

5101:2-48-11

Approval of a foster home for adoptive placement.

(A) Prior to recommending an adoptive home, an agency shall conduct a search of the Statewide Automated Child Welfare Information System (SACWIS) for each applicant and each adult household member of the applicant(s) home to determine the suitability of the applicant(s) to provide a permanent home for an adoptive child. The SACWIS search shall result in a summary report to be placed in the applicant's file, and if the applicant is subsequently approved as an adoptive placement, the summary report shall also be placed in the record of each child who is to be placed in the adoptive home. Prior to the adoptive placement of each adoptive child in the adoptive applicant(s) home, the summary report shall be considered as a tool to help determine the appropriateness of the placement. If the applicant is a foster parent for the adoptive child, the summary used as a foster parent is sufficient, unless it is deemed necessary by the assessor to complete another search of SACWIS.

(1) The summary report shall include, for each applicant and each adult household member, a chronological list of abuse and neglect determinations or allegations in which the person was involved where a PCSA has done one of the following:

(a) Determined that abuse or neglect occurred;

(b) Initiated an investigation, and the investigation is ongoing;

(c) Initiated an investigation, and the agency was unable to determine whether abuse or neglect occurred.

(2) The summary report shall not contain any of the following:

(a) An abuse and neglect determination of which a person seeking to become a foster caregiver of a child is subject and in regards to which a public children services agency determined that abuse or neglect did not occur;

(b) Information or reports the dissemination of which is prohibited by, or interferes with eligibility under, the "Child Abuse Prevention and Treatment Act," 88 Stat. 4 (1974), 42 U.S.C. 5101 et seq., as amended;

(c) The name of the person who or entity that made, or participated in the making of, the report of abuse or neglect.

(B) Except as outlined in rule 5101:2-48-11.1 of the Administrative Code, when a foster caregiver who has not been approved to be an adoptive parent through the joint homestudy process expresses an interest in being approved as an adoptive parent, the PCSA, PCPA or PNA shall:

(1) Assist the foster caregiver in completing the JFS 01691, "Application for Child Placement" (rev. 12/2006);

(2) The PCSA, if different from the PCSA in the county in which the adoptive applicant(s) resides, the PCPA or PNA shall provide a letter containing relevant information about the adoptive applicant(s) to the PCSA in the county in which the adoptive applicant resides when the adoptive homestudy is initiated. Relevant information includes, but is not limited to all of the following:

- (a) Past or present functioning of the prospective adoptive parent,
- (b) Rule violations involving foster and pre-adoptive child,
- (c) Third party investigations,
- (d) Information relating to previous adoption applications, or
- (e) Previous disruptions from the perspective adoptive family home.

(3) Compile and review the following information to determine the appropriateness of the foster caregiver for adoptive placement:

- (a) JFS 01653, "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 02/2003);
- (b) JFS 01349, "Foster Home Homestudy" (rev. 01/2003) or the JFS 01673, "Assessment for Child Placement (Homestudy)" (rev. 08/2005) and the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 08/2005) and JFS 01530 "Multiple Children/Large Family Assessment" (12/2006), as applicable;
- (c) All JFS 01385 forms, "Assessment for Child Placement Update" (rev. 12/2006), if applicable;
- (d) Foster home record;
- (e) BCII and/or FBI criminal record check; and
- (f) Case record information documented by the placement worker's visits to the foster home.

(4) Have an assessor:

- (a) Review information contained on the JFS 01691;
- (b) Conduct a home visit;
- (c) Complete the JFS 01530, as outlined in rule 5101:2-48-12 of the

Administrative Code when an applicant seeking to adopt a minor or foster child will have at least five or more children residing in the prospective adoptive home after the minor or foster child to be adopted is placed in the home.

(d) Observe the interaction between the child, foster caregiver and other members of the household, if applicable;

(e) Discuss how the foster caregiver has been working with the child on problems which were identified in the case plan and how they will deal with long term issues the child may have;

(f) Discuss the availability of adoption assistance and postfinalization adoption services with the foster caregiver.

(5) Based upon information obtained through review of documentation outlined in paragraphs (B)(1), (B)(2) and (B)(3) of this rule, the assessor shall complete the portions of the JFS 01673 that were not previously completed on the JFS 01349, and attach the JFS 01349 and most recent JFS 01385, if applicable, to the JFS 01673. If the JFS 01673 was completed as a foster only application, the assessor shall attach the previous JFS 01673 and JFS 01673-A to the current JFS 01673, if applicable.

(C) The PCSA or PCPA shall follow procedures contained in rule 5101:2-48-12 of the Administrative Code for approval or denial of an applicant for adoptive placement.

(D) A person seeking to adopt a minor who knowingly makes false statements to be included in the written report of the homestudy pursuant to 3107.031 or 5101.03 of the Revised Code is guilty of the offense falsification under section 2921.13 of the Revised Code. A homestudy with a knowingly false statement shall not be filed with the court. If such a homestudy is filed with the court, the court may strike the homestudy from the courts records.

(E) When a PCSA, PCPA, determines that a homestudy has been falsified, the PCSA or PCPA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code. When an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly makes a false statement that results in the assessor reassessment of an approved or updated homestudy, the adoptive parent(s) or other household member(s) is guilty of the offense of falsification under section 2921.13 of the Revised Code. The assessor shall report incidents of falsification according to procedures pursuant to rule 5101:2-33-13.

(F) Any case for which a homestudy has not been completed within one year of the application date shall be terminated unless the agency makes the determination that the homestudy should not be terminated. The decision not to terminate shall be made at the agency's discretion. The PCSA, PCPA, or PNA shall notify the

adoptive applicant in writing no less than thirty days prior to the termination. Written notification shall include an explanation of the reason for termination and the procedures for requesting a review of the agency's decision.

(G) Homestudies initiated prior to the effective date of this rule shall be in compliance with Administrative Code rules which were in effect prior to the effective date of this rule. These homestudies shall be updated in accordance with the update process outlined in rule 5101:2-48-12 of the Administrative Code.

(H) Section (G) does not apply to a homestudy which has been determined to have knowingly false statements. The adoption assessor shall follow procedures according to rule 5101:2-33-13 of the Administrative Code.

(I) The PCSA, if different from the PCSA in the county in which the adoptive applicant(s) resides, the PCPA or PNA shall provide notification letter which shall include a description of the special needs and the age of the prospective adoptive child and the name of the prospective adoptive parent and the number of children that will reside in the prospective adoptive home when the prospective adoptive child is placed in the prospective adoptive home. This does not apply to stepparent adoption.

Replaces: 5101:2-48-11

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Certification

Date

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