

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

4 3. Be informed about ways to contact the state agency or the
5 child-placing agency in order to receive information and assistance
6 to access supportive services for any child in the foster parent's
7 care;

8 4. Receive timely financial reimbursement for providing foster
9 care services;

10 5. Be notified of any costs or expenses for which the foster
11 parent may be eligible for reimbursement;

12 6. Be provided a clear, written explanation of the individual
13 treatment and service plan concerning the child in the foster
14 parent's home, listing components of the plan pursuant to the
15 provisions of the Oklahoma Children's Code;

16 7. Receive, at any time during which a child is placed with the
17 foster parent, additional or necessary information that is relevant
18 to the care of the child;

19 8. Be notified of scheduled review meetings, permanency
20 planning meetings, family team meetings and special staffing
21 concerns for any foster child placed in the foster parent's home in
22 order to actively participate in the case planning and decision-
23 making process regarding the child;

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1 9. Provide input concerning the plan of services for the child
2 and to have that input be given full consideration in the same
3 manner as information presented by any other professional on the
4 team;

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

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

14 12. Be given, in a timely and consistent manner, any
15 information regarding the child and the child's family which is
16 pertinent to the care and needs of the child and to the making of a
17 permanency plan for the child. Disclosure of information shall be
18 limited to that information which is authorized by the provisions of
19 ~~Chapter VI~~ Chapter 6 of the Oklahoma Children's Code for foster
20 parents;

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

24 14. a. Be given written notice of:

1 (1) plans to terminate the placement of the child
2 with the foster parent pursuant to Section 1-4-
3 805 of this title, and

4 (2) the reasons for the changes or termination in
5 placement.

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

8 15. Be notified by the applicable state agency in a timely and
9 complete manner of all court hearings, including notice of the date
10 and time of any court hearing, the name of the judge or hearing
11 officer hearing the case, the location of the hearing, and the court
12 docket number of the case;

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

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

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

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

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

3 21. Have timely access to the appeals process of the state
4 agency and child placement agency and the right to be free from acts
5 of harassment and retaliation by any other party when exercising the
6 right to appeal;

7 22. Be given the number of the statewide toll-free Foster
8 Parent Hotline;

9 23. File a grievance and be informed of the process for filing
10 a grievance. Grievances shall be confidential and the foster parent
11 has the right to be free from acts of harassment and retaliation by
12 any other party when exercising the right to file a grievance; and

13 24. Receive a copy of the liability insurance policy the
14 Department of Human Services maintains for every Department-
15 contracted foster home placement.

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

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

23 SECTION 2. AMENDATORY 10A O.S. 2021, Section 1-9-120, is
24 amended to read as follows:

1 Section 1-9-120. A. The Office of Client Advocacy and child-
2 placing agencies shall each establish grievance procedures for
3 foster parents with whom the Department of Human Services or child-
4 placing agencies contract. The Office of Client Advocacy shall work
5 with the Office of Juvenile System Oversight to track foster parent
6 complaints through the grievance procedures and ensure a resolution
7 of the complaint.

8 B. The procedures established shall contain the following
9 minimum requirements:

10 1. Resolution of disputes with foster parents shall be
11 accomplished quickly, informally and at the lowest possible level,
12 but shall provide for access to impartial arbitration by management
13 level personnel within the central office;

14 2. Prompt resolution of grievances no more than sixty (60) days
15 after receipt of the grievance or complaint; and

16 3. Notification to all foster parents upon placement of a child
17 about the grievance procedures and how to file a complaint.

18 C. The Office of Client Advocacy and each child-placing agency
19 shall designate one employee at the central office to receive and
20 process foster care grievances received by the Office of Juvenile
21 System Oversight.

22 D. The Office of Client Advocacy and each child-placing agency
23 shall maintain records of each grievance filed as well as summary
24 information about the number, nature and outcome of all grievances

1 filed. The Office of Client Advocacy and the Office of Juvenile
2 System Oversight shall compile an annual report for the ~~Oklahoma~~
3 Legislature that details the number of complaints received, the
4 number of complaints resolved, the nature of the complaints and any
5 other information requested by the Legislature. ~~Agencies~~ The Office
6 of Client Advocacy and child-placing agencies shall keep records of
7 grievances separate and apart from other foster parent files. A
8 foster parent or a former foster parent shall have a right of access
9 to the record of grievances such person filed after the procedure
10 has been completed.

11 E. 1. Each foster parent shall have the right, without fear of
12 reprisal or discrimination, to present grievances with respect to
13 the providing of foster care services.

14 2. The Department of Human Services shall promptly initiate a
15 plan of corrective discipline including, but not limited to,
16 dismissal of any Department employee or cancellation or nonrenewal
17 of the contract of a child-placing agency determined by the state
18 agency, through an investigation to have retaliated or discriminated
19 against a foster parent who has:

- 20 a. filed a grievance pursuant to the provisions of this
21 section,
22 b. provided information to any official or Department
23 employee, or
24

1 c. testified, assisted, or otherwise participated in an
2 investigation, proceeding or hearing against the
3 Department or the child-placing agency.

4 3. The provisions of this subsection shall not be construed to
5 include any complaint by the foster parent resulting from an
6 administrative, civil or criminal action taken by the employee or
7 child-placing agency for violations of law or rules, or contract
8 provisions by the foster parent.

9 SECTION 3. This act shall become effective November 1, 2023.

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11 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
12 SERVICES, dated 04/06/2023 - DO PASS, As Coauthored.