

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 4155

                                  By: Goodwin

5  
6                                   AS INTRODUCED

7                   An Act relating to children; amending 10A O.S. 2021,  
8                   Section 1-9-122, which relates to Department of Human  
9                   Services guardianship programs; requiring certain  
10                  information be provided to individuals upon contact  
11                  with the Department of Human Services; requiring that  
12                  a signature be obtained; providing that information  
13                  sheet is not a binding agreement; and providing an  
14                  effective date.

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

16           SECTION 1.        AMENDATORY        10A O.S. 2021, Section 1-9-122, is  
17 amended to read as follows:

18           Section 1-9-122.   A.   The Department of Human Services shall  
19 establish and administer an ongoing program of supported  
20 guardianship to assist families wishing to make a long-term  
21 commitment to a child by accepting guardianship of the child.   The  
22 supported guardianship program shall enable the family to assume the  
23 parental role without ongoing Department oversight but allow the  
24 family to return to the Department for services as needed.

B.   At the time when the Department initially makes contact with  
or is contacted by a family member or other individual regarding

1 taking a potential guardianship of a child who was the subject of a  
2 referral to the Department regarding allegations of abuse or  
3 neglect, the Department shall provide the family member or other  
4 individual with information regarding foster care, safety plans,  
5 kinship foster placements, foster placements, and guardianships.

6 This information shall include but not be limited to:

7 1. Information regarding potential options for taking custody  
8 of a child such as foster placement or kinship foster placement,  
9 including information that relatives can be foster placements if  
10 able to meet requisite qualifications under the law;

11 2. Information regarding potential resources and assistance,  
12 whether monetary or in services, that would be available to the  
13 child and family member or other individual as either a kinship  
14 foster placement, foster placement, safety plan monitor, or  
15 guardian, including disclosures that guardianship placements receive  
16 less financial assistance than foster placements; and

17 3. Information regarding the family member or other  
18 individual's duties and responsibilities to the parents of the child  
19 as either a guardian, kinship foster placement, foster placement, or  
20 safety plan monitor.

21 C. The Department shall obtain a signed and dated information  
22 sheet from the relative or individual stating that the information  
23 required by subsection B of this section was provided in writing,  
24 explained verbally, and that he or she understood the information.

1 The information sheet shall also be signed and dated by personnel  
2 from the Department stating that the information sheet was provided  
3 to the relative or other individual and that the information was  
4 explained verbally. A copy of the information sheet may be kept by  
5 the family member or other individual. In the event that the  
6 individual declines to be provided the information sheet, Department  
7 personnel shall have the individual sign and date the information  
8 sheet and indicate that he or she does not wish to be provided the  
9 information sheet. The Department shall also make the information  
10 sheet available online and the information sheet may be signed  
11 electronically. The signed information sheet shall be filed along  
12 with any guardianship petition that is subsequently filed regarding  
13 the same child or children.

14 D. The information sheet shall be for informational purposes  
15 only. The signed information sheet shall not constitute a binding  
16 agreement between the individual and the Department. The  
17 information sheet does not confer any additional duties or  
18 obligations to the Department other than those already prescribed by  
19 law, nor does it guarantee placement. Further, the information  
20 sheet does not constitute legal advice.

21 SECTION 2. This act shall become effective November 1, 2022.

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23 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY  
24 SERVICES, dated 02/16/2022 - DO PASS.