

5101:2-48-12.2

Required notification and adoption homestudy amendments.

(A) An approved adoptive parent shall notify the recommending agency within one hour of any of the following circumstances involving an adoptive child whose adoption is not finalized:

- (1) A serious injury or illness involving medical treatment of the adoptive child.
- (2) Unauthorized absence of the adoptive child from the home.
- (3) Removal of the adoptive child from the home by any person or agency other than the placing agency, or attempts at such removal.
- (4) Any involvement of the adoptive child with law enforcement authorities.
- (5) The death of the adoptive child.

(B) An approved 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 adoptive parent(s).
- (2) Any serious illness or death of an approved adoptive parent or household member.
- (3) The finalization of an adoptive child placed by a different agency.
- (4) A change in the number of household members, not including foster children.
- (5) A criminal charge or conviction of any approved adoptive parent or other adult household member(s).
- (6) A significant change in financial status or income.
- (7) A change of address for the adoptive family that is different than the address listed on the most recent homestudy or update.

(C) If the agency is notified of any of the following changes for the adoptive family, the agency shall amend the homestudy:

- (1) A change in the marital status of the approved adoptive parent(s).
- (2) The death of an approved adoptive parent or household member.
- (3) A change in household members, not including foster children.
- (4) A change of address for the adoptive family that is different than the address listed on the most recent homestudy or update.

(D) The public children services agency (PCSA), private child placing agency (PCPA), private noncustodial agency (PNA), or court shall ensure that employees or persons under contract with the agency to perform assessor duties comply with the following requirements.

(1) The assessor definition in rule 5101:2-1-01 of the Administrative Code.

(2) Rule 5101:2-48-06 of the Administrative Code.

(3) Section 3107.014 of the Revised Code.

(E) An amendment is a narrative of the assessor's evaluation of the change that has occurred in the approved adoptive family. The agency shall document the date of notification in the amendment.

(1) The amendment shall be completed within thirty days of the date of the change, or within thirty days of the date the agency became aware a change occurred if notification did not occur pursuant to paragraphs (A) or (B) of this rule.

(2) If the change is to add an adoptive parent to the homestudy, the amendment shall not be completed until the preservice training has been completed or waived pursuant to rule 5101:2-48-09 of the Administrative Code.

(3) In completing the amendment, the agency shall, if necessary, redetermine the specific number, age, and gender of children the family is approved to adopt. The amendment shall address sleeping arrangements, beds and bedrooms, and shall evaluate whether the adoptive family remains in compliance with all applicable requirements.

(4) The amendment shall be completed in the statewide automated child welfare information system (SACWIS) if the agency has access to the system.

(5) An agency that does not have access to SACWIS shall document the amendment in the caregiver record. The agency may do this by completing the applicable sections of the JFS 01385 "Assessment for Child Placement Update" (rev. 12/2014) in addition to completing the applicable requirements identified in this rule. At the completion of the amendment, an agency that does not have access to SACWIS shall submit a JFS 01318 "SACWIS Private Agency Provider Request" (rev. 12/2014) to the Ohio department of job and family services (ODJFS) so that information in the SACWIS provider record may be updated.

(F) If the amendment is due to a new household member, the agency shall ensure the following:

(1) New household members residing with the adoptive parent shall have a JFS

01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 6/2009) completed documenting they are free from any physical, emotional, or mental condition which would endanger children or seriously impair the ability of the household member to care for the child placed in the home.

(a) If the new occupant is an adopted child who immediately prior to the adoption resided in the home as a foster child, a JFS 01653 is not required.

(b) The JFS 01653 shall be dated within ninety days of the date the person becomes a household member.

(c) If the agency was not notified of the new household member pursuant to paragraph (B) of this rule, the agency shall ensure the new household member completes the JFS 01653 within ninety days of the date the agency became aware of the new household member.

(2) New adult household members residing with the approved adoptive parent shall have a bureau of criminal investigation (BCI) and federal bureau of investigation (FBI) records check, as outlined in rule 5101:2-48-10 of the Administrative Code.

(a) The criminal records checks shall be conducted within ten working days of the date the person becomes a household member.

(b) If the agency was not notified of the new household member pursuant to paragraph (B) of this rule, the criminal record checks shall be conducted within ten working days of the date the agency became aware of the new household member.

(3) New adult household members shall provide the name of any agency they have applied to or had a homestudy approved for foster care or adoption, or any organization they have worked with in providing care and supervision of children. The new adult household member shall complete a written and signed release of information so that any such reference may be contacted.

(4) If the agency has the ability to complete the search in SACWIS, the agency shall complete an alleged perpetrator search of abuse and neglect report history through the system for the new adult household member within ten working days of the date the person becomes a household member. If the agency does not have the ability to complete the search in SACWIS, the agency shall request a search of the system from ODJFS for the new adult household member within ten working days of the date they become a household member. If the agency was not notified of the new household member pursuant to paragraph (B) of this rule, the agency shall ensure the search is conducted within ten working days of the date the agency became

aware of the new household member.

(a) A report with the results of the search shall be placed in the adoptive record.

(b) This report is used to determine the continued suitability of the adoptive family.

(5) The agency shall request a check of the child abuse and neglect registry of any other state the new adult household member has resided in for the five years immediately prior to the date of the criminal records check for the new household member, as required by division (A) of section 2151.86 of the Revised Code.

(6) If the new household member is the spouse of the approved adoptive parent and shall therefore be added as an approved adoptive parent, the agency shall ensure the following is completed in addition to the requirements found in paragraph (F) of this rule:

(a) The agency shall contact all adult children of the new spouse for a reference. If the adult children are unable or unwilling to provide a reference this shall be assessed during the amendment process and documented in the amendment.

(b) If the new spouse has not previously completed the preservice training, the agency shall ensure the spouse completes the training or meets the requirements for a waiver pursuant to rule 5101:2-48-09 of the Administrative Code no later than one hundred eighty days after becoming a household member. The spouse shall not be added to the adoption approval until the training or waiver has been completed.

(G) If the amendment is due to a change of address of the adoptive family, the agency shall ensure the following:

(1) The agency shall conduct a safety audit documenting the new residence satisfactorily meets all safety standards.

(a) The safety audit shall be completed on the JFS 01348 "Safety Audit" (rev. 12/2014).

(b) The safety audit shall be conducted within ten working days after the change of address.

(c) If the agency was not notified of the change of address pursuant to paragraph (B) of this rule, the agency shall conduct the safety audit within ten working days of the date they became aware of the change of address.

- (2) The agency shall require the approved adoptive parent to obtain a fire safety inspection certifying the new residence is free from conditions hazardous to the safety of an adoptive child.
- (a) The fire safety inspection shall be completed on the JFS 01200 "Fire Inspection Report for Residential Facilities Certified by ODJFS" (rev. 2/2015) or other form used for a local or state fire inspection.
- (b) The fire safety inspection shall be requested prior to or within thirty days of the date of the change of address. If the agency was not notified of the change of address pursuant to paragraph (B) of this rule, then the fire safety inspection shall be requested within thirty days of the date the agency became aware of the change of address.
- (c) The fire safety inspection shall be conducted prior to or within ninety days of the date of the change of address. If the agency was not notified of the change of address pursuant to paragraph (B) of this rule, then the fire safety inspection shall be conducted within ninety days of the date the agency became aware of the change of address.
- (H) The assessor shall provide written notification to the adoptive parent of approval or denial of the amendment to the adoption homestudy. The written notification shall be provided to the adoptive family within ten days of completion of the homestudy amendment. If an amendment is denied, the adoption homestudy is no longer approved.
- (1) Amendment approval notification shall include, at a minimum, the following information:
- (a) A summary of the change requiring the amendment.
- (b) The date of the notification provided pursuant to paragraph (B) of this rule.
- (c) The date the change occurred that required the amendment.
- (d) Date of approval of the adoption amendment.
- (2) Adoption homestudy denial shall include, at a minimum, the following information:
- (a) A detailed explanation of the reasons for the denial.
- (b) A description of procedures for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.

Replaces: 5101:2-48-12.2

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5103.03, 5153.166, 3107.033
Rule Amplifies: 2151.86, 3107.031, 5103.18
Prior Effective Dates: 12/11/2006, 8/14/08, 7/1/09