

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: December 1, 2020
TIME: 10:00 a.m.
LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 190956164#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Pursuant to sections 3107.033, 5103.02, 5103.03, 5103.031, 5103.0316, 5103.0324 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon. These rules are proposed for amendment as a result of the five year review process and recent legislative changes.

OAC rule 5101:2-5-05, entitled "Agency appeal of findings of noncompliance," provides guidance to agencies on the process for appealing a finding for an agency review. Changes were made in paragraph (A) to have the agency submit their appeals to ODJFS through the new Ohio certification and license management system.

OAC rule 5101:2-5-06, entitled "Corrective action plans," provides guidance to agencies on the process of submitting corrective action plans when the agency is found to be out of compliance with rule. Changes were made in paragraph (A) to have the agency submit their corrective action plans to ODJFS through the new Ohio certification and license management system.

OAC rule 5101:2-5-07, entitled "Denial or revocation of an agency's certificate or certification to perform specific functions; temporary certificates," provides guidance on the process of denying or revoking an agency's certificate to operate. Clarifying changes were made in paragraph (A)(3). Additional language was added to paragraph (D) to add Title IV-E courts and others to be informed of an adjudication order. The paragraph was also split and the second half of paragraph (D) becomes a new paragraph (E).

OAC rule 5101:2-5-10, entitled "Child records," provides guidance to agencies on the minimum requirements of what is to be included in a child's record. Punctuation was added to paragraph (A). No substantive changes were made.

OAC rule 5101:2-5-16, entitled "Consideration to be given to child's religion, beliefs and practices," provides guidance to agencies on the minimum requirements regarding allowing a child in care to practice their religious beliefs. A sentence from paragraph (B) was broken out into its own paragraph (C) for clarity. No substantive changes were made.

OAC rule 5101:2-5-22, entitled "Recommendations for initial foster home certification," provides guidance to agencies on how to submit a home for certification as a foster home. Paragraphs (C), (D) and (E) were updated to remove the old manual paper process and use the new SACWIS system as all public and private agencies now are operating in SACWIS.

OAC rule 5101:2-5-25, entitled "Changing the certification of a foster caregiver from one type of foster home to another," provides guidance to agencies on the process to change a foster caregiver type. Paragraphs (E)(6) and (E)(7) were amended to remove the old manual paper process use the new SACWIS system as all public and private agencies now are operating in SACWIS.

OAC rule 5101:2-5-30, entitled "Foster care amendments," provides guidance to agencies on the items that would require an amendment for a foster home. Paragraph (C)(5) was removed because all agencies have access to SACWIS and the old paper process is obsolete. New language in paragraph (D)(2) was added to require a national sex offender search for new adult household members to align with revisions to 5101:2-5-09.1 pursuant to new ORC requirements. New language was added to paragraph (D)(7) to require all new immunization requirements for new household members of a foster home as described for foster caregivers in rule 5101:2-7-02, in alignment with the federal model standards.

OAC rule 5101:2-5-31, entitled "Sharing or transferring a foster home," provides guidance to agencies the process of sharing and transferring a foster home. Paragraph (F)(3) was updated to allow a foster home record to be scanned for the transfer process. Paragraphs (H)(1)(g) and (H)(3) were amended to remove form dates. No substantive changes were made.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.