

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 537

By: Rosino

4  
5  
6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2011,  
8 Section 601.1, which relates to membership of  
9 Oklahoma Commission on Children and Youth; modifying  
10 membership of Commission; directing Governor to  
11 appoint member; modifying name of certain entity;  
12 clarifying term limitation for certain members;  
13 requiring membership terms to coincide with fiscal  
14 year; amending 10 O.S. 2011, Section 601.5, which  
15 relates to powers and duties of Director; removing  
16 duty of Director to receive Commission advice and  
17 approval in hiring staff; amending Section 1, Chapter  
18 231, O.S.L. 2018 (10 O.S. Supp. 2020, Section  
19 601.14), which relates to Children's Endowment Fund  
20 of Oklahoma; modifying purpose of Children's  
21 Endowment Fund of Oklahoma; requiring Commission to  
22 promulgate rules for specified purposes; modifying  
23 name of certain entity; allowing certain percentage  
24 of funds to be used; allowing available funds to be  
used on Family Advisory Council for specified  
purposes; limiting expenditures of Children's  
Endowment Fund of Oklahoma; amending 10 O.S. 2011,  
Section 601.20, which relates to Children of  
Incarcerated Parents Task Force; modifying name of  
certain entity; amending 10 O.S. 2011, Section  
1116.2, which relates to postadjudication review  
boards; modifying names of certain entities;  
increasing term length for members; amending 10 O.S.  
2011, Sections 1116.3, 1116.4 and 1116.6, which  
relate to postadjudication review boards; amending 10  
O.S. 2011, Section 1150.3, which relates to Child  
Death Review Board; amending 10 O.S. 2011, Section  
7007-1.9, which relates to Task Force on Reactive  
Attachment Disorder in Children; amending 10A O.S.  
2011, Section 1-4-804, which relates to notification  
of movement of child in the custody of Department of

1 Human Services; amending 10A O.S. 2011, Section 1-4-  
2 810, as amended by Section 5, Chapter 105, O.S.L.  
3 2014 (10A O.S. Supp. 2020, Section 1-4-810), which  
4 relates to permanency meeting and reports; amending  
5 10A O.S. 2011, Section 1-6-103, as last amended by  
6 Section 3, Chapter 42, O.S.L. 2017 (10A O.S. Supp.  
7 2020, Section 1-6-103), which relates to inspection  
8 of children's records without court order; amending  
9 10A O.S. 2011, Section 1-9-118, which relates to  
10 contracts for foster care placement; amending 63 O.S.  
11 2011, Section 1-227.9, which relates to Child Abuse  
12 Training and Coordination Council; modifying names of  
13 certain entities; renumbering Section 2, Chapter 199,  
14 O.S.L. 2019 (10 O.S. Supp. 2020, Section 1150.6),  
15 which relates to child-maltreatment medical review;  
16 providing for recodification; and providing an  
17 effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 10 O.S. 2011, Section 601.1, is  
20 amended to read as follows:

21 Section 601.1. A. There is hereby created the Oklahoma  
22 Commission on Children and Youth which shall be composed of nineteen  
23 (19) members. The membership shall include:

24 1. The Director of the Department of Human Services, the State  
25 Commissioner of Health, the Commissioner of the Department of Mental  
26 Health and Substance Abuse Services, the State Superintendent of  
27 Public Instruction, the Administrator of the Oklahoma Health Care  
28 Authority, the Director of the State Department of Rehabilitation  
29 Services, and the Chair of the SJR 13 Oversight Committee;

30 2. The Executive Director of the Office of Juvenile Affairs;

1 3. Five members who shall be appointed by the Governor from a  
2 list submitted by the governing board of each of the following  
3 organizations:

- 4 a. the Oklahoma Children's Agencies and Residential  
5 Enterprises,
- 6 b. one statewide association of youth services,
- 7 c. the Oklahoma Bar Association,
- 8 d. the Oklahoma District Attorneys Association, and
- 9 e. a statewide court-appointed Special Advocate  
10 Association;

11 4. One member appointed by the Governor who shall represent one  
12 of the metropolitan juvenile bureaus;

13 5. One member representing business or industry, appointed by  
14 the Governor;

15 6. One member who is the parent of a child with special needs,  
16 appointed by the Speaker of the House of Representatives;

17 7. One member with a demonstrated interest in improving  
18 children's services who is not employed by a state agency or a  
19 private organization that receives state funds, appointed by the  
20 President Pro Tempore of the Senate;

21 ~~8. One member who represents a community partnership board to~~  
22 ~~be elected pursuant to the guidelines established by the Oklahoma~~  
23 ~~Commission on Children and Youth; and~~

1       ~~9.~~ One member who shall be appointed by the Governor from a  
2 list of three names submitted by the ~~Post Adjudication~~ State Citizen  
3 Review Board for Children and Youth; and

4       9. One member who shall be appointed by the Governor who is a  
5 member of a Native American Tribe with professional experience with  
6 and working knowledge of the federal Indian Child Welfare Act and  
7 the Oklahoma Indian Child Welfare Act.

8       B. The appointed members shall have had active experience in  
9 services to children and youth and may serve four terms of two (2)  
10 years each. ~~Any appointed member serving on the Commission on the~~  
11 ~~effective date of this act shall be entitled to complete his or her~~  
12 ~~term and shall be eligible to serve one additional term of two (2)~~  
13 ~~years. Any person who served on the Commission prior to the~~  
14 ~~effective date of this act shall be eligible to serve one additional~~  
15 ~~term of two (2) years~~ A person appointed to fill the remainder of a  
16 vacant term shall, upon completion of that term, be eligible to  
17 serve four additional two-year terms. Terms shall coincide with the  
18 fiscal year.

19       C. The Oklahoma Commission on Children and Youth shall provide  
20 a monthly report on commission member attendance to the appointing  
21 authorities.

22       SECTION 2.       AMENDATORY       10 O.S. 2011, Section 601.5, is  
23 amended to read as follows:

1 Section 601.5. A. The Oklahoma Commission on Children and  
2 Youth shall appoint a Director who shall be a person having  
3 experience in the operation and administration of services to  
4 children and youth. Such Director shall be appointed for a term of  
5 two (2) years, and may be reappointed. Such Director may be  
6 dismissed only for cause. The Director shall:

7 1. Employ such staff as may be necessary to perform the duties  
8 of the Commission, ~~with the advice and approval of the Commission;~~

9 2. Prepare the State Plan for Services to Children and Youth,  
10 the Annual Report required by Section 601.9 of this title, other  
11 reports as necessary and appropriate and an annual budget for the  
12 approval of the Commission;

13 3. Formulate and recommend rules and regulations for approval  
14 or rejection by the Commission;

15 4. Serve as chief executive officer of the ~~Oklahoma Commission~~  
16 ~~on Children and Youth;~~ and

17 5. Act as agent as authorized for the Commission in the  
18 performance of its duties.

19 B. The Director may periodically convene issue-specific task  
20 groups for the purpose of improving services for children and youth.  
21 A copy of any report or recommendations which result from meetings  
22 of a task group shall be provided to the Commission, Governor,  
23 Speaker of the House of Representatives, President Pro Tempore of  
24

1 the Senate and the director of each state agency affected by the  
2 report or recommendations.

3 SECTION 3. AMENDATORY Section 1, Chapter 231, O.S.L.  
4 2018 (10 O.S. Supp. 2020, Section 601.14), is amended to read as  
5 follows:

6 Section 601.14. A. There is hereby created in the State  
7 Treasury a fund for the Oklahoma Commission on Children and Youth to  
8 be designated the "Children's Endowment Fund of Oklahoma". The fund  
9 shall be a continuing fund, not subject to fiscal year limitations,  
10 and shall consist of all monies received through donations or  
11 interest earned by investment of monies in the fund. The fund shall  
12 be invested by the State Treasurer in accordance with Section 89.2  
13 of Title 62 of the Oklahoma Statutes.

14 B. Funds deposited into the Children's Endowment Fund of  
15 Oklahoma and any earnings therefrom, including any interest,  
16 dividends or realized capital gains from investment of monies in the  
17 fund, shall be administered by the Oklahoma Commission on Children  
18 and Youth ~~for the purpose of awarding~~ which is authorized to award  
19 grants in order to stimulate further the public purpose of  
20 stimulating a broad range of innovative programs, activities, ~~or~~  
21 research or evaluation that will improve the well-being and reduce  
22 the adverse childhood experiences of Oklahoma's children. The funds  
23 shall not be used to expand existing services or to support ongoing  
24

1 core services. The Commission may also direct the State Treasurer  
2 to reinvest any earnings into the corpus of the fund.

3 C. The Oklahoma Commission on Children and Youth shall  
4 promulgate rules to:

5 1. Establish a ~~Parent Partnership Board~~ Family Advisory Council  
6 for the purpose of informing the work of Oklahoma's child-serving  
7 systems ~~including the development and evaluation of the grants,~~  
8 assisting members of the Commission and their respective entities  
9 with areas of concern, supporting the Commission in the process of  
10 developing and awarding grants supported by the Children's Endowment  
11 Fund of Oklahoma and other activities upon request; and

12 2. Establish criteria and procedures for awarding grants  
13 supported by the Children's Endowment Fund of Oklahoma.

14 D. The Oklahoma Commission on Children and Youth ~~shall~~ may use  
15 up to ten percent (10%) of the funds deposited in the Children's  
16 Endowment Fund of Oklahoma ~~to be available to the Commission~~ in any  
17 given fiscal year to provide administration, oversight, training or  
18 evaluation of the grantees or the Family Advisory Council.

19 E. When funding is available, the Oklahoma Commission on  
20 Children and Youth is authorized to use public or private funds, or  
21 both, to compensate members of the Family Advisory Council for their  
22 time and reimburse for transportation and childcare expenses related  
23 to meetings or events of the Family Advisory Council in order to  
24 reduce barriers to participation.

1        F. Monies from the fund may be expended by the Oklahoma  
2 Commission on Children and Youth in accordance with the provisions  
3 of this section upon warrants issued by the State Treasurer against  
4 claims filed as prescribed by law with the Director of the Office of  
5 Management and Enterprise Services for approval and payment.

6        G. Notwithstanding any other provision of law, funds deposited  
7 in the Children's Endowment Fund of Oklahoma shall only be expended  
8 as provided in this section.

9        SECTION 4.        AMENDATORY        10 O.S. 2011, Section 601.20, is  
10 amended to read as follows:

11        Section 601.20. A. There is hereby created the Children of  
12 Incarcerated Parents Task Force to recommend to the Legislature and  
13 other policymakers measures that promote the safety and well-being  
14 of children whose parents are incarcerated.

15        B. The task force shall be composed of twenty-one (21) members  
16 as follows:

17        1. The Director of the Department of Human Services, or  
18 designee;

19        2. The Executive Director of the Office of Juvenile Affairs, or  
20 designee;

21        3. The State Commissioner of Health, or designee;

22        4. The Commissioner of Mental Health and Substance Abuse  
23 Services, or designee;

24        5. The Director of the Department of Corrections, or designee;



1           6. The State Superintendent of Public Instruction, or designee;

2           7. The Director of the Oklahoma Commission on Children and  
3 Youth, or designee;

4           8. The Executive Director of the District Attorneys Council, or  
5 designee;

6           9. A judge with experience in both criminal and juvenile  
7 proceedings to be appointed by the President Pro Tempore of the  
8 Senate;

9           10. A representative of an association of sheriffs or police  
10 chiefs in the state to be appointed by the President Pro Tempore of  
11 the Senate;

12           11. A representative of a program in the eastern part of the  
13 state that provides girls an opportunity to visit their incarcerated  
14 mothers and to participate in mother-daughter meetings to be  
15 appointed by the Speaker of the House of Representatives;

16           12. A member of the State ~~Post-Adjudication~~ Citizen Review  
17 Board for Children and Youth to be appointed by the Speaker of the  
18 House of Representatives;

19           13. A representative of the Department of Commerce to be  
20 appointed by the Governor;

21           14. A representative from the University of Oklahoma with  
22 expertise in the area of incarcerated individuals and their children  
23 to be appointed by the President Pro Tempore of the Senate;

1 15. A representative from Oklahoma State University with  
2 expertise in the area of incarcerated individuals and their children  
3 to be appointed by the Speaker of the House of Representatives;

4 16. A representative of a community planning agency from the  
5 northeast quadrant of the state to be appointed by the President Pro  
6 Tempore of the Senate;

7 17. A representative of the faith community to be appointed by  
8 the Speaker of the House of Representatives;

9 18. A mother who was incarcerated at a time when she had a  
10 young child to be appointed by the Speaker of the House of  
11 Representatives;

12 19. A parent who has been incarcerated to be appointed by the  
13 Speaker of the House of Representatives;

14 20. A representative of an Indian tribe to be appointed by the  
15 Governor; and

16 21. A representative of the Governor's office to be appointed  
17 by the Governor.

18 C. Members of the Task Force shall serve at the pleasure of the  
19 appointing authority. Vacancies in a position shall be filled in  
20 the same manner as the original appointment.

21 D. The task force shall have seven subcommittees as follows:

22 1. Safety protocols;

23 2. Data collection;

24 3. Outreach and education;

- 1 4. Economic supports;
- 2 5. Research;
- 3 6. Resource clearinghouse; and
- 4 7. Review of existing legislation affecting children of
- 5 incarcerated parents.

6 E. The task force shall submit to the Governor, the President  
7 Pro Tempore of the Senate, and the Speaker of the House of  
8 Representatives a report no later than January 1, 2012, that  
9 identifies services to children of incarcerated parents that promote  
10 their safety and well-being. The task force shall terminate by  
11 operation of law on February 1, 2012.

12 F. The report by the task force shall reflect the goals,  
13 outcomes, and recommendations of the seven subcommittees established  
14 in subsection D of this section.

15 G. The Task Force shall hold an organizational meeting not  
16 later than September 1, 2011. The task force shall elect a chair  
17 and vice-chair at the first meeting. The task force shall meet at  
18 least once monthly.

19 H. Staff support for the task force shall be provided by the  
20 Oklahoma Commission on Children and Youth.

21 I. Members of the task force shall serve without compensation,  
22 and shall not be reimbursed for necessary travel expenses incurred  
23 in the performance of their duties.

1 J. The task force may make use of any resources, both public  
2 and private, that will provide information and analysis that assists  
3 in executing its statutory mission.

4 SECTION 5. AMENDATORY 10 O.S. 2011, Section 1116.2, is  
5 amended to read as follows:

6 Section 1116.2. A. There is hereby established a  
7 ~~postadjudication~~ citizen review board for children and youth in each  
8 judicial district in the state. Members and alternate members of  
9 the ~~postadjudication~~ citizen review boards for children and youth  
10 shall be residents of or employed within the judicial district in  
11 which the board serves and shall be appointed by the Director of the  
12 Oklahoma Commission on Children and Youth after consultation with  
13 judges in the judicial district having juvenile docket  
14 responsibility, provided that in the event of a conflict of interest  
15 or for any reason when circumstances or the appearances of justice  
16 dictate, the Director of the Oklahoma Commission on Children and  
17 Youth may transfer the appointment decision to the entire Oklahoma  
18 Commission on Children and Youth whose decision shall be final and  
19 further provided, that any aggrieved aspirant may appeal the  
20 decision denying appointment by the Director of the Oklahoma  
21 Commission on Children and Youth within five (5) days to the  
22 Oklahoma Commission on Children and Youth whose decision shall be  
23 final. The Oklahoma Commission on Children and Youth may establish  
24

1 additional ~~postadjudication~~ citizen review boards for children and  
2 youth as needed for each county within a judicial district.

3 B. A ~~postadjudication~~ citizen review board for children and  
4 youth for each judicial district shall consist of at least five (5)  
5 members. Alternate review board members may be appointed to serve  
6 in the absence of a regularly appointed board member. Alternate  
7 board members shall be appointed in the same manner as regularly  
8 appointed board members. On and after September 1, 1991, currently  
9 serving board members shall serve until appointments are made by the  
10 Oklahoma Commission on Children and Youth. The Oklahoma Commission  
11 on Children and Youth shall complete initial appointments to the  
12 review boards no later than June 30, 1992.

13 C. Board members shall be appointed for a term of ~~three (3)~~  
14 five (5) years. Members shall serve after the expiration of their  
15 terms until their respective successors shall have been appointed.  
16 Vacancies shall be filled for the duration of unexpired terms. The  
17 review board members shall be appointed according to the following  
18 guidelines:

19 1. One member shall be a person who has training or experience  
20 in issues concerning child welfare, or a person who has demonstrated  
21 an interest in children through voluntary community service or  
22 professional activities;

23 2. Whenever possible, at least one member of the board shall be  
24 an individual who has served as a foster parent, provided that no  
25

1 person on the review board shall participate as a board member in  
2 any review hearing in which the person is a party; and

3 3. No more than one person employed by any child welfare agency  
4 or juvenile court may be appointed to a board at the same time,  
5 provided such person shall not participate in any review hearing in  
6 which the person is professionally involved.

7 D. Each ~~postadjudication~~ citizen review board for children and  
8 youth shall annually elect a chair and shall notify the Oklahoma  
9 Commission on Children and Youth as to the name and address of the  
10 chair. A list of the members of each local board and its officers  
11 shall be filed with the Presiding Judge of the judicial district and  
12 each judge within the district having juvenile docket  
13 responsibility.

14 E. There shall be a rebuttable presumption that a person  
15 participating in a judicial proceeding as a ~~postadjudication~~ member  
16 of a citizen review board member for children and youth or a  
17 ~~postadjudication review advisory board~~ the State Citizen Review  
18 Board for Children and Youth or ~~postadjudication review board~~  
19 coordinator of a citizen review board for children and youth is  
20 acting in good faith. When acting in good faith, a participant  
21 shall be immune from any civil liability that might otherwise be  
22 incurred or imposed. Each ~~postadjudication~~ citizen review board for  
23 children and youth shall meet as often as is necessary at a place it  
24 designates to carry out the duties of the board established by

1 Section 1116.3 of this title. The review board shall meet at least  
2 twice annually. Each review board shall be subject to the  
3 provisions of the Oklahoma Open Meeting Act, except that the actual  
4 case reviews shall be held in executive session; provided, however,  
5 that upon the request of the board, members or prospective members  
6 of other existing review boards, students or researchers may attend  
7 and observe but not participate in board hearings subject to  
8 restrictions and conditions imposed by the board. Members and  
9 employees of the State ~~Postadjudication~~ Citizen Review Board for  
10 Children and Youth ~~Advisory Board~~ who are exercising their oversight  
11 responsibilities pursuant to Section 1116.6 of this title may attend  
12 and observe but not participate in board hearings. All parties  
13 shall maintain confidentiality, and the names of the children in  
14 placement shall not be published. Temporary ad hoc review boards  
15 may be created in counties in which there is no active review board.  
16 The Director of the Oklahoma Commission on Children and Youth may  
17 appoint active or alternate members of existing review boards to  
18 serve as members of local boards that are unable to meet quorum  
19 requirements and to temporarily constitute members of a new board  
20 where no current board exists. A member appointed to temporary  
21 service shall be fully qualified as provided by law, and such  
22 service shall terminate when the basis for the appointment is  
23 remedied or upon the order of the Director.

1 F. As a condition of membership thereto, members and alternates  
2 of the ~~postadjudication~~ citizen review boards for children and youth  
3 shall attend the next available orientation program after  
4 appointment to the board. Failure to attend an orientation program,  
5 at the discretion of the Oklahoma Commission on Children and Youth,  
6 may result in the removal of the board member. Members of  
7 ~~postadjudication~~ citizen review boards for children and youth shall  
8 attend the annual meeting or training programs or both such meeting  
9 and training programs as are authorized and directed by the  
10 Commission ~~on Children and Youth~~.

11 G. Members of ~~postadjudication~~ citizen review boards for  
12 children and youth shall serve without compensation, but shall be  
13 reimbursed for travel and training expenses from monies appropriated  
14 by the Legislature for such purposes, as provided by the State  
15 Travel Reimbursement Act. The Oklahoma Commission on Children and  
16 Youth shall provide members of ~~postadjudication~~ citizen review  
17 boards for children and youth with necessary operating supplies and  
18 postage fees or members shall be reimbursed for these expenses.

19 H. The Oklahoma Commission on Children and Youth shall be  
20 responsible for developing procedures for the removal of a member  
21 from a ~~postadjudication~~ citizen review board for children and youth.  
22 The grounds for the removal of a ~~postadjudication~~ member of a  
23 citizen review board ~~member~~ for children and youth shall include but  
24 not be limited to:



- 1 1. Failure to attend board meetings as required by the  
2 Commission ~~on Children and Youth~~;
- 3 2. Engaging in illegal conduct involving moral turpitude;
- 4 3. Engaging in conduct involving dishonesty, fraud, deceit, or  
5 misrepresentation; or
- 6 4. Wrongful disclosure of information as provided by Section  
7 1116.4 of this title.

8 I. Necessary staff assistance required by the ~~postadjudication~~  
9 citizen review boards for children and youth may be provided by the  
10 bailiff or bailiffs, or other person designated by the court, of the  
11 judges with juvenile docket responsibility in the judicial district.  
12 Upon the request of the presiding judge, the Chief Justice of the  
13 Supreme Court may authorize additional staff to be paid from local  
14 court funds to assist the review board.

15 The Administrative Director of the Courts may include such  
16 additional funding requests in the annual budget for the courts as  
17 are necessary to provide staff and administrative support for the  
18 review boards.

19 SECTION 6. AMENDATORY 10 O.S. 2011, Section 1116.3, is  
20 amended to read as follows:

21 Section 1116.3. A. ~~Postadjudication~~ Citizen review boards for  
22 children and youth shall function in an advisory capacity to the  
23 district court and, in accordance with the provisions of subsection  
24 C of this section, the district planning and coordination boards for  
25

1 services to children and youth of the Oklahoma Commission on  
2 Children and Youth.

3 The duties of a review board shall be to:

4 1. Review the case of every adjudicated deprived child at least  
5 once every six (6) months and submit to the court within ten (10)  
6 days of any review hearing its findings and recommendations.

7 a. Such review shall include, but not be limited to,  
8 consideration and evaluation of:

9 (1) the appropriateness of the goals and objectives  
10 of the treatment and service plan,

11 (2) the appropriateness of the goals and objectives  
12 of the permanency plan and permanency planning,  
13 and

14 (3) the appropriateness of the services provided to  
15 the child, and to the parent, stepparent, or  
16 other adult living in the home of the child, or  
17 legal guardian, or custodian.

18 b. Reviews of cases and reports to the court shall be  
19 scheduled to ensure that the court receives the  
20 findings and recommendations of the review board prior  
21 to each regularly scheduled six-month review of the  
22 case by the court;

23 2. Review the case of every child alleged to be deprived and  
24 held in an out-of-home placement six (6) months after removal and

1 every six (6) months thereafter until adjudication occurs or the  
2 child is released from out-of-home placement and submit to the court  
3 within ten (10) days of any scheduled hearing its findings and  
4 recommendations. Such review shall include, but not be limited to,  
5 consideration and evaluation of:

- 6 a. whether the continued out-of-home placement is in the  
7 best interests of the child in light of the child's  
8 need for permanency and recognizing that permanency is  
9 in the best interests of the child,
- 10 b. the appropriateness of the continued out-of-home  
11 placement, and
- 12 c. in the absence of a court-ordered treatment and  
13 service plan, the appropriateness of the services  
14 provided to the child and any family members or other  
15 adult living in the home of the child;

16 3. Review the case of every child adjudicated deprived pursuant  
17 to the laws of another state or territory, when the child is  
18 currently residing in Oklahoma and the Department of Human Services  
19 has been notified of the change of residence by the other state or  
20 territory and has agreed to provide services to the child pursuant  
21 to the Interstate Compact on the Placement of Children or other  
22 agreement concerning the child. The Department shall notify the  
23 proper review board of the location of the child and shall provide  
24 such review board with information received by the Department from

1 the other state concerning the child or placement along with any  
2 reports made by the Department concerning the child or placement.  
3 The review board shall report its findings to the Department and may  
4 report such findings to the agency or court in the state having  
5 jurisdiction for the custody of the child. The child and the  
6 custodian of the child may be required to be present at the review  
7 board's meeting regarding the child;

8 4. If approved by the court, review the case of any juvenile  
9 adjudicated delinquent or in need of supervision. Such review shall  
10 include, but not be limited to, consideration and evaluation of:

- 11 a. the appropriateness of the placement,
- 12 b. the appropriateness of the services provided to the  
13 child and any family members or other adult living in  
14 the home of the child, and
- 15 c. the appropriateness of the goals and objectives of the  
16 treatment and service plan; and

17 5. Forward copies of the findings and recommendations of the  
18 review board to the court having jurisdiction of the case, the  
19 parent, legal guardian, attorney representing the child, custodian  
20 of the child, agency supervising the case or legal custodian of the  
21 child and to any other interested party as determined by the court.  
22 It shall be the duty of the court clerk to ensure that all documents  
23 filed pertaining to the case of an adjudicated child are properly  
24 noted and affixed in the file of the child prior to the commencement

1 of the review process by the review board. The bailiff or bailiffs  
2 of the judges having juvenile docket responsibility within the  
3 district shall transmit the information necessary for the case  
4 reviews to the review board for that district.

5 B. The review board's report of its findings and  
6 recommendations shall be admitted into evidence in any dispositional  
7 hearing, and may be relied upon to the extent of its probative  
8 value, even though not competent for purposes of an adjudicatory  
9 hearing.

10 C. In addition to its reviewing function, a review board, as  
11 directed by the Oklahoma Commission on Children and Youth and in  
12 coordination with the district planning and coordination boards  
13 shall:

14 1. Promote and encourage all child placement agencies to  
15 maximize family stability and continuity for a child by discouraging  
16 unnecessary changes in placement and by recruiting persons to  
17 provide placement who may be suitable and willing to adopt;

18 2. Review the efforts of agencies and institutions to find  
19 permanent placement for eligible children and report to the court;

20 3. Encourage a meeting between the various responsible public  
21 and private agencies, institutions, and officers of the court in  
22 order to facilitate cooperation and coordination of efforts; and  
23  
24  
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1 4. Assess community resources, and develop, if not already  
2 available, a directory of responsible persons, agencies, and  
3 institutions.

4 D. A review board may solicit the attendance at its meetings of  
5 persons known to the board with information concerning the case of  
6 any child subject to its review. However, no employee of the Office  
7 of Juvenile Affairs shall be required to attend a review board  
8 meeting.

9 E. A review board shall report annually its findings,  
10 recommendations, and assessments of the effectiveness of sections of  
11 law pertaining to individual treatment plans, information to  
12 accompany deprived children placed outside the home, and  
13 dispositional orders and Sections 1116.2 through 1116.6 of this  
14 title to the Administrator of the Courts, the Supreme Court, to the  
15 court having jurisdiction of the case, to the State ~~Postadjudication~~  
16 Citizen Review Advisory Board, for Children and Youth and the  
17 Oklahoma Commission on Children and Youth and provide such other  
18 reports as deemed proper or that may be requested from time to time  
19 by the Oklahoma Commission on Children and Youth, the Governor, the  
20 Legislature, or the Supreme Court.

21 F. It shall be the duty of the court having jurisdiction of the  
22 case to acknowledge the receipt of the recommendations of the review  
23 board and note to the review board the actions of the court  
24 regarding the recommendations submitted by the review board.

1 G. A review board member may attend any court hearing  
2 concerning the case of any child subject to review by the board.

3 SECTION 7. AMENDATORY 10 O.S. 2011, Section 1116.4, is  
4 amended to read as follows:

5 Section 1116.4. No member of a ~~postadjudication~~ citizen review  
6 board for children and youth or staff member of such board may  
7 disclose any information regarding individual cases acquired from  
8 case reviews or be compelled to disclose such information except:

9 1. When such information pertains to criminal acts or  
10 violations of any law;

11 2. When the child was the victim of a crime. The members of  
12 the board or staff member of such board may be required by a court  
13 of competent jurisdiction to testify at any proceeding in which the  
14 commission of such a crime is the subject of inquiry; or

15 3. When the person waives the privilege by bringing charges  
16 against the board.

17 Nothing in this ~~act~~ section shall be construed to prohibit any  
18 board member or staff member of such board from testifying in court  
19 hearings concerning matters of adoption, child abuse, child neglect,  
20 or matters pertaining to the welfare of children or from seeking  
21 collaboration or consultation with professional colleagues and  
22 administrative superiors on behalf of the child, parent or parents  
23 of the child.

1 Any person participating in a judicial proceeding as a  
2 ~~postadjudication review board~~ member of a citizen review board for  
3 children and youth shall be presumed prima facie to be acting in  
4 good faith and in so doing shall be immune from any civil liability  
5 that otherwise might be incurred or imposed.

6 SECTION 8. AMENDATORY 10 O.S. 2011, Section 1116.6, is  
7 amended to read as follows:

8 Section 1116.6. A. There is hereby created a State  
9 ~~Postadjudication~~ Citizen Review Advisory Board for Children and  
10 Youth which shall meet at least twice each calendar year. The  
11 Advisory Board shall have the duty of overseeing the implementation  
12 of the state ~~postadjudication~~ citizen review board for children and  
13 youth program in coordination with the Oklahoma Commission on  
14 Children and Youth.

15 B. The ~~Advisory Board~~ State Citizen Review Board for Children  
16 and Youth shall consist of twenty-one (21) members appointed by the  
17 Governor as follows:

18 1. Eight of the members shall be members of the various review  
19 boards throughout the state;

20 2. Five of the members shall be judges of the district court;

21 3. Five of the members shall represent the general public and  
22 may be foster parents;

23 4. One of the members appointed after ~~the effective date of~~  
24 ~~this act~~ November 1, 1997, shall be a foster parent representing



1 foster parents who have a current contract with the Department of  
2 Human Services to provide foster care services;

3 5. One of the members appointed after ~~the effective date of~~  
4 ~~this act~~ November 1, 1997, shall be a foster parent representing  
5 child-placing agencies which have current contracts with the  
6 Department to provide foster care services; and

7 6. One of the members appointed after ~~the effective date of~~  
8 ~~this act~~ November 1, 1997, shall be a foster parent nominated by any  
9 local or statewide foster parent association.

10 The members shall serve at the pleasure of the Governor. The  
11 administrative heads of the divisions which have foster care  
12 responsibilities within the Department of Human Services and the  
13 Office of Juvenile Affairs or their designees shall serve as ex  
14 officio members of the Board.

15 C. The Director of the Oklahoma Commission on Children and  
16 Youth shall be the clerk of the ~~Advisory Board~~ State Citizen Review  
17 Board for Children and Youth.

18 The ~~Advisory Board~~ State Citizen Review Board for Children and  
19 Youth shall have the duty to:

- 20 1. Assist in the training of the members of the review boards;
- 21 2. Serve, in coordination with the Oklahoma Commission on  
22 Children and Youth, as a clearinghouse for reports and information  
23 concerning the foster care review program and the review boards as  
24 they relate to foster care;

1           3. Make recommendations to the courts, the Oklahoma Commission  
2 on Children and Youth, the Governor, the Legislature, the Department  
3 of Human Services, the Office of Juvenile Affairs, and other state  
4 agencies providing services to children regarding proposed statutory  
5 revisions, and amendments to court rules and procedures, and review  
6 and make recommendations on permanency planning, foster care and  
7 child welfare service delivery policies, guidelines, and procedures;

8           4. Work with both public and private agencies concerned with  
9 foster care and adoption exchanges to inform the public of the need  
10 for temporary and permanent homes and other services needed by  
11 deprived children; and

12           5. Specifically:

- 13           a. identify, analyze, and recommend solutions to any  
14 issue concerning child welfare and foster care  
15 services within the child welfare delivery system,  
16           b. participate in the statewide planning and promotion of  
17 foster parent involvement in local planning for child  
18 welfare services, and  
19           c. develop recommendations concerning foster care  
20 training to improve the quality of foster care  
21 services.

22           D. The State ~~Postadjudication~~ Citizen Review Advisory Board for  
23 Children and Youth may designate multidisciplinary committees on the  
24 local level to act as advocates for foster parents in order to

1 assist in the resolution of specific complaints concerning foster  
2 care and to help facilitate the relationship between the Department  
3 of Human Services, the Office of Juvenile Affairs, child-placing  
4 agencies, and the foster parents.

5 E. The Oklahoma Commission on Children and Youth, with the  
6 assistance of the State ~~Postadjudication~~ Citizen Review Advisory  
7 Board for Children and Youth, shall be responsible for developing  
8 and administering training procedures and rules for the  
9 administration of the state ~~postadjudication~~ citizen review board  
10 for children and youth system.

11 F. The State ~~Postadjudication~~ Citizen Review Advisory Board for  
12 Children and Youth shall submit a report of the activities of the  
13 review boards, including the findings and recommendations of such  
14 review boards, to the Oklahoma Commission on Children and Youth on  
15 or before May 1 of each year.

16 G. The Oklahoma Commission on Children and Youth shall  
17 incorporate, as appropriate, the findings and recommendations of the  
18 review boards in the annual report required by Section 601.9 of this  
19 title.

20 SECTION 9. AMENDATORY 10 O.S. 2011, Section 1150.3, is  
21 amended to read as follows:

22 Section 1150.3. A. The Child Death Review Board shall be  
23 composed of twenty-seven (27) members, or their designees, as  
24 follows:

1 1. Fourteen of the members shall be:

2 a. the Chief Medical Examiner,

3 b. the Director of the Department of Human Services, or a  
4 designee, provided the designee shall be a person  
5 assigned to the Child Welfare Division of the  
6 Department,

7 c. the State Commissioner of Health,

8 d. the Director of the Office of Child Abuse Prevention,

9 e. the Director of the Oklahoma Commission on Children  
10 and Youth,

11 f. the Chief Child Abuse Medical Examiner,

12 g. the Chief of Maternal and Child Health Services of the  
13 State Department of Health,

14 h. the Commissioner of Mental Health and Substance Abuse  
15 Services,

16 i. the Chair of the Child Protection Committee of the  
17 Children's Hospital of Oklahoma,

18 j. the Director of the Office of Juvenile Affairs,

19 k. the Chief of Injury Prevention Services of the State  
20 Department of Health,

21 l. the State Epidemiologist of the State Department of  
22 Health,

23 m. the Director of the Oklahoma State Bureau of  
24 Investigation, and  
25

1 n. the Chief Executive Officer of the Oklahoma Health  
2 Care Authority; and

3 2. Thirteen of the members shall be appointed by the Director  
4 of the Oklahoma Commission on Children and Youth, shall serve for  
5 terms of two (2) years, and shall be eligible for reappointment.

6 The members shall be persons having training and experience in  
7 matters related to the abuse or neglect of a child. The appointed  
8 members shall include:

9 a. a law enforcement officer selected from lists  
10 submitted by the executive boards of organizations  
11 representing sheriffs and peace officers in this  
12 state,

13 b. an attorney licensed in this state who is in private  
14 practice selected from a list submitted by the  
15 executive board of the Oklahoma Bar Association,

16 c. a district attorney selected from a list submitted by  
17 the District Attorney's Council,

18 d. a physician selected from lists submitted by statewide  
19 organizations representing physicians in this state,

20 e. a physician selected from lists submitted by statewide  
21 organizations representing osteopathic physicians in  
22 this state,

23 f. a member of the State ~~Post-Adjudication~~ Citizen Review  
24 ~~Advisory~~ Board for Children and Youth,

- 1 g. a social worker selected from a list submitted by each  
2 organization representing social workers,  
3 h. an individual selected from lists submitted by  
4 Oklahoma court-appointed special advocate  
5 associations,  
6 i. a psychologist selected from lists submitted by  
7 Oklahoma psychological associations,  
8 j. a member of a Native American Tribe involved in the  
9 area of protection of Native American children  
10 selected from a list submitted by the Oklahoma Indian  
11 Affairs Commission,  
12 k. an individual selected from lists submitted by  
13 Oklahoma coalitions or associations against domestic  
14 violence and sexual assault,  
15 l. a pediatric physician selected from lists submitted by  
16 organizations of pediatric physicians or osteopaths,  
17 and  
18 m. a member of an emergency medical technicians  
19 association.

20 B. Every two (2) years the Board shall elect from among its  
21 membership a chair and a vice-chair. The Board shall meet at least  
22 quarterly and may meet more frequently as necessary as determined by  
23 the chair. Members shall serve without compensation but may be  
24 reimbursed for necessary travel out of funds available to the

1 Commission pursuant to the State Travel Reimbursement Act; provided,  
2 that the reimbursement shall be paid in the case of state employee  
3 members by the agency employing the member.

4 C. With funds appropriated or otherwise available for that  
5 purpose, the Commission shall provide administrative assistance and  
6 services to the Child Death Review Board.

7 SECTION 10. AMENDATORY 10 O.S. 2011, Section 7007-1.9,  
8 is amended to read as follows:

9 Section 7007-1.9. A. There is hereby created to continue until  
10 December 31, 2006, the Task Force on Reactive Attachment Disorder in  
11 Children. The task force will examine this issue as it relates to  
12 children in the custody of the Department of Human Services or the  
13 Office of Juvenile Affairs, and children served by the Department of  
14 Mental Health and Substance Abuse Services. For purposes of this  
15 section, "Reactive Attachment Disorder" means a disorder resulting  
16 from the lack of reasonable care and nurturance, usually in the  
17 early years of life, which results in an inability to establish  
18 normal, stable attachments to caregivers and others.

19 B. The task force shall consist of eighteen (18) members as  
20 follows:

21 1. The Director of the Department of Human Services, or  
22 designee;

23 2. The Director of the Oklahoma Commission on Children and  
24 Youth, or designee;

1 3. The State Superintendent of Public Instruction, or designee;

2 4. The Commissioner of the Department of Mental Health and  
3 Substance Abuse Services, or designee;

4 5. The State Commissioner of Health, or designee;

5 6. The Administrator of the Oklahoma Health Care Authority, or  
6 designee;

7 7. The Director of the Oklahoma Areawide Services Information  
8 Systems, or designee;

9 8. The Executive Coordinator of the District Attorneys Council,  
10 or designee;

11 9. The Executive Director of the Office of Juvenile Affairs, or  
12 designee;

13 10. The Speaker of the ~~Oklahoma~~ House of Representatives shall  
14 appoint members as follows:

15 a. one member who serves on the ~~Oklahoma~~ House of  
16 Representatives ~~Health and Human Services~~ Children,  
17 Youth and Family Services Committee,

18 b. one member who is a ~~foster-care~~ foster care or  
19 adoptive parent of a child with Reactive Attachment  
20 Disorder, and

21 c. one member who is a mental health expert knowledgeable  
22 in treating children with Reactive Attachment  
23 Disorder;



1           11. The President Pro Tempore of the ~~State~~ Senate shall appoint  
2 members as follows:

- 3           a. one member who serves on the Senate Health and Human  
4            ~~Resources~~ Services Committee,  
5           b. one representative of a statewide child advocacy  
6            organization, and  
7           c. one member who is a practicing attorney in the area of  
8            child welfare and who is an active member of the  
9            Family Law Section of the Oklahoma Bar Association;  
10          and

11          12. The Governor shall appoint members as follows:

- 12          a. one member who is a pediatrician knowledgeable in the  
13            area of Reactive Attachment Disorder in children,  
14          b. one member who serves on a ~~postadjudication~~ citizen  
15            review board for children and youth, chosen from a  
16            list of names submitted by the State ~~Postadjudication~~  
17            Citizen Review ~~Advisory~~ Board for Children and Youth,  
18            and  
19          c. one member who is a representative of the Oklahoma  
20            Youth Services Center.

21          C. 1. Members shall serve at the pleasure of their appointing  
22 authorities. A vacancy on the task force shall be filled by the  
23 original appointing authority.

1           2. Appointments to the task force shall be made by July 1,  
2 2005.

3           3. A majority of the members of the task force shall constitute  
4 a quorum. A majority of the members present at a meeting may act  
5 for the task force.

6           4. The Speaker of the ~~Oklahoma~~ House of Representatives and the  
7 President Pro Tempore of the ~~State~~ Senate shall each designate a  
8 cochair from among the members of the task force.

9           5. The cochairs of the task force shall convene the first  
10 meeting of the task force on or before July 15, 2005, at which time  
11 a schedule of the meetings shall be determined.

12           6. The task force may divide into subcommittees in furtherance  
13 of its purpose.

14           D. 1. Staff of the Department of Human Services shall serve as  
15 primary staff for the task force with assistance from the staffs of  
16 the Department of Mental Health and Substance Abuse Services and the  
17 Office of Juvenile Affairs.

18           2. The task force may use the expertise and services of the  
19 staffs of the ~~Oklahoma~~ House of Representatives and the ~~Oklahoma~~  
20 ~~State~~ Senate and may, as necessary, seek the advice and services of  
21 experts in the field of child welfare.

22           E. All departments, officers, agencies and employees of this  
23 state shall cooperate with the task force in fulfilling its duties  
24

1 and responsibilities including, but not limited to, providing any  
2 information, records or reports requested by the task force.

3 F. Members of the task force shall receive no compensation for  
4 their service, but shall receive travel reimbursement as follows:

5 1. Legislative members of the task force shall be reimbursed  
6 for necessary travel expenses incurred in the performance of their  
7 duties in accordance with the provisions of Section 456 of Title 74  
8 of the Oklahoma Statutes; and

9 2. Nonlegislative members of the task force shall be reimbursed  
10 by their appointing authorities or respective agencies for necessary  
11 travel expenses incurred in the performance of their duties in  
12 accordance with the State Travel Reimbursement Act.

13 G. The duties and responsibilities of the Task Force on  
14 Reactive Attachment Disorder in Children shall include, but not be  
15 limited to:

16 1. Identifying the number of children in the custody of the  
17 Department of Human Services or the Office of Juvenile Affairs or  
18 the number served by the Department of Mental Health and Substance  
19 Abuse Services who have Reactive Attachment Disorder or who may have  
20 a predisposition for the disorder;

21 2. Assessing current resources available to families who have a  
22 child with Reactive Attachment Disorder;

1 3. Determining if additional services are necessary including,  
2 but not limited to, networking and support groups, treatment  
3 options, information/resource links; and

4 4. Determining if conferences and training sessions are needed  
5 for families who have a child with Reactive Attachment Disorder.

6 H. The task force shall publish its findings and  
7 recommendations by December 31, 2006, including recommendations for  
8 any resulting legislation.

9 SECTION 11. AMENDATORY 10A O.S. 2011, Section 1-4-804,  
10 is amended to read as follows:

11 Section 1-4-804. A. 1. The Department of Human Services shall  
12 notify the court, the ~~postadjudication~~ citizen review board for  
13 children and youth, the district attorney, the child's attorney, and  
14 the guardian ad litem of the child, if any, whenever a child in the  
15 custody of the Department is moved from one location to another.

16 2. The Department shall notify the foster family prior to  
17 movement of the child pursuant to the provisions of Section 1-4-805  
18 of this title.

19 3. The Department shall inform the guardian ad litem, if any,  
20 and the child's attorney of the specific location of the child.

21 B. The notification required by this section shall be made by  
22 the Department within a reasonable time after the Department is made  
23 aware of the need for movement, but in no event less than five (5)  
24

1 judicial days prior to movement unless an emergency exists. As used  
2 in this section, "emergency" means movement of a child that is:

3 1. Pursuant to an order of the court including, but not limited  
4 to, an order authorizing placement of a child with a parent or  
5 sibling;

6 2. Requested by the child-placing agency or foster parent of  
7 the child, and the request is for immediate removal of the child  
8 without delay or notice as provided by this section;

9 3. For emergency medical or mental health treatment;

10 4. For substantial noncompliance by a foster parent or child-  
11 placing agency with applicable placement standards and agreements  
12 such that the child is in imminent danger; or

13 5. Due to a pending investigation of an allegation of abuse or  
14 neglect of a child by a foster parent or child-placing agency or  
15 other person residing in the foster family home.

16 C. The court, on its own motion, may hold, or any party  
17 receiving notice pursuant to this section, shall be granted, an  
18 informal hearing concerning the reasons and necessity for moving the  
19 child, if requested in writing, within five (5) days following the  
20 receipt of notice.

21 SECTION 12. AMENDATORY 10A O.S. 2011, Section 1-4-810,  
22 as amended by Section 5, Chapter 105, O.S.L. 2014 (10A O.S. Supp.  
23 2020, Section 1-4-810), is amended to read as follows:

1 Section 1-4-810. A. 1. When a child has been in out-of-home  
2 care for twelve (12) months or longer, the court may require that  
3 the Department of Human Services facilitate a meeting held no later  
4 than thirty (30) days prior to the permanency hearing to discuss  
5 recommendations regarding the child's permanency plan that will be  
6 reported to and reviewed by the court.

7 2. The court may direct that the assigned guardian ad litem,  
8 which may be a court-appointed special advocate, if any, a judicial  
9 case manager, or the Department make arrangements for the meeting.  
10 The foster parents of the child or a representative of a group home  
11 where the child is placed, the parents of the child, or the parents'  
12 attorney, a ~~postadjudication review board~~ member of a citizen review  
13 board for children and youth, the guardian ad litem who has been  
14 appointed to the case, the child, and others as appropriate, and the  
15 child's attorney shall be contacted to assist in the preparation of  
16 the report; provided, however, persons determined not to require  
17 reasonable efforts pursuant to the provisions of Section 1-4-809 of  
18 this title shall not be required to attend.

19 B. 1. Prior to a permanency hearing, the Department shall  
20 prepare a report regarding the child for court review and shall  
21 provide a copy of the report to the court and the parties not less  
22 than three (3) judicial days prior to the permanency hearing.

23 2. The report shall include the proposed permanency plan by the  
24 Department, the efforts by the Department to effectuate the

1 permanency plan for the child, address the options for the permanent  
2 placement of the child, and examine the reasons for excluding higher  
3 priority options.

4 3. Unless a permanency hearing has been conducted, the  
5 Department, as applicable, shall contact the foster parents or group  
6 home of the child, the parents of the child, or the parents'  
7 attorney, a ~~postadjudication review board~~ member of a citizen review  
8 board for children and youth, the guardian ad litem, or the court  
9 appointed special advocate who has been appointed to the case, and  
10 the child's attorney to assist in the preparation of the report.

11 C. The up-to-date and accurate report shall also contain, but  
12 not be limited to, the following information, if relevant:

13 1. Efforts and progress demonstrated by the child's parent to  
14 complete an individual treatment and service plan;

15 2. Status of the child, including the child's behavioral,  
16 physical, and emotional health;

17 3. A recommendation regarding whether the child's current  
18 permanency goal should be continued or modified, the reasons  
19 therefor, and the anticipated date for meeting the goal; and

20 4. A recommendation regarding whether the placement of the  
21 child should be extended and the reasons for the recommendation.

22 D. The child's attorney, the parents or parents' attorney, the  
23 foster parent or group home representative, the ~~postadjudicatory~~  
24 ~~review board~~ member of the citizen review board for children and

1 youth, the guardian ad litem, or the court appointed special  
2 advocate of the child may submit additional informational reports to  
3 the court for review.

4 SECTION 13. AMENDATORY 10A O.S. 2011, Section 1-6-103,  
5 as last amended by Section 3, Chapter 42, O.S.L. 2017 (10A O.S.  
6 Supp. 2020, Section 1-6-103), is amended to read as follows:

7 Section 1-6-103. A. Juvenile court records and Department of  
8 Human Services agency records pertaining to a child may be  
9 inspected, and their contents shall be disclosed, without a court  
10 order to the following persons upon showing of proper credentials  
11 and pursuant to their lawful duties:

12 1. The court having the child currently before it in any  
13 proceeding pursuant to this title, any district court or tribal  
14 court to which such proceedings may be transferred, employees and  
15 officers of the court in the performance of their duties, including  
16 but not limited to guardians ad litem appointed by the court, and  
17 court-appointed special advocates;

18 2. A district attorney, United States Attorney, or Attorney  
19 General of this or another state and the employees of such offices  
20 in the course of their official duties pursuant to this title or the  
21 prosecution of crimes against children, or upon their request in  
22 their official capacity as advisor in a grand jury proceeding;



1           3. The attorney representing a child who is the subject of a  
2 proceeding pursuant to the provisions of this title or other  
3 proceeding where child custody or visitation is at issue;

4           4. Employees of juvenile bureaus in the course of their  
5 official duties pursuant to this title, and employees of the  
6 Department of Human Services in the course of their official duties;

7           5. Employees of a law enforcement agency of this or another  
8 state or military enclave and employees of a child protective  
9 service of another state or military enclave in the course of their  
10 official duties pertaining to investigations of a report of known or  
11 suspected child abuse or neglect or crimes against children or for  
12 the purpose of determining whether to place a child in protective  
13 custody;

14           6. The Oklahoma Commission on Children and Youth as provided by  
15 Sections 601.2 and 601.6 of Title 10 of the Oklahoma Statutes;

16           7. The Office of Juvenile Affairs;

17           8. A federally recognized Indian tribe in which the child who  
18 is the subject of the record is a member or is eligible to become a  
19 member of the tribe and is the biological child of a member of an  
20 Indian tribe pursuant to the provisions of the Federal Indian Child  
21 Welfare Act and the Oklahoma Indian Child Welfare Act; provided such  
22 Indian tribe, in the course of its official duties, is:

- 23           a. investigating a report of known or suspected child  
24           abuse or neglect or crimes against children or for the  
25

1           purpose of determining whether to place a child in  
2           protective custody,

3           b.    providing services to or for the benefit of a child  
4           including, but not limited to, protective, emergency,  
5           social and medical services, or

6           c.    the tribe, the tribal court or the tribal child  
7           welfare program has asserted jurisdiction or  
8           intervened in any case in which the child is the  
9           subject of the proceedings or is a party to the  
10          proceedings pursuant to the authority provided in the  
11          Oklahoma Indian Child Welfare Act.

12          The records that are to be provided to Indian tribes under this  
13          subsection shall include all case records, reports, and documents as  
14          defined in Section 1-6-101 of this title;

15          9.    The Governor or to any person the Governor designates, in  
16          writing;

17          10.   Any federal official of the United States Department of  
18          Health and Human Services;

19          11.   Any member of the Legislature approved in writing by the  
20          Speaker of the House of Representatives or the President Pro Tempore  
21          of the Senate;

22          12.   A foster parent, with regard to records concerning the  
23          social, medical, psychological, or educational needs of a child  
24

1 currently placed with that foster parent or of a child being  
2 considered for placement with that foster parent;

3 13. An employee of any state or federal corrections or law  
4 enforcement agency in the performance of the official duties of the  
5 employee concerning presentence investigations or supervision of a  
6 parent of an alleged or adjudicated deprived child, or the legal  
7 guardian, custodian, or any other adult member of the child's home  
8 who is responsible for the health, safety, or welfare of the child;

9 14. An employee of a state agency of this or another state in  
10 the performance of the official duties of the employee concerning  
11 the establishment of paternity or the establishment or enforcement  
12 of a child support order or other entitlement for the benefit of a  
13 child; provided, disclosure shall be limited to information directly  
14 related to the purpose of such disclosure;

15 15. Any member of a city-county Health Department Fetal Infant  
16 Mortality Review (FIMR) in the performance of the official duties of  
17 the member concerning investigations of fetal and infant  
18 mortalities; provided, disclosure shall be limited to information  
19 directly related to the purpose of such disclosure;

20 16. Any designated federal authorities at the federal military  
21 installation where a service member is assigned, when the child is a  
22 member of an active duty military family, as provided by paragraph 4  
23 of subsection A of Section 1-2-102 of this title; and  
24

1 17. Any member of the Child Welfare Review Committee for the  
2 Death and Near Death of Children With Disabilities as established by  
3 Section 1-10-103 of this title.

4 B. In addition to the persons listed in subsection A of this  
5 section, juvenile court records may be inspected, and their contents  
6 shall be disclosed, without a court order to the following persons  
7 upon showing of proper credentials and pursuant to their lawful  
8 duties:

9 1. Employees of court-appointed special advocate programs, as  
10 defined in Section 1-1-105 of this title, in the course of their  
11 official duties pertaining to recruiting, screening, training,  
12 assigning cases, supervising, and supporting volunteers in their  
13 roles as guardian ad litem pursuant to Section 1-4-306 of this  
14 title;

15 2. Members of ~~postadjudication~~ citizen review boards for  
16 children and youth established pursuant to the provisions of Section  
17 1116.2 of Title 10 of the Oklahoma Statutes, the Child Death Review  
18 Board, and multidisciplinary personnel. In addition to juvenile  
19 court records, members of such ~~postadjudication~~ citizen review  
20 boards for children and youth may inspect, without a court order,  
21 information that includes, but is not limited to:

- 22 a. psychological and medical records,
- 23 b. placement history and information, including the names  
24 and addresses of foster parents,

- c. family assessments,
- d. treatment or service plans, and
- e. school records;

3. The Department of Human Services or other public or private agency or individual having court-ordered custody or physical custody pursuant to Department placement of the child, or conducting a child abuse or neglect investigation of the child who is the subject of the record. In addition to juvenile court records, employees of the Department may inspect, without a court order and upon a showing of proper credentials and pursuant to their lawful duties, information that includes, but is not limited to:

- a. psychological and medical records, and
- b. nondirectory education records;

4. The child who is the subject of the record and the parents, legal guardian, custodian, or foster parent of such child; and

5. A person authorized by the court to conduct bona fide research, provided such research may not publish the names or identities of parents, children, or other persons contained in the records.

C. In addition to the persons and entities named in subsection A of this section, Department of Human Services agency records may be inspected, and their contents shall be disclosed, without a court order to the following persons upon showing of proper credentials and pursuant to their lawful duties:

1           1. ~~Postadjudicatory~~ Citizen review boards for children and  
2 youth, court-appointed special advocates, and members of the Child  
3 Death Review Board;

4           2. Any district court which has ordered a home study by the  
5 Department in an action for divorce, annulment, custody of a child,  
6 or appointment of a legal guardian of a child, or any subsequent  
7 proceeding in such actions; provided, however, the Department may  
8 limit disclosure in the home study to summaries or to information  
9 directly related to the purpose of the disclosure;

10          3. Members of multidisciplinary teams or multidisciplinary  
11 personnel designated by the Department, investigating a report of  
12 known or suspected child abuse or neglect or providing services to a  
13 child or family which is the subject of the report;

14          4. A physician who has before him or her a child whom the  
15 physician reasonably suspects may be abused or neglected or any  
16 health care or mental health professionals involved in the  
17 evaluation or treatment of the child or the parents, legal guardian,  
18 foster parent, custodian, or other family members of the child;

19          5. Any public or private agency or person authorized by the  
20 Department to diagnose, or provide care, treatment, supervision, or  
21 other services to a child who is the subject of a report or record  
22 of child abuse or neglect; provided, the Department may limit such  
23 disclosure to summaries or to information directly necessary for the  
24 purpose of such disclosure;

1           6. Any person or agency for research purposes, if all of the  
2 following conditions are met:

3           a. the person or agency conducting the research is  
4 employed by the State of Oklahoma or is under contract  
5 with this state and is authorized by the Department to  
6 conduct the research, and

7           b. the person or agency conducting the research ensures  
8 that all documents containing identifying information  
9 are maintained in secure locations and access to the  
10 documents by unauthorized persons is prohibited; that  
11 no identifying information is included in documents  
12 generated from the research conducted; and that all  
13 identifying information is deleted from documents used  
14 in the research when the research is completed;

15           7. The Oklahoma Health Care Authority; and

16           8. A medical examiner when such person is determining the cause  
17 of death of a child.

18           D. In accordance with the rules promulgated for such purpose  
19 pursuant to Section 620.6 of Title 10 of the Oklahoma Statutes,  
20 records listed in subsection A of Section 1-6-102 of this title may  
21 be inspected and their contents disclosed without a court order to  
22 participating agencies.

23           E. The court may disclose to an employee of an out-of-state  
24 entity, licensed to perform adoption home studies in that state,

1 whether the prospective adoptive parent has had parental rights to a  
2 child terminated in Oklahoma or whether the prospective adoptive  
3 parent has relinquished parental rights to a child in Oklahoma.

4 F. Nothing in this section shall be construed as prohibiting  
5 the Department from disclosing such confidential information as may  
6 be necessary to secure appropriate care, treatment, protection or  
7 supervision of a child alleged to be abused or neglected.

8 SECTION 14. AMENDATORY 10A O.S. 2011, Section 1-9-118,  
9 is amended to read as follows:

10 Section 1-9-118. A. The Department of Human Services or any  
11 child-placing agency shall, prior to any foster placement, enter  
12 into a written contract with the foster care placement provider.  
13 The contract shall provide, at a minimum:

14 1. That the state agency and the child-placing agency shall  
15 have access at all times to the child and to the foster placement;

16 2. A listing of any specific requirements, specific duties or  
17 restrictions in providing foster care services;

18 3. That any foster child shall have access to and be accessible  
19 by any court-appointed special advocate for the foster child and the  
20 foster child's attorney;

21 4. That the foster care placement provider shall comply with  
22 performance standards required pursuant to the Oklahoma Children's  
23 Code and the Oklahoma Child Care Facilities Licensing Act;



1           5. Information regarding the amount of payments to be made for  
2 foster care services, including but not limited to a description of  
3 the process involved in receiving payments, including projected time  
4 frames, information related to reimbursements for eligible costs and  
5 expenses for which the foster parent may be reimbursed and any  
6 information concerning the accessibility and availability of funds  
7 for foster parents;

8           6. That any foster child placed with a foster care placement  
9 provider shall be released to the state agency or the child-placing  
10 agency whenever, in the opinion of the state agency or the child-  
11 placing agency, the best interests of the deprived child require  
12 such release; and

13           7. Such other information required by the state agency and the  
14 child-placing agency.

15           B. The state agency or child-placing agency shall provide the  
16 following information to the foster parent at the time of placement,  
17 along with a copy of the written contract required pursuant to  
18 subsection A of this section:

19           1. The names and telephone numbers of the child's case worker,  
20 the foster parents' case worker, the case workers' supervisors, and  
21 the contact within the state agency central office, or the name and  
22 telephone number of the contact person within the child-placing  
23 agency and any other medical, psychological, social or other  
24 pertinent information relating to foster care;

1           2. A copy of the grievance procedure established by the state  
2 agency or the child-placing agency;

3           3. The name and telephone number of any foster parent  
4 association in the county of residence of the foster parent;

5           4. For foster parents of deprived children, the name and  
6 telephone number of any ~~postadjudication~~ citizen review board for  
7 children and youth established in the county of residence of the  
8 foster parent or the nearest ~~postadjudication~~ citizen review board  
9 for children and youth and the court having jurisdiction over the  
10 child;

11           5. A copy of the statement of foster parent rights;

12           6. Information detailing the ability of the foster parent to  
13 submit information and written reports to the court, and to request  
14 the court for review of a decision by the state agency or the child-  
15 placing agency to remove a foster child who has been placed with the  
16 foster parent, in accordance with the limitations and requirements  
17 of Section 1-4-805 of this title; and

18           7. A copy of the policies and procedures of the Department or  
19 child-placing agency which pertain to placement operations of the  
20 agency, and which may be necessary to properly inform the out-of-  
21 home placement providers of the duties, rights and responsibilities  
22 of the out-of-home placement providers and the Department.

23           C. 1. In addition to other requirements made pursuant to the  
24 Oklahoma Child Care Facilities Licensing Act, each child-placing  
25

1 agency shall maintain supervision of all children placed by the  
2 agency in foster placement and shall maintain supervision of and  
3 make regular visits to such foster placements.

4 2. The child-placing agency shall visit each foster child no  
5 less than once every month with no less than two visits per quarter  
6 in the foster placement.

7 3. The child-placing agency shall prepare and maintain a  
8 written report of its findings for each visit.

9 4. a. A complete written review of the placement, well-  
10 being, and progress of any foster child in foster care  
11 with a child-placing agency shall be made by the  
12 child-placing agency as required by the Department.

13 b. If a child-placing agency is providing foster care  
14 services for a child pursuant to a written agreement  
15 or contract with the parents or guardian of a child,  
16 the child-placing agency shall provide a copy of the  
17 written review to the parents or guardian of the  
18 child. The written agreement or contract shall  
19 specify how often the review shall be conducted.

20 SECTION 15. AMENDATORY 63 O.S. 2011, Section 1-227.9, is  
21 amended to read as follows:

22 Section 1-227.9. A. There is hereby created the Child Abuse  
23 Training and Coordination Council.

1 B. The Oklahoma Commission on Children and Youth shall appoint  
2 a Child Abuse Training and Coordination Council which shall be  
3 composed of twenty-two (22) members, as follows:

4 1. One member shall be a representative of child welfare  
5 services within the Department of Human Services;

6 2. One member shall be a representative of juvenile services  
7 within the Office of Juvenile Affairs;

8 3. One member shall be a representative of maternal and child  
9 health services within the State Department of Health;

10 4. One member shall be a representative of the State Department  
11 of Health;

12 5. One member shall be a representative of the State Department  
13 of Education;

14 6. One member shall be a representative of the Department of  
15 Mental Health and Substance Abuse Services;

16 7. One member shall be a representative of a statewide medical  
17 association and shall be a member of a state chapter of a national  
18 academy of pediatrics;

19 8. One member shall be a representative of the judiciary;

20 9. One member shall be a representative of a statewide  
21 association of osteopathic physicians and shall be a pediatric  
22 osteopathic physician;

23 10. One member shall be a representative of a statewide  
24 coalition on domestic violence and sexual assault;

1 11. One member shall be a representative of the District  
2 Attorneys Council;

3 12. One member shall be a representative of the Council on Law  
4 Enforcement Education and Training;

5 13. One member shall be a representative of the Department of  
6 Corrections;

7 14. One member shall be a representative of Court Appointed  
8 Special Advocates;

9 15. One member shall be a representative of the Oklahoma Bar  
10 Association;

11 16. One member shall be a representative of a statewide  
12 association of psychologists;

13 17. One member shall be a representative of a local chapter of  
14 a national association of social workers;

15 18. One member shall be a representative of a statewide  
16 association of youth services agencies;

17 19. One member shall be a representative of an Indian child  
18 welfare association;

19 20. One member shall be a representative of an advisory task  
20 force on child abuse and neglect;

21 21. One member shall be a representative of a ~~postadjudication~~  
22 citizen review board program for children and youth; and

23 22. One member shall be a representative of nationally  
24 accredited child advocacy centers nominated to the Oklahoma  
25

1 Commission for Children and Youth. Eligible nominees may be anyone  
2 selected by a majority of the members of the nationally accredited  
3 child advocacy centers located in Oklahoma.

4 C. Each member of the Child Abuse Training and Coordination  
5 Council is authorized to have one designee.

6 D. The appointed members shall be persons having expertise in  
7 the dynamics, identification and treatment of child abuse and  
8 neglect and child sexual abuse.

9 E. The Child Abuse Training and Coordination Council shall:

10 1. Establish objective criteria and guidelines for  
11 multidisciplinary and, as appropriate for each discipline,  
12 discipline-specific training on child abuse and neglect for  
13 professionals with responsibilities affecting children, youth and  
14 families;

15 2. Review curricula and make recommendations to state agencies  
16 and professional organizations and associations regarding available  
17 curricula and curricula having high standards of professional merit;

18 3. Review curricula regarding child abuse and neglect used in  
19 law enforcement officer training by the Oklahoma Council on Law  
20 Enforcement Education and Training (CLEET) and make recommendations  
21 regarding the curricula to CLEET;

22 4. Cooperate with and assist professional organizations and  
23 associations in the development and implementation of ongoing  
24

1 training programs and strategies to encourage professionals to  
2 participate in such training programs;

3 5. Make reports and recommendations regarding the continued  
4 development and improvement of such training programs to the State  
5 Commissioner of Health, the Oklahoma Commission on Children and  
6 Youth, and each affected agency, organization and association;

7 6. Prepare and issue a model protocol for multidisciplinary  
8 teams regarding the investigation and prosecution of child sexual  
9 abuse, child physical abuse and neglect cases;

10 7. Review and approve protocols prepared by the local  
11 multidisciplinary teams;

12 8. Advise multidisciplinary teams on team development;

13 9. Collect data on the operation and cases reviewed by the  
14 multidisciplinary teams;

15 10. Issue annual reports; and

16 11. Annually approve the list of functioning multidisciplinary  
17 teams in the state.

18 SECTION 16. RECODIFICATION Section 2, Chapter 199,  
19 O.S.L. 2019 (10 O.S. Supp. 2020, Section 1150.6), shall be  
20 recodified as Section 601.32 of Title 10 of the Oklahoma Statutes,  
21 unless there is created a duplication in numbering.

22 SECTION 17. This act shall become effective November 1, 2021.  
23

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