

5101:2-48-11.1 **Foster caregiver adoption of a foster child who has resided with the caregiver for at least ~~twelve~~six consecutive months.**

(A) ~~When~~If a foster caregiver expresses the desire to adopt a foster child who is and has been residing with the foster caregiver for at least ~~twelve~~six consecutive months, the public children services agency (PCSA), private child placing agency (PCPA) or private noncustodial agency (PNA) shall provide the foster caregiver with a JFS 01692 "Application For Adoption of a Foster Child" (~~rev. 12/2006~~)(rev. 6/2009). The JFS 01692 is a child specific application and ~~shall expire~~expires once the foster child is adopted as evidenced by a final decree of adoption or interlocutory decree.

(B) A completed JFS 01692, with supporting documentation, and if applicable, the JFS 01530 "Multiple Children/Large Family Assessment" (12/2006), ~~shall serve~~serves as a shortened homestudy, replacing the JFS 01691, "Application for Child Placement" (~~rev. 12/2006~~)(rev. 6/2009) and the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 08/2005) required by rule 5101:2-48-12 of the Administrative Code.

(C) ~~When a family has a total of five or more children residing in the home, including foster children and children in kinship care; or if the family will have a total of five or more children who will reside in the home upon the adoptive placement of a child, the~~The assessor shall complete the JFS 01530, as outlined in rule 5101:2-48-12 of the Administrative Code, if:-

(1) A family has a total of five or more children residing in the home, including foster children and children in kinship care.

(2) The family will have a total of five or more children residing in the home upon the adoptive placement of a child.

~~(D) If a PCSA, PCPA, PNA or attorney arranging an adoption initiates an adoptive homestudy with an applicant from another county, it shall notify the PCSA in the county in which the applicant resides in accordance with the procedures outlined in rule 5101:2-48-12 of the Administrative Code. This requirement does not apply to:~~

~~(1) Step-parent adoptions.~~

~~(2) Adoptions where the PCSA in the county in which the adoptive applicant resides has contracted with a PCPA or PNA to complete the adoptive applicant's homestudy.~~

~~(E)~~(D) The PCSA, PCPA, or PNA shall inform the foster caregiver ~~that~~ consideration ~~will be~~is given to ~~their~~the application ~~provided that~~if the placement is in the best interests of the child pursuant to rule 5101:2-48-16 of the Administrative Code.

~~(F)~~

~~(G)~~(E) ~~When~~If a PCSA, PCPA or PNA determines ~~that~~ any statement in a homestudy ~~has been~~is falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.

~~(H)~~(F) ~~No~~The PCSA, PCPA or PNA shall not release a homestudy to any other agency or ~~to the probate court~~ ~~when~~if it ~~has been~~is determined ~~that~~ the application or homestudy contains a false statement knowingly made by the applicant(s) ~~that is~~ included in the written report of the homestudy.

~~(I)~~(G) Upon receipt of a completed JFS 01692, the PCSA, PCPA, or PNA shall review the application with the foster caregiver. A PCSA, PCPA, or PNA shall not require the foster caregiver to undergo a bureau of criminal identification and investigation (BCII) or federal bureau of investigation (FBI) check as a condition of acceptance or approval of the application for adoption of a foster child; however, the agency shall inform the foster caregiver ~~that~~ a criminal records check, pursuant to rule 5101:2-48-10 of the Administrative Code, is required before a court issues a final decree of adoption or an interlocutory order of adoption.

~~(J)~~(H) ~~Al~~If the PCSA, PCPA, or PNA ~~that~~ receives a completed JFS 01692, it shall provide the foster caregiver with both of the following:

- (1) Information about the requirement for adoption training as outlined in rule 5101:2-48-09 of the Administrative Code.
- (2) Information about the application process and eligibility requirements of Title IV-E adoption assistance, state adoption maintenance, post adoption special services subsidy, and non-recurring adoption expenses.

~~(K)~~(I) Prior to the approval of the adoption homestudy, the PCSA, PCPA or PNA shall document in the case file ~~that~~ the foster caregiver has fulfilled the required adoption training as outlined in rule 5101:2-48-09 of the Administrative Code.

~~(L)~~(J) The PCSA, PCPA or PNA shall ~~compile and~~ review ~~all of~~ the following information to determine the appropriateness of the foster caregiver for adoptive placement:

- (1) The most recent JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" ~~(rev. 02/2003)~~(rev. 6/2009), if deemed necessary by the agency.
- (2) JFS 01349 " Foster Home Homestudy" (rev. 01/2003) or the JFS 01673, ~~and~~ the

JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 08/2005), and the JFS 01530 "Multiple Children/Large Family Assessment" (rev. 12/2006), as applicable.

- (3) All JFS 01385 " Assessment for Child Placement Update," (rev. 12/2006), if applicable.
- (4) Foster home record.
- (5) The BCII and FBI reports as outlined in rule 5101:2-48-10 of the Administrative Code, if deemed necessary by the agency.
- (6) Case record information documented by the placement worker's visits to the foster home.
- ~~(M)~~(K) The PCSA, PCPA or PNA shall search the statewide automated child welfare information system (SACWIS) or the central registry of abuse and neglect if SACWIS is not fully implemented, for each applicant and adult member of the applicant's household in accordance with ~~the procedures outlined in rule 5101:2-48-09 of the Administrative Code, for each applicant, adult household member and any new adult household member.~~
- ~~(N)~~ The applicant shall provide the PCSA, PCPA or PNA with documentation that the applicant and all adults residing in the applicant's home have been residents of the state of Ohio for the five-year period immediately prior to the date on which a criminal records check is requested. This documentation may include tax records, school attendance records, bank records and rent or mortgage payment receipts.
- ~~(O)~~(L) The PCSA, PCPA or PNA shall process the completed JFS 01692 and the assessor shall arrive at one of the following recommendations:
- (1) Approve the applicant(s) as a prospective adoptive parent for the child ~~who has resided~~residing in the applicant's home for at least ~~twelve~~six consecutive months.
- (2) Deny the application.
- (M) The assessor shall provide written notification to the applicant(s) of approval or denial of the adoption homestudy within ten days after the homestudy has been approved or denied.
- ~~(P)~~(N) If the decision of the agency is to approve the applicant(s) as a prospective

adoptive parent for the specific ~~child(ren) who has resided~~child residing in the home for ~~twelvesix~~ consecutive months, the written notification shall include, but not be limited to the date of approval of the JFS 01692.

~~(Q)~~(O) If the decision of the assessor is to deny the applicant(s) ~~for~~of adoption for the specific child(ren) ~~who has resided~~residing in the home for ~~twelvesix~~ consecutive months, the written notification shall contain the following:

- (1) A detailed explanation of the reason for the denial ~~which sets~~setting forth all of the reasons ~~upon which it was based.~~
- (2) A description of procedures for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.
- ~~(3) A summary of steps that will be taken by the agency to assure the next matching conference meeting in a timely fashion.~~

~~(R)~~(P) The JFS 01692 shall only be used in consideration of the adoptive placement for the child(ren) for whom the homestudy was conducted. A separate JFS 01692 or JFS 01673 and JFS 01673-A, as applicable, shall be used for any other child(ren) ~~that~~ the family is considering adopting.

~~(S)~~(Q) Upon approval of the foster caregiver for the adoptive placement, the agency shall follow the adoptive placement procedures as outlined in rule 5101:2-48-16 of the Administrative Code ~~which includes~~including, but is not limited to, conducting a matching conference.

~~(T)~~

~~(U)~~ If a PCSA, PCPA, PNA or attorney arranging an adoption intends to place a child for adoption with an adoptive family from another county, it shall notify the PCSA in the county in which the applicant resides in accordance with the procedures outlined in rule 5101:2-48-12 of the Administrative Code. This does not apply to:

- ~~(1) Step parent adoptions.~~
- ~~(2) Adoptions where the PCSA in the county in which the adoptive family resides has contracted with a PCPA or PNA for placement and/or post placement supervision services.~~

Effective: 07/01/2009

R.C. 119.032 review dates: 03/24/2009 and 07/01/2014

CERTIFIED ELECTRONICALLY

---

Certification

06/08/2009

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3107.032, 3107.033, 5153.166  
Rule Amplifies: 3107.011, 3107.031, 3107.032, 3107.033, 3107.034,  
3107.10, 5103.18  
Prior Effective Dates: 2/15/02, 9/1/03, 2/1/05, 12/11/06