

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 677

By: Griffin

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5
6 AS INTRODUCED

7 An Act relating to foster care; amending 10A O.S.
8 2011, Section 1-9-119, as last amended by Section 4,
9 Chapter 257, O.S.L. 2014 (10A O.S. Supp. 2016,
10 Section 1-9-119), which relates to foster parent
11 rights; including certain meetings and services; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-119, as
15 last amended by Section 4, Chapter 257, O.S.L. 2014 (10A O.S. Supp.
16 2016, Section 1-9-119), is amended to read as follows:

17 Section 1-9-119. A. A statement of foster parent's rights
18 shall be given to every foster parent annually and shall include,
19 but not be limited to, the right to:

20 1. Be treated with dignity, respect, and consideration as a
21 professional member of the child welfare team;

22 2. Be notified of and be given appropriate, ongoing education
23 and continuing education and training to develop and enhance foster
24 parenting skills;

- 1 3. Be informed about ways to contact the state agency or the
2 child-placing agency in order to receive information and assistance
3 to access supportive services for any child in the foster parent's
4 care;
- 5 4. Receive timely financial reimbursement for providing foster
6 care services;
- 7 5. Be notified of any costs or expenses for which the foster
8 parent may be eligible for reimbursement;
- 9 6. Be provided a clear, written explanation of the individual
10 treatment and service plan concerning the child in the foster
11 parent's home, listing components of the plan pursuant to the
12 provisions of the Oklahoma Children's Code;
- 13 7. Receive, at any time during which a child is placed with the
14 foster parent, additional or necessary information that is relevant
15 to the care of the child;
- 16 8. Be notified of scheduled review meetings, permanency
17 planning meetings, family team meetings and special staffing
18 concerning the foster child in the foster parent's home in order to
19 actively participate in the case planning and decision-making
20 process regarding the child;
- 21 9. Provide input concerning the plan of services for the child
22 and to have that input be given full consideration in the same
23 manner as information presented by any other professional on the
24 team;

1 10. Communicate with other foster parents in order to share
2 information regarding the foster child. In particular, receive any
3 information concerning the number of times a foster child has been
4 moved and the reasons why, and the names and telephone numbers of
5 the previous foster parent if the previous foster parent has
6 authorized such release;

7 11. Communicate with other professionals who work with the
8 foster child within the context of the team including, but not
9 limited to, therapists, physicians, and teachers;

10 12. Be given, in a timely and consistent manner, any
11 information regarding the child and the child's family which is
12 pertinent to the care and needs of the child and to the making of a
13 permanency plan for the child. Disclosure of information shall be
14 limited to that information which is authorized by the provisions of
15 Chapter VI of the Oklahoma Children's Code for foster parents;

16 13. Be given reasonable notice of any change in or addition to
17 the services provided to the child pursuant to the child's
18 individual treatment and service plan;

- 19 14. a. Be given written notice of:
- 20 (1) plans to terminate the placement of the child
 - 21 with the foster parent pursuant to Section 1-4-
 - 22 805 of this title, and
 - 23 (2) the reasons for the changes or termination in
 - 24 placement.

1 b. The notice shall be waived only in emergency cases
2 pursuant to Section 1-4-805 of this title;

3 15. Be notified by the applicable state agency in a timely and
4 complete manner of all court hearings, including notice of the date
5 and time of any court hearing, the name of the judge or hearing
6 officer hearing the case, the location of the hearing, and the court
7 docket number of the case;

8 16. Be informed of decisions made by the court, the state
9 agency or the child-placing agency concerning the child;

10 17. Be considered as a preferred placement option when a foster
11 child who was formerly placed with the foster parent is to reenter
12 foster care at the same level and type of care, if that placement is
13 consistent with the best interest of the child and other children in
14 the home of the foster parent;

15 18. Be provided a fair, timely, and impartial investigation of
16 complaints concerning the certification of the foster parent;

17 19. Be provided the opportunity to request and receive a fair
18 and impartial hearing regarding decisions that affect certification
19 retention or placement of children in the home;

20 20. Be allowed the right to exercise parental substitute
21 authority;

22 21. Have timely access to the appeals process of the state
23 agency and child placement agency and the right to be free from acts
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1 of harassment and retaliation by any other party when exercising the
2 right to appeal;

3 22. Be given the number of the statewide toll-free Foster
4 Parent Hotline;

5 23. File a grievance and be informed of the process for filing
6 a grievance; and

7 24. Receive a copy of the liability insurance policy the
8 Department of Human Services maintains for every Department-
9 contracted foster home placement.

10 B. The Department of Human Services and a child-placing agency
11 under contract with the Department shall be responsible for
12 implementing this section.

13 C. Nothing in this section shall be construed to create a
14 private right of action or claim on the part of any individual, the
15 Department, the Office of Juvenile Affairs, or any child-placing
16 agency.

17 SECTION 2. This act shall become effective November 1, 2017.

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