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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Substitute Bill Comparative Synopsis

**Sub. H.B. 583**

**135<sup>th</sup> General Assembly**

House Families and Aging

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This table summarizes how the latest substitute version of the bill differs from the preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (I_135_2519-1)	Latest Version (I_135_2519-4)
<b>Notifications regarding medical care</b>	
Requires, if a child under the care and supervision of a residential facility presents to an emergency department or is admitted to a hospital for an injury or mental health crisis, the PCSA or PCPA to retrieve the child within four hours after notification of discharge from the emergency department or hospital ( <i>R.C. 2151.461(B)(2)</i> ).	No provision.
<b>Placement of delinquent children in PCSA or PCPA custody</b>	
Prohibits a child who has been adjudicated a delinquent child from being placed in a residential facility with a child who has not been	No provision.

Previous Version (I_135_2519-1)	Latest Version (I_135_2519-4)
<p>adjudicated a delinquent child and requires such a child to be placed in a specialized residential facility (<i>R.C. 5103.055(A) and 2151.466</i>).</p> <p>Requires DCY to adopt rules to establish additional standards, including additional training requirements, for a specialized residential facility for children who have been adjudicated delinquent children (<i>R.C. 5103.055(B)</i>).</p>	<p>No provision.</p>
<b>Residential facility certification requirements</b>	
<p>Makes various changes to rules that DCY must adopt regarding a residential facility's community engagement plan, including rules that do the following:</p> <ul style="list-style-type: none"> <li>▪ Require that a plan include protocols for the community in which a facility is located to communicate complaints (in addition to concerns and other pertinent information as required under current law);</li> <li>▪ Specify a timeline for a facility to respond to communications;</li> <li>▪ Establish a process for the agency or entity to report all concerns and complaints it receives to DCY;</li> <li>▪ Establish standards under which DCY may revoke a facility's certificate based on the nature and number of concerns and complaints against the facility (<i>R.C. 5103.051</i>).</li> </ul>	<p>No provision.</p>
<p>Requires DCY to annually review all community complaints it receives regarding a residential facility (<i>R.C. 5103.0512(B)(1)</i>).</p>	<p>No provision.</p>
<p>Requires DCY to adopt rules within 90 days after the bill's effective date to do all of the following:</p> <ul style="list-style-type: none"> <li>▪ Divide the state into regions;</li> </ul>	<p>Similar, except for the following differences:</p> <ul style="list-style-type: none"> <li>▪ Requires DCY to adopt rules within 180 days (instead of 90) after the bill's effective date;</li> </ul>

Previous Version (I_135_2519-1)	Latest Version (I_135_2519-4)
<ul style="list-style-type: none"> <li>▪ Restrict the number of residential facilities in each region so that the percentage of facilities in that region to the total number of facilities in the state does not exceed the percentage of foster children in the region to the total number of foster children in the state;</li> <li>▪ Establish incentives to attract residential facilities to regions that are below the maximum threshold (<i>R.C. 5103.054(A)</i>).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Requires DCY to determine an ideal number of residential facilities in each region by reviewing the total number of children in foster care in the region requiring care in a residential facility in the past three years (instead of limiting the number of residential facilities in each region);</li> <li>▪ Requires DCY to establish incentives to attract residential facilities to regions that are below the ideal number of residential facilities needed to serve foster children, as determined above (<i>R.C. 5103.054(A)</i>).</li> </ul>
<p>Prohibits DCY from approving the certification of a residential facility in a region if the maximum threshold of residential facilities within that region would be exceeded as a result of the approval (<i>R.C. 5103.054(B)</i>).</p>	<p>No provision.</p>
<p>Requires DCY to conduct a site visit of a residential facility at least annually to ensure certification compliance (<i>R.C. 5103.058(A)</i>).</p>	<p>No provision.</p>
<p>Requires DCY to adopt rules under Chapter 119 to establish criteria for requiring more than one site visit per year, after surpassing a threshold — to be determined by the Director — of the following reports that DCY receives regarding a residential facility:</p> <ul style="list-style-type: none"> <li>▪ When a child under the care and supervision of a facility presents to the emergency department or is admitted to a hospital for an injury or mental health crisis;</li> <li>▪ When a child under the care and supervision of a facility has an interaction with a law enforcement officer that results in the generation of a police report;</li> <li>▪ When concerns about a child arise out of the required monthly visit by a PCSA or PCPA to determine the well-being of the child;</li> </ul>	<p>No provision.</p>

<p style="text-align: center;"><b>Previous Version (I_135_2519-1)</b></p>	<p style="text-align: center;"><b>Latest Version (I_135_2519-4)</b></p>
<ul style="list-style-type: none"> <li>▪ When the community in which the residential facility is located communicates concerns and complaints relating to the facility (<i>R.C. 5103.058(B)</i>).</li> </ul>	
<p><b>Department of Children and Youth review and reporting requirements</b></p>	
<p>Requires DCY to conduct a study and submit a one-time report to the General Assembly on the status of foster care in Ohio, including the following:</p> <ul style="list-style-type: none"> <li>▪ Identification of gaps in service;</li> <li>▪ A determination of whether the foster care system in the state should be tiered;</li> <li>▪ Recommendations on how to establish residential facilities that are appropriate to meet the needs of high acuity foster children;</li> <li>▪ Recommendations on how to update criteria for revoking the certificate of a residential facility in order to increase accountability and meet a satisfactory level of care for children residing in these facilities (<i>R.C. 5103.0514</i>).</li> </ul>	<p>No provision.</p>
<p>Requires DCY to submit an annual report to the General Assembly that includes the following:</p> <ul style="list-style-type: none"> <li>▪ The number of residential facilities in each county of the state;</li> <li>▪ The total number of children under the care and supervision of residential facilities in each county;</li> <li>▪ From the above, the number of children who resided within the county and the number of children who resided in a</li> </ul>	<p>No provision.</p>

Previous Version (I_135_2519-1)	Latest Version (I_135_2519-4)
<p>different county before being placed in a residential facility within a county;</p> <ul style="list-style-type: none"> <li>▪ The results from the annual staff survey of residential facilities, PCSAs, and PCPAs (<i>R.C. 5103.0515</i>).</li> </ul>	
<b>Services from community organizations</b>	
<p>Requires a PCSA or PCPA to ensure that a community organization is compensated for services that it provides to a child that is under the care and supervision of a residential facility (<i>R.C. 2151.4610(B)</i>).</p>	<p>No provision.</p>
<b>School district assessment of foster child</b>	
<p>Requires the school district in which a foster child is enrolled after being placed in a residential facility to assess the needs of the child for appropriate services and interventions and to use the results of that assessment to make recommendations for services and interventions to the residential facility in which the child is placed and the PCSA or PCPA with custody of the child (<i>R.C. 3313.6414</i>).</p>	<p>Requires the school district, in order to avoid duplicative assessments and any negative impact on the child, to utilize all available existing assessments regarding the child (<i>R.C. 3313.6414</i>).</p>
<b>Study Committee to Evaluate the Placement of Delinquent Children in Residential Facilities</b>	
<p>No provision.</p>	<p>Establishes the Study Committee to Evaluate the Placement of Delinquent Children in Residential Facilities to evaluate, make recommendations, and issue a report to the Governor and General Assembly regarding the placement in residential facilities of children who are alleged to be or have been adjudicated delinquent children (<i>Section 3</i>).</p>

Previous Version (I_135_2519-1)	Latest Version (I_135_2519-4)
<b>Summary suspension of Department of Mental Health and Addiction Services — licensed residential facilities</b>	
No provision.	Authorizes the Department of Mental Health and Addiction Services to suspend the license of a Class one residential facility serving children (a facility that provides accommodations, supervision, and services for adults with mental illness or children or adolescents with severe emotional disturbances) without a prior hearing for specified reasons primarily related to actual harm or the risk of harm to a child under the care and supervision of the residential facility <i>(R.C. 5119.344)</i> .