



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association
How States are Implementing the Fostering Connections Act

Ohio's At-risk Children

Reports of child abuse and neglect have declined for several years in Ohio. In 2005, approximately 93,000 reports of maltreatment were made on behalf of Ohio's children. This represented an eight percent decrease from earlier in the decade. Additionally, the state experienced noteworthy decreases of nearly 20 percent in its foster care caseload and a more significant decrease of 48 percent in the number of children waiting to be adopted¹. In 2006, the state finalized more than 1,800 adoptions from foster care². With the successes that the state has seen, sadly, Ohio's child poverty rate continues to increase, with almost 50 percent of those children in the major metropolitan area of Cleveland living below the poverty threshold³. Moreover, in line with national trends, fifty-five percent of Ohio's out-of-home placements involve African American children⁴.

Ohio's Budget Landscape

Ohio entered the 2000 recession much earlier and was slower to experience job growth than many other states. This current recession is no different. Ohio's budget shortfall is projected to be nearly \$1.2 billion for 2009⁵. Ohio's unemployment rate is at 7.8 percent as of January 2009⁶. According to the state's Office of Budget and Management, a severe decrease in revenue from workers' income and salaries, means that in the next two years, Ohio will confront the most serious erosion in revenues it has experienced in the last 40 to 50 years.

P.L. 110-351 State Options

Ohio is a state supervised, county-administered system with 88 different jurisdictions. The state continues to explore how it will move forward with the options under the Fostering Connections Act. The state participated in three colloquies with advocates, county officials and child welfare workers in February and March of 2009⁷. Ohio may be looking at 2012-2013 for implementing the best array of options for the state's at-risk children⁸. Ohio would need to enact legislation to implement a Guardianship Assistance Program (GAP)⁹.

Ohio currently encourages children in foster care be placed with relatives through a Kinship Permanency Incentive Program. Launched in 2006, the state dedicated \$10 million in Temporary Assistance for Needy Family (TANF) funds to operate the program. For State Fiscal Year 2008, 8,831 children were in the Kinship program¹⁰. A small monetary incentive is provided to relatives and other kin caregivers that accept legal custody and commit to be a permanent family to children in their care¹¹. These caregivers receive six payments, including an upfront \$1,000 per child to defray initial costs of assuming their care, totaling \$3,500 during a three year timeframe. Children in the program must be deemed as special needs and the caregiver's family income cannot be more than 200 percent of the federal poverty guidelines in order to qualify for the incentive payments. Additionally, in line with federal law, all family members that reside in the home must pass a criminal background check, but do not need to be licensed as foster parents^{12 13}. It is possible that the state may not be able to operate this program in the future due to the extreme budget crisis they are facing.

It is Ohio's intent to implement the option to support foster youth to the age of 19, 20, or 21 in the future. The state currently supports youth to the age of 18 unless the child is physically or mentally handicapped according to state law. Youth that are deemed physically or mentally handicapped by state law, whether they are in foster care or adopted youth, are eligible for support until age 21¹⁴. In State Fiscal Year 2008, 4,510 foster youth between the ages of 15 to 21 were receiving independent living services¹⁵. In addition to Chafee funds, Ohio designates \$2.5 million from its TANF block grant for older youth programs¹⁶. Although youth do not receive financial assistance, funds may be provided to help with security and utility deposits for up to four months. Additionally, Ohio has many services to help youth transition into adulthood. These services include daily living skills; securing and maintaining a residence; home, time and money management; personal care, hygiene and safety; enhancement of communication and personal decision making skills; and education, training and career development¹⁷. These services are provided to the youth based on a needs assessment.

Tribes

Ohio does not have any federally recognized Tribes.

P.L. 110-351 Mandatory Provisions

Ohio is interested in what other states are doing, and receiving guidance from ACF on best practices in implementing legislation to support families. In regard to relative notification of children coming into care, Ohio currently uses a broad interpretation of “relative” and therefore would proceed with that perspective in implementing the provisions of the legislation. As to the feasibility of which relatives to notify and how to notify them, Ohio is looking to improve practice in gathering information about relative resources at the intake stage and revisiting this information when a child must be removed. Notification could perhaps be less formal if the relatives have already been involved in case planning and supporting the family. The state will be working collaboratively to add more specificity to rules on intake and case planning regarding gathering information regarding relatives and the notification process.

Ohio already has a robust transition plan policy and practice in place. Local Public Children Services Agencies (PCSA) conduct life-skills assessments for each youth in substitute care who has attained the age of 16 or whom the state feels is ready to receive independent living services. The assessment is based on an objective tool completed by the youth. The state requires documentation of the youth’s input, as well as the input of the caregiver and case manager. The assessment must be completed no later than 90 days after the youth turns 16 or 90 days after an older youth has entered custody. This plan outlines the responsibilities of the youth and the agency and is signed by both parties¹⁸.

The Ohio Department of Job and Family Services (ODJFS), which houses the state’s Office for Children and Families and Ohio Health Plans (Medicaid), is in preliminary discussions with the Ohio Department of Education and the Ohio Department of Health around the educational stability and health oversight provisions. The Departments will be working in collaboration via the state’s Family and Children First Council to ensure children in foster care have a plan for educational stability and improved oversight of health care. Leaders from the various state program areas and service delivery systems are represented on the Ohio Family and Children First Council. This allows for a coordinated effort to be in place to support the education and health care needs of foster children.

With regard to sibling placement, Ohio Administrative Code Rule 5101:2-42-05 "Selection of a Placement Setting" currently requires agencies to place with relatives or familiar non-relatives, as well as placing siblings together unless it is not in the child's best interest. Below are applicable paragraphs in the rule regarding these provisions.

(A) When a child cannot remain in his or her own home, the public children services agency (PCSA) or private child placing agency (PCPA) shall explore both maternal and paternal relatives regarding their willingness and ability to assume temporary custody or guardianship of the child. Unless it is not in the child’s best interest, the PCSA or PCPA shall explore placement with a non-custodial parent before considering other relatives.

(B) If a suitable relative is not available to assume temporary custody or guardianship, the PCSA or PCPA shall explore placement with a suitable nonrelative who has a relationship with the child and/or family.

(C) The PCSA or PCPA shall only place children in substitute care settings that are licensed, certified or approved by the agency of the state having responsibility for licensing, certifying or approving facilities of the type in which the child is placed or in homes of relatives or nonrelatives approved by the PCSA or PCPA in accordance with rule 5101:2-42-18 of the Administrative Code.

(D) The PCSA or PCPA shall attempt to place siblings in the same home unless it is not in the child’s or siblings’ best interest.

Family Connections Grants

There are several Ohio nonprofit organizations that have expressed interest in the grant program. Several counties operate Kinship Navigator programs that provide free services to connect kin caregivers with existing services and benefits to assist in raising the children in their care¹⁹. These programs are supported by local dollars as the state does not provide funding for the program. It is thought that these counties may be interested in the \$5 million provided for navigator programs within the Family Connections Grants.

Many of Ohio’s 88 counties operate a Family Group Decision making or Team Decision making model for planning and response to child safety and well being issues, permanency, parent and caregiver support and case planning. Ohio also has a waiver project (ProtectOhio) in which eighteen counties participate. Family Team meetings are one of the waiver

intervention strategies used to support placement decision and case planning. The model has a defined evaluation component and supports system reform, strategic family interventions and improved outcomes for children and families.

The National Resource Center for Family Centered Practice and Permanency Planning provided training to Ohio's counties on intensive family finding efforts. Experts in family search and engagement practice from Catholic Social Services in Washington came to Ohio, under contract with the National Resource Center. They provided statewide training to nearly 100 professionals from Ohio's public and private children services and child caring agencies in 2008. This training was very well-received, and Ohio is considering how it may obtain additional technical assistance in the coming year as agencies continue to inquire about more outreach in this area.

Realizing substance abuse recovery is vital to family reunification and preservation, ODJFS and the Ohio Department of Alcohol and Drug Addiction Services have been working together to specifically address the multiple needs of families involved in the child welfare system since 1998. This may play a role in whether the state applies for the comprehensive substance abuse treatment grants.

Opportunities & Challenges

Ohio's biggest challenge regarding implementation is the state's budget landscape. Ohio is concerned that relatives will not participate in a new GAP program that requires them to become licensed foster parents. Also, practice varies widely amongst counties and Ohio is working closely with its 88 counties to develop consistent understanding of the mandatory provisions²⁰.

Current foster parents must go through an extensive training program in order to be licensed caregivers. It is believed that many relatives may shy away from caring for kin as they are required to participate in the lengthy training process.

Conclusion

Ohio experienced a significant decrease in its foster care caseload in the past few years. Over the past several years, the state's caseload decreased from a high of 22,000 to a current caseload of 14,000. One reason for this reduction is Ohio's waiver known as ProtectOhio. The demonstration project resulted in changes to purchasing decisions and service utilization patterns in ways favorable to children, families and communities. The increased flexibility of the Waiver lessens the current fiscal incentives to place and keep children in out-of-home care. ProtectOhio adopts a managed care approach to increase the efficiency and effectiveness of its child welfare system, focusing on reducing use of out-of-home placement, increasing reunification and permanency, and improving family functioning, while also maintaining a cost-neutral budget²¹.

Even with the reduction, the cost of care continues to increase. In 2007, Ohio had over 4.8 million IV-E eligible placement days at a total cost of over \$332 million in federal, state and local dollars. One year later, the state had reduced placement days to 4.5 million, but incurred a total cost of over \$336 million²². This indicates that the state and local governments do not have savings to reinvest, even though they are experiencing a smaller caseload. One reason for this may be the increased needs of the children who remain in care.

¹ Public Children's Services Association of Ohio. *PCSAO Factbook, 8th Edition 2007-2008*.

² Children's Bureau. Adoption and Foster Care Reporting System (AFCARS). *Adoptions of Children with Public Child Welfare Agency Involvement By State FY 1995-FY 2006*. Revised March 2008.

³ Public Children's Services Association of Ohio. *PCSAO Factbook, 8th Edition 2007-2008*.

⁴ Ibid.

⁵ National Conference of State Legislatures (NCSL). *Update on State Budget Gaps: Still Bleak*. February 3, 2009.

⁶ National Conference of State Legislatures (NCSL). *Unemployment rates continue to rise in states; 14 now higher than nation's average*. February 6, 2009.

⁷ Public Children's Services Association of Ohio. Weekly Update, March 3, 2009.

⁸ Ibid.

⁹ Conference call with Sandra Holt, Ohio's Public Child Welfare Director, Daniel Shook, Bureau of Administration and Fiscal Accountability, and Carrie Anthony, Office of Jobs and Family Services on March 9, 2009.

¹⁰ Email from Dan Shook, March 9, 2009.

¹¹ Public Children's Services Association of Ohio. *PCSAO Factbook, 8th Edition 2007-2008*.

¹² Ibid.

¹³ Conference call with Sandra Holt, Ohio's Public Child Welfare Director, Daniel Shook, Bureau of Administration and Fiscal Accountability, and Carrie Anthony, Office of Jobs and Family Services on March 9, 2009.

¹⁴ Ibid.

¹⁵ Email from Don Shook, March 9, 2009.

¹⁶ Public Children's Services Association of Ohio. *PCSAO Factbook, 8th Edition 2007-2008*.

¹⁷ National Association of Public Child Welfare Administrators (NAPCWA) Youth Aging Out 2006 Survey.

¹⁸ Ibid.

¹⁹ Public Children's Services Association of Ohio. *PCSAO Factbook, 8th Edition 2007-2008*.

²⁰ Conference call with Sandra Holt, Ohio's Public Child Welfare Director, Daniel Shook, Bureau of Administration and Fiscal Accountability, and Carrie Anthony, Office of Jobs and Family Services on March 9, 2009.

²¹ First Annual Report Summary on Ohio's Waiver.

²² Email from Don Shook, March 9, 2009. This does not take into account the non-eligible population.