

**PUBLIC HEARING NOTICE**  
**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE: March 9, 2010**

**TIME: 10:00 A.M.**

**LOCATION: Room 3110 B, Rhodes State Office Tower**  
**30 East Broad St.,**  
**Columbus, Ohio 43215**

Pursuant to sections 5104.011, 5104.041, 5104.30, 5104.38 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon.

**5101:2-12-05 License fees and notification requirements for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding license fees and required notifications. It is being amended to state that fees that are submitted without a JFS 01210 shall be forfeited.

**5101:2-12-11 Fire department approval for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding the need to secure a fire inspection and written approval from the fire department. It is being amended to update the revision date of the JFS 01303 and to add the requirement that the center must comply with any stipulations or limitations documented on the JFS 01303.

**5101:2-12-14 Outdoor play requirements for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding outdoor play. It is being amended to clarify current rule requirements, to prohibit the use of large trampolines and to specify that playground equipment must pass inspection using the standardized playground inspection tools. It is also being amended to move rule language in paragraph (A), regarding having written outdoor play policies, to rule 5101:2-12-30.

**5101:2-12-15.1 Handwashing and basic precautions for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding handwashing procedures and basic precautions. Paragraph (B) is being amended to include additional times that hands must be washed and paragraph (E) is being amended to remove the outdated term of "basic" precaution.

**5101:2-12-18 Transportation procedural requirements for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the guidelines regarding the procedural requirements when transporting children. It is being amended to clarify current rule requirements and to delete a website reference.

**5101:2-12-18.1 Transportation/vehicle requirements for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding vehicles used to transport children. It is being amended to state that an Ohio Highway Patrol vehicle inspection sticker may be used to meet the vehicle inspection requirements of this rule and to extend the deadline to January 1, 2017 for when vans can no longer be used to transport children.

**5101:2-12-18.2 Transportation/driver requirements for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding drivers of vehicles used to transport children. It is being amended to permit the employers of contracted drivers to provide a written statement to verify required paperwork has been obtained and to clarify language of current rule requirements.

**5101:2-12-19 Requirements for children who rest, nap or sleep and use of cots in licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding the care of children who rest, nap or sleep and the use of cots at child care centers. It is being amended to correct one rule citation.

**5101:2-12-22 Child guidance and management for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding child guidance and management techniques that may be used in the home. It is being amended to prohibit the use of any type of prone restraint.

**5101:2-12-26 Statement of nonconviction and criminal records checks for licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding the statement of nonconviction and criminal records checks. It is being amended to update the revision date of the JFS 01328, update the website reference for WebChecks, clarify current rule language and to require the administrator to follow through and secure information for any records check that is returned indicating "incomplete disposition." This rule also makes the JFS 01206 a prescribed form that must be used if an employee is being rehabilitated.

**5101:2-12-27 Training in first aid, CPR, management of communicable disease and child abuse prevention for staff in licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding training in first aid, cardiopulmonary resuscitation (CPR), management of communicable disease and child abuse recognition and prevention. It is being amended to exempt all trainers from having to take the trainings that they are qualified to teach, to update the revision date of the JFS 01307 and to specify that the review class must include all the same topics as required for the original training.

**5101:2-12-30 Provision of information, policies and procedures in licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding written information and policies and procedures that must be provided in writing to parents. It is being amended to remove rule language that

is already included on a prescribed form and to include written policy information that was removed from paragraph (A) in rule 5101:2-12-14.

**5101:2-12-33 Management of illness in licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding the management of illness. It is being amended to reduce the training requirements for the child care staff members who conduct the daily health check for children. It is also being amended to clarify the process for cleaning up bodily fluids and to add another acceptable revision date for the JFS 08087.

**5101:2-12-42 Cribs in licensed child care centers** is being proposed for amendment as a result of the five year review. This rule sets forth the requirements regarding the use of cribs. It is being amended to permit the use of certain dividers between cribs and to require that crib side rails be kept up whenever infants are in the crib.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules 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.

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