COUNTY CHILD ABUSE AND NEGLECT PREVENTION ADVISORY BOARDS

- Includes social workers with counselors among the groups and entities that may be represented on a county or multi-county child abuse and child neglect prevention advisory board.
- Prohibits a child abuse and child neglect prevention advisory board member from participating in the development of the advisory board's comprehensive allocation plan if the member's judgment could be affected by a conflict of interest.

CONTENT AND OPERATION

Wellness Block Grant Program

(secs. 121.371 and 3109.17(D))

Existing law provides for the Wellness Block Grant Program to be used to make grants to county family and children first councils to fund community-based programs of prevention services that address issues of broad social concern. The Ohio Family and Children First Cabinet Council is required to oversee the program.

Current law requires the Children's Trust Fund Board to serve as the program's administrative agent and permits the Board to accept gifts, donations, grants and other monies for the program from any source. To cover administrative expenses, the Board is authorized by current law to use an amount not to exceed one percent of the total amount available for the program in a fiscal year.

The bill makes the Ohio Department of Job and Family Services (ODJFS) the administrative agent of the Wellness Block Grant Program instead of the Children's Trust Fund Board. The bill also eliminates provisions regarding the Board's acceptance of gifts and monies for the program and the use of a portion of the total amount available for the program to cover administrative expenses. The Ohio Family and Children First Cabinet Council is to determine by itself, rather than with the Board, the issues of broad social concern that community-based programs of prevention services that receive funds from the program are to address. The Cabinet Council is also to establish by itself, rather than with the Board, criteria for assessing a county council's progress in achieving the goals of the program and revise the allocation of funds that a county council receives if the county council does not operate in accordance with the program guidelines and criteria. The Board is no longer required to prepare an annual report detailing the program's results.

The bill eliminates the requirements for county councils to submit to the Board a program and fiscal plan that outlines its proposals for expenditure of its grant and designate a fiscal agent to receive the grant. County councils are no longer required to submit program and fiscal accountings regarding the use of the grant.

Child abuse and child neglect prevention programs

(secs. 3109.13, 3109.17, and 3109.18)

Definition of child abuse and child neglect prevention programs

(sec. 3109.13)

Existing law creates the Children's Trust Fund in the state treasury for the purpose of funding child abuse and child neglect prevention programs on the county level. Current law defines "child abuse and child neglect prevention programs" as programs designed to prevent child abuse and child neglect, including, but not limited to, any of the following:

- (1) Public awareness programs that pertain to child abuse or child neglect.
- (2) Community-based, family-focused support services and activities that build parenting skills; promote parental behaviors that lead to healthy and positive personal development of parents and children; promote individual, family, and community strengths; or provide information, education, or health activities that promote the well-being of families and children.
- (3) Programs that train and place volunteers in programs that pertain to child abuse or child neglect.

The bill creates a new definition of "child abuse and child neglect prevention programs." Under the bill, child abuse and child neglect prevention programs are programs that use primary and secondary prevention strategies that are conducted at the local level and activities and projects of statewide significance designed to strengthen families and prevent child abuse and child neglect. "Primary prevention strategies" are defined as activities and services provided to the public designed to prevent or reduce the prevalence of child abuse and child neglect before signs of abuse or neglect can be observed. "Secondary prevention strategies" are defined as activities and services that are provided to a specific population identified as having risk factors for child abuse and child neglect and are designed to intervene at the earliest warning signs of child abuse or child neglect, or whenever a child can be identified as being at risk of abuse or neglect.

Distribution of funds for child abuse and neglect prevention programs

(secs. 3109.17 and 3109.18)

The Children's Trust Fund Board is required, as part of its administration of a biennial state plan for comprehensive child abuse and child neglect prevention, to make a block grant to each county and multi-county child abuse and child neglect prevention advisory board for the purpose of funding child abuse and child neglect prevention programs.¹ The bill requires that the Board allocate funds, rather than make a block grant, to the advisory boards. The bill also requires the Board to allocate funds to entities other than child abuse and child neglect prevention advisory boards for the purpose of funding child abuse and child neglect programs approved in the biennial state plan.

Each child abuse and child neglect prevention advisory board is required to make grants to child abuse and child neglect prevention programs consistent with a comprehensive allocation plan the advisory board develops for the purpose of preventing child abuse and child neglect.² Under current law, an advisory board is required to notify potential applicants about the availability of funds from the Children's Trust Fund. The bill requires instead that an advisory board provide effective public notice, as defined in ODJFS rules, to potential applicants about the availability of funds from the Children's Trust Fund.³ The effective public notice

¹ Existing law creates the Children's Trust Fund Board in ODJFS.

² Child abuse and child neglect prevention advisory boards must submit their allocation plan to the Children's Trust Fund Board.

³ The bill requires the Children's Trust Fund Board to include in its biennial state plan the definition of "effective public notice" specified in the ODJFS rules.

must include an estimate of the amount of money available for grants within each county or district, the date of at least one public hearing, information on obtaining a copy of the grant application form, and the deadline for submitting grant applications.

Current law requires that applications for grants from the Children's Trust Fund be made to a child abuse and neglect prevention advisory board on forms ODJFS prescribes. The bill requires instead that applications be made on forms the Children's Trust Fund Board prescribes. The Children's Trust Fund Board must provide each advisory board a Children's Trust Fund application form.

Under current law, each advisory board must review all applications received using any criteria developed by the advisory board. The bill requires that the advisory boards use criteria the Children's Trust Fund Board specifies in its biennial state plan.

Information included in reports from recipients of grant funds

(secs. 3109.17(B)(12) and 3109.18(K))

Current law requires each recipient of a Children's Trust Fund grant from a child abuse and child neglect prevention advisory board to file with the advisory board a copy of an annual report that includes the information the advisory board requires. The bill requires instead that the annual report include information the Children's Trust Fund Board requires.

Return of unspent grant funds

(sec. 3109.18(I))

Any grant funds not spent by a recipient of the funds within the time specified by the terms of the grant must be returned to the county treasurer. Under current law, any returned grant funds that are not redistributed by the child abuse and child neglect prevention advisory board within the time specified by the terms of the original grant must be returned to the State Treasurer.⁴ The bill provides instead that the returned grant funds are to be returned to the State Treasurer if the advisory board does not redistribute the funds within the state fiscal year in which they are received.

⁴ *The State Treasurer is required to deposit the returned funds into the Children's Trust Fund to be spent for purposes consistent with the Children's Trust Fund Board's biennial state plan.*

Children's Trust Fund Board report

(sec. 3109.17(C))

The Children's Trust Fund Board is required by current law to prepare a report for each fiscal biennium that evaluates the expenditures of money from the Children's Trust Fund. The bill requires that the report delineate, rather than evaluate, the expenditures.

Children's Trust Fund Board membership

(sec. 3109.15)

Public members

Existing law requires the Children's Trust Fund Board to consist of 15 members, eight of whom must be public members appointed by the Governor. Five of these public members must be residents of counties where the population exceeds 400,000 persons, and no more than one such member can be a resident of the same county. The bill requires five of the eight public members of the Board be residents of metropolitan statistical areas, not counties, where the population exceeds 400,000 persons. No more than two of such members can be residents of the same metropolitan statistical area.

Public members serve three year terms, with each member serving until the member's successor is appointed. The bill provides that each public member serves until the member's successor is appointed, or until a period of 60 days has elapsed, whichever occurs first. Current law provides that no public member may serve more than two consecutive terms, regardless of whether the terms are full or partial. The bill provides that a public member may not serve more than two consecutive full terms.

Appointment of chairperson and vice-chair

The Children's Trust Fund Board includes four legislative members: two each from the House of Representatives and Senate. Existing law provides that the Board chairperson is to be appointed jointly by the Speaker of the House and the Senate President from among the legislative members of the Board. The bill changes the manner in which the chairperson is to be appointed. Under the bill, the Speaker of the House must appoint the chairperson at the beginning of the first year of each even-numbered General Assembly from among the members who are Representatives. The Senate President must appoint the chairperson at the beginning of the first year of each odd-numbered General Assembly from among the members who are Senators. The bill requires the Board to biennially select a vice-chair from among its non-legislative members.

Quorum

(sec. 3109.16)

Under current law, a majority of the quorum of the Children's Trust Fund Board is required to approve the state plan for the allocation of funds from the Children's Trust Fund. The bill provides that a majority of the Board members, rather than a quorum, is needed to adopt the state plan and a majority of the quorum is required to make all other decisions of the Board.

Quarterly meetings

(sec. 3109.16)

The bill requires the Board to meet at least quarterly.

Children's Trust Fund Board executive director

(sec. 3109.16)

Under current law, the Children's Trust Fund Board, on the recommendation of the ODJFS Director, must approve the employment of the staff that will administer the Board's programs. The bill requires that the Board approve the employment of an executive director, rather than staff.

County child abuse and child neglect prevention advisory boards

(sec. 3109.18)

Composition of county boards

(sec. 3109.18(A) and (D))

Under existing law, a board of county commissioners may establish a child abuse and child neglect prevention advisory board or designate the county family and children first council to serve as the advisory board. Or, the boards of county commissioners of two or more contiguous counties may form a multi-county district to be served by a child abuse and child neglect prevention advisory board or designate a regional family and children first council to serve as the district advisory board.

Except in the case of a county or regional family and children first council that is designated to serve as a child abuse and child neglect prevention advisory board, each advisory board must consist of an odd number of members from both the public and private sectors. Various entities may be represented on the advisory board, including parent groups, juvenile justice personnel, school personnel,

counselors, and child day-care providers. The bill includes social workers with counselors among the entities that may be represented on an advisory board.

Conflict of interest

(sec. 3109.18(G))

The bill prohibits a child abuse and child neglect prevention advisory board member from participating in the development of the advisory board's comprehensive allocation plan if it is reasonable to expect that the member's judgment could be affected by a conflict of interest. "Conflict of interest" is defined as the taking of any action that violates any applicable provision of law governing ethics of public officials or criminal law regarding public officials' offenses against justice or public administration. An advisory board must submit questions relating to the existence of a conflict of interest pertaining to the law governing ethics of public officials to the Ohio Ethics Commission for resolution. An advisory board must request the local prosecuting attorney to resolve questions relating to the existence of a conflict of interest pertaining to the criminal law regarding public officials' offenses against justice or public administration.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	07-22-02	p. 1985

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