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Substitute Bill Comparative Synopsis

Sub. H.B. 583

135th General Assembly

House Families and Aging

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

Previous Version (I_135_2519-4)	Latest Version (I_135_2519-5)
Report of interaction with law enforcement officer that results in a police report	
Requires, if a child has an interaction with a law enforcement officer that results in the generation of a police report, a public children services agency (PCSA) or private child placing agency (PCPA) with custody of the child to report the interaction and provide a copy of the police report to the Department of Children and Youth (DCY) (R.C. 2151.464).	Requires instead that a <i>residential facility</i> that provides care and supervision to the child to report the interaction and provide a copy of the police report to DCY (R.C.2151.464; <i>conforming change in R.C. 2151.465(B)</i>).

Previous Version (I_135_2519-4)	Latest Version (I_135_2519-5)
Placement of delinquent children	
<p>Requires a PCSA or PCPA with custody of a child to inform the operator of a residential facility of any charges for which a child was adjudicated a delinquent child before the child's placement in the facility (<i>R.C. 2151.466</i>).</p> <p>Establishes the Study Committee to Evaluate the Placement of Delinquent Children in Residential Facilities to evaluate, make recommendations, and issue a report to the Governor and General Assembly regarding the placement in residential facilities of children who are alleged to be or have been adjudicated delinquent children and specifies a list of members to be appointed to the Committee (<i>Section 3</i>).</p>	<p>Specifies that a PCSA or PCPA must provide the information to the residential facility operator before the child's placement <i>or</i> no later than 96 hours after the child's placement in the facility as a result of an emergency placement or a change in the child's case plan (<i>R.C. 2151.466</i>).</p> <p>Adds to the list of Committee members a public defender from the Office of the Public Defender, to be appointed by the State Public Defender (<i>Section 3</i>).</p>
Services from community organizations	
<p>Requires the operator of a residential facility to notify a PCSA or PCPA with custody of a child of any service that a community organization provides to the child under the facility's care and supervision (<i>R.C. 2151.4610</i>).</p> <p>No provision.</p>	<p>Clarifies that the residential facility operator must notify a PCSA or PCPA of any service that a community organization provides <i>or seeks to provide</i> (<i>R.C. 2151.4610(A)</i>).</p> <p>Requires a PCSA or PCPA with custody of a child to provide prior approval of all services that a community organization provides to the child (<i>R.C. 2151.4610(A)</i>).</p>

Previous Version (I_135_2519-4)	Latest Version (I_135_2519-5)
Communications to DCY regarding a residential facility	
No provision.	Requires DCY to adopt rules to establish a procedure for an individual to communicate concerns, complaints, or other pertinent information to the Department regarding a residential facility in the individual's community as well as standards for tracking and retaining communications (<i>R.C. 5103.055</i>).
Site visit to a residential facility	
No provision.	Requires DCY to conduct a site visit of a residential facility at least annually to ensure certification compliance (<i>R.C. 5103.058(A)</i>).
No provision.	<p>Requires DCY to adopt rules to establish criteria for requiring more than one site visit per year, after surpassing a threshold, to be determined by the Director, of the following reports that DCY receives regarding a residential facility:</p> <ul style="list-style-type: none"> ▪ When a child under the facility's care and supervision presents to the emergency department or is admitted to a hospital for an injury or mental health crisis; ▪ When a child under the facility's care and supervision has an interaction with a law enforcement officer that results in the generation of a police report; ▪ When concerns about a child arise out of a mandatory monthly visit by a PCSA or PCPA to determine the child's well-being; ▪ When a resident of a community in which a residential facility is located communicates concerns and complaints related to the facility (<i>R.C. 5103.058(A) and (B)</i>).

Previous Version (I_135_2519-4)	Latest Version (I_135_2519-5)
Conditional employment in a residential facility	
No provision.	Requires the DCY Director to seek a federal waiver for the conditional appointment or employment of a person in a residential facility while a criminal records check is pending (<i>Section 4</i>).
No provision.	Establishes provisions regarding the conditional appointment or employment of a person in a residential facility, including a restriction on direct contact with or access to children during the period of conditional appointment or employment and conditions for termination (<i>R.C. 5103.053(C)(2) and (3)</i>).
No provision.	Requires DCY, to the extent permitted under federal law, to adopt rules regarding conditional appointment or employment (<i>R.C. 5103.053(F)</i>).
Peace officer training	
Requires the Attorney General, in consultation with the Ohio Peace Officer Training Commission, to adopt rules governing the training of peace officers and first responders in identifying and interacting with at-risk youth (<i>R.C. 109.7411</i>).	Removes first responders from this provision (<i>R.C. 109.7411</i> ; <i>conforming changes in R.C. 109.71</i>).
Requires the Ohio Peace Officer Training Academy (OPATA) to provide this training at OPATA and approved peace officer training schools (<i>R.C. 109.7411(B)</i>).	Removes the specification that training must take place at OPATA and approved peace officer training schools and simply states that OPATA must provide the training (<i>R.C. 109.7411(B)</i>).
Summary suspension of an institution or association certified by DCY	
Allows DCY to suspend the certificate of an institution or association (defined generally under existing law as an entity or individual, such as a foster caregiver, receiving or caring for children for two or more	No provision.

Previous Version (I_135_2519-4)	Latest Version (I_135_2519-5)
<p>consecutive weeks, including a residential facility) without a prior hearing for various reasons primarily related to the actual or risk of harm to a child under the care and supervision of the institution or association (R.C. 5103.039).</p>	
Summary suspension of a residential facility licensed by the Department of Mental Health and Addiction Services	
<p>Authorizes the Department of Mental Health and Addiction Services to suspend the license of a Class one residential facility serving children (a facility that provides accommodations, supervision, and services for adults with mental illness or children or adolescents with severe emotional disturbances) without a prior hearing for specified reasons primarily related to actual harm or the risk of harm to a child under the care and supervision of the residential facility (R.C. 5119.344 and 5119.34).</p>	<p>No provision.</p>