

## TO BE RESCINDED

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

- (A) 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 every two years. The date of approval of the most current update becomes the new date to determine the next two-year update.
- (C) If an approved adoptive home is certified for foster care by the same agency that approved the home for adoption, the adoptive home shall be updated at the same time the home is initially certified for foster care.
- (D) If a certified foster home is approved for adoption by the same agency that certified the home for foster care, the next adoption update shall be completed when the current foster care certificate is recertified.
- (E) 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.
- (F) 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) meeting the definition of an assessor contained in rule 5101:2-1-01 of the Administrative Code.
- (G) The PCSA, PCPA or PNA shall not 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. The PCSA, PCPA, or PNA shall not consider the race, color or national origin of the child a family indicates an interest in adopting in determining whether to approve or disapprove the update to the adoptive family's homestudy.
- (H) The PCSA, PCPA or PNA shall not 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).
- (I) The recommending agency shall notify the adoptive parent(s) of the date of expiration of the homestudy not fewer than ninety days or more than one hundred twenty days prior to the expiration date. The notification shall:

- (1) Identify any information or documentation the adoptive parent(s) is required to submit for the homestudy update.
  - (2) Be completed on the JFS 01331 "Notice of Expiration and Reapplication for a Foster Home Certification or Adoption Homestudy Update/Amendment." (rev. 12/2006).
- (J) Following agency notification to the prospective adoptive parent as required by paragraph (I) of this rule, if the prospective adoptive parent fails to either reapply or voluntarily terminate prior to the expiration date of the homestudy, the prospective adoptive family record shall close and the applicant(s) shall reapply through the initial homestudy application process pursuant to rule 5101:2-48-09 of the Administrative Code.
- (K) Prior to the recommendation for and expiration of a current homestudy, if an adoptive applicant has re-applied to update a current homestudy, an assessor shall complete a JFS 01385. The agency shall attach the following documents to the JFS 01385:
- (1) The most recent JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 6/2009) completed for the applicant and all household members by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife. The agency may require a new JFS 01653 if the agency deems it necessary.
  - (2) A minimum of one written reference from a professional knowledgeable of the prospective adoptive parent(s) family dynamics, or if a reference is not available from a professional, one personal reference from someone aware of the prospective adoptive parent(s) family's functioning. The personal reference shall not be completed by a relative.
  - (3) 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) fire safety approval or other form used for a local or state fire inspection, if the agency deems it necessary

to ensure the home is free from conditions 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. The JFS 01348 must document the residence satisfactorily meets all safety standards.
  - (6) The JFS 01681 "Applicant Financial Statement." (rev. 10/2000), if any substantial changes to the prospective adoptive parent(s) financial situation occurred.
  - (7) A completed water test by an approved Ohio water testing laboratory, if deemed necessary by the agency.
- (L) If the recommending agency has access to the statewide automated child welfare information system (SACWIS), the agency shall conduct a search of abuse and neglect report history in the system. The recommending agency shall also request a search of the central registry of abuse and neglect from the Ohio department of job and family services for each adoptive applicant and each adult who resides with the adoptive applicant. This search is to be used to determine the suitability of the adoptive applicant as an adoptive parent.
- (M) Preparation of summary report of involvement of an applicant and other adult household members in reports of child abuse and neglect contained in SACWIS.
- (1) A summary report shall be placed in each adoptive home record. Prior to the placement of each child in the applicant's home, the summary report shall be considered as a tool to help determine the appropriateness of the placement.
  - (2) One summary report shall be prepared for each applicant's home. The summary report shall include, for each applicant and each adult member of the household, 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. This provision is limited to report

dispositions the PCSA determined to be unable to locate.

- (3) The summary report shall not contain any of the following:
- (a) Any information concerning a report of abuse or neglect where the PCSA determined that abuse or neglect did not occur or was unsubstantiated.
  - (b) The name of the person who or entity that made, or participated in the making of, the report of abuse or neglect. This includes any additional collateral contact who made, or participated in, the report of abuse or neglect.
  - (c) Any information the release of which is prohibited by state or federal law.
  - (d) The name of or other identifying information regarding a child.
- (4) If the search indicates there are no allegations or reports of involvement in child abuse or neglect investigations for any applicant or adult household member, the summary report shall indicate that there is no record involving any applicant or adult household member in an allegation or report of involvement in a child abuse or neglect investigation reported to SACWIS or the central registry.
- (N) Once a homestudy is approved, a new criminal records check pursuant to rule 5101:2-48-10 of the Administrative Code shall be conducted for the adoptive parent(s) and each adult member of the household every four years at the time of the update.
- (O) 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.
- (P) After the criminal records check is completed, the agency shall conduct continued criminal records checks pursuant to paragraph (N) of this rule.
- (Q) An assessor's update of the homestudy shall include a minimum of one face to face home visit with each member of the household currently residing in the home. The interview with other household member(s) may be joint visits.
- (R) The assessor shall 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.

- (S) 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.
- (T) If the decision of the assessor is to deny the updated adoptive homestudy, the written notification shall contain both of the following:
- (1) A detailed explanation setting forth the reasons for denial.
  - (2) Procedures the applicant(s) shall follow for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 06/25/2015

WITHDRAWN ELECTRONICALLY

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Certification

09/09/2015

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Date

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