

Juvenile and Family Law

Sub. H.B. 50

Reps. Pelanda and Grossman, Sears, Driehaus, Stinziano, Rogers, Fedor, Rezabek, Blessing, Maag, Lepore-Hagan, LaTourette, Amstutz, Boyd, Kuhns, Anielski, Antonio, Arndt, Ashford, Barnes, Boccieri, Boose, Brown, Burkley, Celebrezze, Craig, DeVitis, Duffey, Green, Hayes, Howse, Kunze, M. O'Brien, S. O'Brien, Patterson, Phillips, Reece, Ruhl, Scherer, Schuring, Sheehy, Slesnick, K. Smith, R. Smith, Strahorn, Sweeney, Rosenberger

Sens. Coley, Gardner, Skindell, Tavares, Hughes, Balderson, Brown, Burke, Eklund, Hackett, Hite, Hottinger, Jones, Lehner, Manning, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Thomas, Uecker, Yuko

Effective date: September 13, 2016

- Requires the Director of Job and Family Services to submit amendments to the state's plan for child welfare services to expand foster care and adoption assistance for persons up to age 21.
- Establishes qualification standards and various other procedures and requirements for receiving payments under the foster care and adoption assistance expansion.
- Requires the Department of Job and Family Services to adopt rules to implement the foster care and adoption assistance expansion, including:
 - A rule to create an advisory council to evaluate and make recommendations regarding the act's statewide implementation; and
 - Rules establishing the scope of practice and training for foster care workers and their supervisors.
- Requires the probate court to furnish appointed guardians with a guardianship guide, if such a guide has been prepared either by the Attorney General with the approval of the Ohio Judicial Conference or by the Ohio Judicial Conference.
- Adds minimum age limits for children determined to be abused, neglected, or dependent to be placed in planned permanent living arrangements.
- Makes changes regarding the provision of independent living services by a public children services agency or private child placing agency.

Am. Sub. H.B. 493

Reps. Sears and Ryan, Perales, Baker, Brown, LaTourette, Manning, McClain, Rezabek, Slaby

Sens. Bacon, Faber, Hite, Hottinger, Jones, Jordan, Uecker

Effective date: March 14, 2017; contains item vetoes

Child abuse and neglect reporting

- Permits a single child abuse or neglect report to be made by a health care professional when more than one professional has provided health care services to a child and the professionals determine or suspect the child to be abused or neglected.
- Provides that any written, follow-up report requested by a public children services agency or municipal or county peace officer may include any medical examinations, tests, or procedures regarding the child or the child's siblings or other children.
- Makes the following changes regarding medical tests, examinations, and procedures:
 - Specifies that medically necessary radiological examinations and other medical examinations, tests, or procedures can be performed.
 - Allows a health care professional to provide services and examine a child's siblings or other children residing in the same household, to determine abuse or neglect of any of the children.
- Permits a health care professional to take any steps reasonably necessary to release or discharge the child to whom the professional provides services in a health care setting to an appropriate environment.
- Specifies that medical examinations, tests, and procedures and decisions regarding the release or discharge of a child do not constitute a law enforcement investigation or activity.
- Provides that, for purposes of testimonial privilege, an attorney or physician's knowledge or suspicion of child abuse does not have to result from communications or observations made during communications with the client or patient.
- Specifies circumstances under which health care professionals are immune from civil or criminal liability for injury, death, or loss to person or property that otherwise might be incurred or imposed as a result of the reports or participation in the judicial proceeding.
- Allows a health care professional that obtains the same information contained in a child abuse or neglect report from a source other than the report to disseminate the information, if such dissemination is otherwise lawful.

- Allows a health care professional who makes a mandatory report or on whose behalf such report was made to authorize a person to obtain information on the status of the report investigation and the child, if the person is associated with or acting on behalf of the health care professional.
- Creates and uses a definition of "health care professional" that includes most of the mandatory reporters under continuing law who provide health care services.
- Provides that if any provisions of the act are held invalid, the invalidity does not affect other provisions or applications of the section or related sections.

Abortion and adoption (VETOED)

- Would have generally prohibited a person from knowingly and purposefully performing or inducing an abortion with the specific intent of causing or abetting the termination of the life of an unborn individual whose fetal heartbeat has been detected (VETOED).
- Would have generally prohibited a person from knowingly and purposefully performing or inducing an abortion before determining if there is a fetal heartbeat (VETOED).
- Would have provided that a person who violated either prohibition is guilty of a felony of the fifth degree, is subject to a wrongful death action by the pregnant woman, and is subject to disciplinary action by the State Medical Board (VETOED).
- Would have created the Joint Legislative Committee on Adoption Promotion and Support to further the General Assembly's goal of informing pregnant women of available options for adoption (VETOED).

Appropriation (VETOED)

- Would have appropriated \$100,000 to the Department of Job and Family Services for adoption services (VETOED).

S.B. 30

Sens. Tavares, Brown, Thomas, Hite, Skindell, Cafaro, Coley, Gentile, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Sawyer, Schiavoni, Widener, Williams, Yuko

Reps. Amstutz, Antonio, Arndt, Barnes, Boyd, Celebrezze, Clyde, Craig, Cupp, Fedor, Gavarone, Ginter, Grossman, Howse, G. Johnson, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, M. O'Brien, Patmon, Patterson, Ramos, Rogers, Scherer, K. Smith, Strahorn, Sweeney, Sykes

Effective date: March 21, 2017

- Creates in the Department of Job and Family Services the Ohio Family Stability Commission.
- Specifies the Commission's duties for each year of its four-year operation.