

5101:2-48-12

Completion of the homestudy report.

(A) The homestudy shall be a joint decision making assessment and process involving the applicant and the public children services agency (PCSA), private child placing agency (PCPA), or private noncustodial agency (PNA) which is designed to determine whether adoption and/or foster care is a viable option for the applicant and the characteristics of children the applicant can best parent.

(B) Prior to recommending an adoptive home for certification, 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 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.

- (3) If the SACWIS search indicates there are no allegations or reports of involvement in child abuse or neglect investigations for any applicant(s) or adult household members, the summary report shall indicate that there is no record in SACWIS involving any applicant or adult household member in an allegation or report of involvement in a child abuse or neglect investigation reported to SACWIS.
- (C) A multiple children/large family assessment shall be completed for any person seeking to adopt a child 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 large family assessment shall be completed on the JFS 01530 "Multiple Children/Large Family Assessment" (12/2006) form and attached to the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 08/2005), if applicable.
- ~~(B)~~(D) Agencies shall respect the right of the applicant to select an agency for the purpose of completing the homestudy assessment. Once the homestudy has been initiated, the PCSA, PCPA or PNA shall maintain involvement with the applicant through to completion of the homestudy assessment, unless the applicant requests a transfer or fails to follow through with timely submission of homestudy documents. Agencies shall cooperate with a family who has requested a transfer to another agency pursuant to rule 5101:2-48-19 of the Administrative Code.
- (E) No PCSA, PCPA or PNA shall consider race, color, or national origin of a family for whom that agency is conducting 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 family's homestudy.
- (F) No PCSA, PCPA or PNA shall discriminate in approving or disapproving a homestudy on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201.
- (G) No PCSA, PCPA or PNA shall complete a homestudy when it is determined by the assessor that the application or homestudy contains a false statement knowingly made by the applicant(s) that is included in the application or written report of the homestudy. When a PCSA, PCPA, or PNA determines an application or homestudy has been falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.
- (H) No PCSA, PCPA or PNA shall release a homestudy to any other agency or to the probate court when it has been 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) When a PCSA, PCPA or PNA determines that a homestudy has been falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.

(J) All homestudies conducted by PCSAs, PCPAs and PNAs shall be documented on the JFS 01673 "~~Assessment for Child Placement (Homestudy)~~", or the JFS 01692 "Application for Adoption of a Foster Child" (rev. 12/2006), as applicable. Stepparent and international homestudies are exempt from this requirement. The JFS 01698 "Stepparent Homestudy Report" (rev. 12/2001) may be used when the court requests a PCSA, PCPA, or PNA to conduct a homestudy involving a stepparent adoption.

(K) Prior to the end of the assessment process, applicants shall complete and sign the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 08/2005) which indicates the acceptable characteristics of the child the applicant is requesting to adopt. Upon completion of the assessment process, the JFS 01673-A shall be attached to the JFS 01673.

(L) Upon completion of the homestudy, the PCSA, PCPA and PNA shall document information regarding the homestudy process the results of the homestudy on the JFS 01609 "Family Permanency Planning Data Summary:" (02/2005).

(M) The assessment required by paragraph (E) of this rule ~~and as documented through the completion of the JFS 01673~~ shall be commenced within thirty days of the date the agency receives the JFS 01691 "Application for Child Placement" (rev. 01/2003). The assessment shall be completed within one hundred eighty days of the date that the agency received the application. An agency that fails to commence a homestudy within thirty days of receiving the application or fails to complete a homestudy within one hundred eighty days shall document in the applicant's record the reason(s) the agency was unable to meet one or both of these requirements. Commencement of a homestudy means, at a minimum, scheduling an appointment to interview the applicant or assuring that the applicant has been informed of the necessary materials required for the assessor to complete the homestudy.

(N) Homestudies completed by a PCSA, PCPA, or PNA shall be conducted by an adoption assessor who meets the requirements contained in rule 5101:2-1-01 of the Administrative Code and is employed by or under contract with one of the following:

(1) A PCPA or PNA that has been certified to act as a representative of ODJFS to recommend foster homes for certification and/or to place children for

adoption or to participate in the placement of children in foster homes or for adoption.

- (2) A PCSA that acts as a representative of ODJFS to recommend foster homes for certification and/or to place children for adoption or to participate in the placement of children in foster homes or for adoption.
- (O) In addition to completion of the JFS 01673, the following documents shall be completed and attached to the homestudy document:
- (1) JFS 01673-A signed by the adoptive/foster parent(s), assessor and assessor's supervisor.
 - ~~(1)~~(2) The JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 02/2003) signed by a licensed physician.
 - ~~(2)~~(3) Four personal reference statements (three from non-relatives) for each applicant to determine the applicant's suitability to parent a child.
 - ~~(3)~~(4) A fire inspection by a state certified fire safety inspector or the state fire marshal's office.
 - ~~(4)~~(5) The JFS 01348 "Safety Audit of a Foster Home, Also used for adoptive homes" (01/2003).
 - ~~(5)~~(6) The JFS 01681 "Applicant Financial Statement:" (rev. 10/2000). This form determines the family's ability to provide for the child, ~~and to determine the need for an adoption subsidy.~~
 - ~~(6)~~(7) The bureau of identification and investigation (BCII) and, if applicable, federal bureau of investigation (FBI) reports.
 - ~~(7)~~(8) Completed water test, if required.
 - (9) The JFS 01530, if applicable.
- (P) The assessor shall provide written notification to the applicant of approval or denial of the adoption homestudy. The written notification shall be provided within ten days after the homestudy has been approved or disapproved for any applicant seeking a special needs child. For an applicant who was not seeking a child with special needs, the time frames for completion of a written homestudy report, approval or denial of the adoptive homestudy, and written notification to the

applicant of the approval or denial shall be consistent with the agency's adoption and foster care policy prepared pursuant to rule 5101:2-48-05 of the Administrative Code.

(Q) The assessor shall arrive at one or more of the following recommendations at the completion of the homestudy:

- (1) Approve the applicants as adoptive parents only.
- (2) Recommend the certification of the applicants as foster caregivers if the agency in which the assessor is employed or contracted by is certified to act as a representative of ODJFS to recommend foster homes for certification.
- (3) Approve the applicants as adoptive parents and recommend the certification of the applicants as foster caregivers simultaneously if the agency in which the assessor is employed or contracted by is certified to act as a representative of ODJFS to recommend foster homes for certification and place children for adoption or to participate in the placement of children in foster homes and for adoption.
- (4) Deny the adoption application.
- (5) Recommend that the certification for foster care not be approved.
- (6) Deny the adoption application and recommend that the certification for foster care not be approved.

(R) If the decision of the assessor is to approve the applicant as an adoptive parent or to renew the approval of an adoptive parent through an updated study, the written notification shall include, but not be limited to, the following information:

- (1) Date of approval of the adoptive homestudy or updated adoptive homestudy with the date the approved homestudy or update will expire.
- (2) A description of the characteristics of the child or children for whom the applicant is being approved.

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

- (1) A detailed explanation of the reason for the denial which sets forth all of the

reasons upon which the denial was based.

- (2) A description of procedures for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.
- (T) The PCSA, PCPA or PNA shall follow procedures contained in rule 5101:2-5-22 of the Administrative Code for approval or denial of an applicant for certification as a foster home.
- ~~(U) The expiration date of an initial homestudy is six years from the date of the initial approval of the applicant(s) as adoptive parent(s). No homestudy shall be valid after a six year period. Additional updates to the initial homestudy shall be completed at least once every two years. The agency shall complete an additional update if one of the following changes occurs in the family's composition or life circumstances that alters the validity of information contained in the original homestudy or subsequent updates that have been completed, and the family is being considered for a placement of a child:~~
- ~~(1) A change in the marital status of an approved adoptive applicant.~~
 - ~~(2) A significant change in the health status of an approved adoptive applicant.~~
 - ~~(3) The placement or finalization of an adoption of a child.~~
 - ~~(4) The birth of a child.~~
 - ~~(5) The death of a child or household member.~~
 - ~~(6) A criminal conviction of an approved adoptive applicant.~~
 - ~~(7) A change in the number of adult household members.~~
 - ~~(8) A family's relocation.~~
- ~~(V) Once a homestudy has been updated, the expiration date is calculated from the date of approval of the update, not to exceed six years from the date of the initial approval. The date of approval of the most current update will become the new date to determine when the next two year update is due. After the expiration of the homestudy, the family shall submit a new JFS 01691 and a new JFS 01673 shall be completed.~~
- ~~(W) The PCSA, PCPA, or PNA assessor shall notify the family in writing, not less than ninety nor more than one hundred twenty calendar days prior to the expiration of the homestudy, that their homestudy is due to expire. The notification shall include all of the following:~~

- ~~(1) The date of expiration of their homestudy.~~
 - ~~(2) A directive to the family to contact the assessor in writing regarding completion of the homestudy process.~~
 - ~~(3) Notification that the homestudy update must be completed prior to the date of expiration.~~
 - ~~(4) Notification that should the homestudy expire, the family would have to reapply for approval for adoptive placement as outlined in rule 5101:2-48-09 of the Administrative Code.~~
- ~~(X) When updating the JFS 01673 the assessor shall complete the JFS 01385 "Ohio Department of Job and Family Services Assessment for Child Placement Update" and conduct face-to-face interviews with the applicant, one of which shall take place in the home of the applicant.~~

Effective:

R.C. 119.032 review dates: 08/01/2009

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3107.032, 5101.141, 5103.03, 5153.16
Rule Amplifies: 3107.011, 3107.02, 3107.034, 3107.032, 3107.10
Prior Effective Dates: 12/30/66, 10/1/86, 7/1/90, 9/1/94, 12/15/95 (Emer.),
3/1/96, 9/18/96, 12/31/96 (Emer.), 3/31/97, 2/13/98
(Emer.), 5/14/98, 12/31/98 (Emer.), 4/1/99, 2/15/02,
9/1/03, 2/1/05