

5101:2-48-12.1 **Completion of adoption homestudy updates and amendments.**

~~(A)~~ The homestudy shall be updated every two years from the date of approval of the initial homestudy. When updating the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 12/2006) the assessor shall complete the JFS 01385 "Ohio Department of Job and Family Services Assessment for Child Placement Update" (rev. 12/2006). All homestudies approved on or after December 11, 2006, shall be updated every two years from the date of approval of the initial homestudy.

~~(B)~~ Homestudies approved prior to December 11, 2006, shall be updated at every two years. The date of approval of the most current update will become the new date to determine when the next two-year update is due. When a homestudy that was approved prior to December 11, 2006 expires, any new homestudy completed will be subject to paragraph (A) of this rule.

~~(C)~~ When updating the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 8/2005), the assessor shall complete the JFS 01385 "Ohio Department of Job and Family Services Assessment for Child Placement Update" (rev. 12/2006). International-only adoptions are exempt from using the JFS 01385. If a homestudy is solely for an international adoption, the update is not required to be on the JFS 01385.

~~(B)(D)~~ Updates to adoption homestudies shall be completed by an assessor employed or under contract with a public children services agency (PCSA), private child placing agency, (PCPA) or private noncustodial agency (PNA) who meets the definition of who can be an assessor contained in rule 5101:2-1-01 of the Administrative Code.

~~(C)(E)~~ No PCSA, PCPA or PNA shall consider race, color, or national origin of a family for whom that agency is conducting an update to a homestudy in determining whether a homestudy is approved or disapproved. No PCSA, PCPA, or PNA shall consider the race, color or national origin of the child in whom a family has indicated an interest in adopting in determining whether to approve or disapprove the update to the adoptive family's homestudy.

~~(D)(F)~~ No PCSA, PCPA or PNA shall discriminate in approving or disapproving an update to a homestudy on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (1/2/2006) and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201 (1/2/2006).

~~(E)(G)~~ Not less than ninety or more than one hundred twenty days prior to the expiration of an adoption homestudy or two year update, the recommending agency shall notify the adoptive parent(s) of the date of expiration of the homestudy. The notification shall identify any information or documentation that the adoptive parent(s) is required to submit for the homestudy update or procedure for a new homestudy according to rule 5101:2-48-12 of the Administrative Code. The

notification shall be on the JFS 01331 "Notice of Expiration and Reapplication for a Foster Home Certification or Adoption Homestudy Update/Amendment." (rev. 12/2006).

~~(F)~~(H) If the prospective adoptive parent(s) fails to apply for renewal on the JFS 01331 for renewal of the adoption homestudy within thirty days of the date on the notification letter, the homestudy will lapse upon the expiration date, the prospective adoptive family record shall be closed and the applicant(s) must reapply through the initial homestudy application process pursuant to rule 5101:2-48-09 of the Administrative Code.

~~(G)~~(I) ~~Prior to the two year update of the adoption homestudy, an assessor shall have the family provide the following documentation which shall be attached to the JFS 01385. The agency shall attach the following documents to the JFS 01385:~~

- (1) ~~The~~A new JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 01/2002) signed by a licensed physician for any household member(s). If there has been a change in the person's health a new JFS 01653 is required. (rev. 02/2003) completed for the applicant and all household members by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife.
- (2) A minimum of one written reference from a professional who is knowledgeable of the prospective adoptive parent(s) family dynamics, or if a reference is not available from a professional, one personal reference from someone who is aware of the prospective adoptive parent(s) family's functioning. The personal reference shall not be completed by a relative.
- (3) ~~In order to ensure the safety, health or care of an adoptive child, an agency may require a~~ A report of a physical, psychiatric or psychological examination or treatment of the caregiver or prospective adoptive parent(s) or other household member(s) if required by the agency to ensure the safety, health or care of an adoptive child. The examination shall be conducted by a licensed physician, psychologist, or other certified or licensed professional.
- (4) A fire inspection by a state certified fire safety inspector or the state fire marshal's office using the JFS 01200 "Fire Inspection Report for Residential Facilities Certified by ODJFS" (rev. 10/2000), if the agency deems it necessary to ensure that the home is free from conditions that may be hazardous to the safety of an adoptive child.
- (5) The JFS 01348 "Safety Audit of a Family Foster Home," (rev. 01/2003), also

used for adoptive homes; if there is a reason for concern relative to the home's continued safety.

(6) The JFS 01681 "Applicant Financial Statement." (rev. 10/2000), if there has been any substantial changes to the prospective adoptive parent(s) financial situation.

~~(7) The bureau of identification and investigation (BCI) and, if applicable, federal bureau of investigation (FBI) report.~~

~~(8) A child abuse and neglect summary report from the statewide automated child welfare information system.~~

~~(9)~~(7) A completed water test by an approved Ohio water testing laboratory, if ~~required.~~ deemed necessary by the agency.

(J) Once a homestudy is approved, a new criminal records check pursuant to rule 5101:2-48-10 of the Administrative Code for the adoptive parent(s) and each adult member of the household shall be conducted:

(1) The fourth year of the homestudy at the time of the update.

(2) When the homestudy has expired due to the six year timeframe and the adoptive parent requests a new homestudy be completed.

(K) For all homestudies that were approved prior to the effective date of this rule:

(1) The agency shall conduct a criminal records check on each adult residing in the household within sixty days of the effective date of this rule if the last criminal records check was completed more than four years ago.

(2) After the criminal records check has been completed the agency shall conduct continued criminal records checks pursuant to paragraph (J) of this rule.

~~(H)~~(L) An assessor's reassessment of the adoptive parent(s) shall include a minimum of one face to face home visit with each member of the household who is currently residing in the home. The interview with other household member(s) may or may not be a joint visits.

~~(I)~~(M) The assessor shall ~~complete a written homestudy report on the JFS 01385 and~~ provide written notification to the applicant(s) of approval or denial of the update to the adoption homestudy. The written notification shall be provided to the adoptive family within ten days of completion of the homestudy update.

~~(N)~~(N) If the decision of the assessor is to recommend the approval of an adoptive parent(s) homestudy update, the written notification shall include, but not be limited to, the date of the approval of the update to the adoptive homestudy and the date the approved update will expire.

~~(K)~~(O) If the decision of the assessor is to deny the applicant(s) for adoption or updated adoptive homestudy, the written notification shall contain both of the following:

(1) A detailed explanation that sets forth the reasons upon which the denial is based.

(2) Procedures the applicant(s) shall follow for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.

(P) When the adoptive parent notifies the agency that any of the changes or circumstances listed in paragraphs (Q) and (R) of this rule have occurred, the agency shall amend the homestudy. An amendment is a narrative of the assessor's evaluation of the family and shall be completed and attached to the homestudy within thirty days of the agency becoming aware that a change has occurred.

(Q) An adoptive parent shall notify the recommending agency within twenty-four hours of any of the following circumstances involving the adoptive child whose adoption has not been finalized:

(1) A serious injury or illness involving medical treatment of the adoptive child.

(2) The death of the adoptive child.

(3) Unauthorized absence of the adoptive child from the home.

(4) Removal of the adoptive child from the home by any person or agency other than the placing agency, or attempts at such removal.

(5) Any involvement of the adoptive child with law enforcement authorities.

~~(L)~~(R) For the purposes of this rule the words amend/amendments means: the process of formally altering or adding to a document or record. ~~When the prospective adoptive parent(s) notifies the agency that any of the following circumstances will or has occurred, the agency shall amend the adoptive homestudy. An adoptive parent shall notify the recommending agency within twenty-four hours or the next working day if any of the following occur:~~

(1) A change in the marital status of an approved prospective adoptive parent(s).

- (2) A change in the health status of an approved ~~prospective~~ adoptive applicant(s) or household member(s).
 - (3) The finalization of an adoptive child.
 - (4) A change in the number of child household members through birth; or kinship or foster care who have not reached the age of majority. New child household members residing with the adoptive parent shall have a JFS 01653 completed within sixty days of the date they became a household member. Household members who turn eighteen years of age shall have a BCII background check and FBI check, as outlined in rule 5101:2-48-10 of the Administrative Code, initiated within ten working days of the date they turned eighteen years of age.
 - (5) The death of an adoptive ~~applicant(s), adoptive child~~ parent or any other household member(s).
 - (6) A criminal charge or conviction of an ~~approve prospective~~ adoptive parent(s) or other adult household member(s).
 - (7) A change in the number of ~~adult household members~~ adults who reside with the adoptive parent (not including an existing household member(s) member who reaches the age of majority). New adult household members must adult household members residing with the adoptive parent shall have a JFS 01653; completed within sixty days of the date they became a household member. ABCII background check and if applicable, FBI check, as outlined in rule 5101:2-48-10 of the Administrative Code, and a search of the central registry shall be initiated within ten working days of the date they became a household member.
 - (8) The physical relocation of the ~~approved~~ adoptive parent(s) which results in a change of address that is different than the address listed on the most recent homestudy or homestudy update. A safety audit must be completed at the time of the amendment.
 - (9) A significant change in financial status/income.
- ~~(M) The amendment shall be completed within sixty days of the agency becoming aware of changes to the family's composition or life circumstances.~~

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CERTIFIED ELECTRONICALLY

Certification

08/04/2008

Date

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