

5101:2-42-18

PCSA and PCPA approval of placements with relative and nonrelative substitute caregivers.

(A) A public children services agency (PCSA) or private child placing agency (PCPA) having custody of a child may approve placement with the following substitute caregivers pursuant to considerations required by rule 5101:2-42-05 of the Administrative Code if the placement is determined to be in the child's best interest and if the following prospective substitute caregivers prefer not to be certified through the Ohio department of job and family services:

- (1) A relative by blood or marriage who, in accordance with sections 5103.02 and 5103.03 of the Revised Code is exempt from certification; or
- (2) A nonrelative who has a relationship with the child and/or family and who, in accordance with section 5153.161 of the Revised Code is approved by the court.

(B) Prior to placing the child with the relative or nonrelative substitute caregiver, the PCSA or PCPA shall adhere to the following procedures and document its actions in approving the placement setting:

(1) Collect identifying information (first name, last name, maiden name, aliases, social security number, address, telephone number, place of employment) on the prospective caregiver and others residing within the home.

~~(2) Check the PCSA's child abuse/neglect records for the prospective caregiver and others residing within the home.~~

(2) The PCSA shall assure that a search of the statewide automated child welfare information system (SACWIS) has been completed for the prospective caregiver and others residing within the home pursuant to rule 5101:2-33-22 of the Administrative Code, if applicable.

(3) The PCPA shall assure that a search of the central registry of abuse and neglect has been completed for the prospective caregiver and others residing within the home pursuant to rule 5101:2-34-38.1 of the Administrative Code, if applicable.

~~(3)~~(4) Assess the safety of the home by checking on all of the following:

(a) Cleanliness of the home;

(b) Absence of hazardous conditions inside and outside;

- (c) Storing of poisonous and otherwise dangerous or combustible materials;_
 - (d) Proper heating, lighting and ventilation;_
 - (e) Condition of indoor plumbing and toilet facilities;_
 - (f) Installation of a working smoke alarm;_
 - (g) Safe storing of weapons, including firearms and ammunitions, in inoperative condition and in a secured and locked area;_
 - (h) Adequacy of each child's bedding and appropriateness to his or her needs; ~~and~~_
 - (i) Availability of a working telephone within the home or reasonable access to a working telephone for emergency situations.
- ~~(4)~~(5) Provide the prospective caregiver with known information regarding educational, medical, child care, and special needs of the child including information on how to access support services to meet the needs of the child.
- ~~(5)~~(6) Provide the prospective caregiver with the following information:
- (a) How to apply for Ohio works first (OWF) child-only financial assistance and medicaid coverage;_
 - (b) How to apply for certification as a foster caregiver;_
 - (c) The requirements for foster caregiver certification;_
 - (d) The difference in payment between an OWF child-only payment and the foster care per diem; ~~and~~_
 - (e) The difference (if any) in the eligibility for supportive services.
- ~~(6)~~(7) Assess the prospective caregiver's ability and willingness to provide care and supervision of the child and to provide a safe and appropriate placement for the child.

- (7)(8) Require all adults in the home to identify prior PCSA involvement. When involvement with another PCSA is indicated or suspected, secure the necessary releases of information and initiate requests for information from the other PCSAs.
- (8)(9) ~~Initiate a criminal background check~~ Submit fingerprints on for the prospective relative or nonrelative caregiver and all adults residing within the home according to the requirements of ~~with~~ the bureau of criminal identification and investigation (BCII). Information on how to obtain a criminal records check can be found at www.webcheck.ag.state.oh.us. If any of the persons do not have proof that he or she has been a resident of Ohio for the past five years and a criminal records check with the federal bureau of investigation (FBI) has not been conducted within the past year, request BCII to obtain this information. The agency shall request that BCII for the prospective relative or non relative caregiver include information from the federal bureau of investigation (FBI) in the criminal records check. The required criminal ~~record~~ records check must be completed prior to an agency approving the prospective relative or nonrelative placement.
- (9)(10) Require the prospective caregiver to submit written notification if a person at least twelve years of age but less than eighteen years of age residing within the home of the prospective caregiver has been convicted of or plead guilty to any offenses described in section 5101.0319 of the Revised Code, or has been adjudicated to be a delinquent child for committing an act that if committed by an adult would have constituted such a violation.
- (C) ~~When~~ If a child must be removed from his or her home immediately in accordance with rules 5101:2-39-12 and 5101:2-39-12.1 of the Administrative Code or rules 5101:2-39-01 and 5101:2-39-03, the PCSA or PCPA may place the child with the prospective relative or in nonrelative substitute caregiver and initiate the assessments required by paragraph (B) of this rule no later than the next business day. All activities required by paragraph (B) of this rule ~~must~~ shall be completed no later than five days from the date the child was placed.
- (D) The PCSA or PCPA shall complete either JFS 01447 "Assessment of Relative or Nonrelative Caregiver's Ability to Care for Child(ren) and Recommendation for Placement" (rev. 10/2003) or an alternative form designed by the agency ~~providing all components contained in the JFS 01447 are included that includes all of the information on the JFS 01447.~~
- (E) The PCSA or PCPA shall approve or deny the relative or nonrelative placement and provide the potential substitute caregiver with a written notification of the approval or denial no later than thirty days from the date that the assessment was initiated, or

the child was placed, whichever comes first.

- (F) The PCSA or PCPA shall not approve the placement ~~when~~ if the relative or nonrelative had his or her parental rights involuntarily terminated or ~~when~~ if the relative or nonrelative or other adults residing within the home have been convicted of or plead guilty to any offenses identified in section 2151.41.9 of the Revised Code.
- (G) If the PCSA or PCPA disapproves of a court ordered placement of a child, it shall notify the court in writing of its findings and recommend a suitable substitute care placement. The PCSA or PCPA shall continue to notify the court in writing of ~~its~~ its findings and recommended substitute care placement at least every six months.
- (H) The PCSA or PCPA shall maintain written documentation of all assessments and findings required by this rule which are used in approving or disapproving the placement.
- (I) The PCSA or PCPA shall reevaluate the placement annually to assure that the placement continues to meet the requirements of this rule for approval of the placement.

Effective: 12/19/2008

R.C. 119.032 review dates: 08/14/2008 and 12/01/2013

CERTIFIED ELECTRONICALLY

Certification

11/06/2008

Date

Promulgated Under: 119.03
Statutory Authority: 5103.03, 5153.16
Rule Amplifies: 2151.86, 5103.03, 5153.16
Prior Effective Dates: 9/28/87 (Emer.), 12/27/87, 1/1/89, 11/3/03