

5101:2-48-12

Completion of the homestudy.

- (A) For the purpose of this rule, "commencement of a homestudy" means, at minimum, scheduling an appointment to interview the applicant or assuring the applicant is informed of the necessary materials required for the assessor to complete the homestudy. In order to complete the JFS 01673 "Assessment for Child Placement (Homestudy)" an assessor shall conduct a face to face interview with all members of the household over the age of four years. The interview with all members of the household over the age of four years may be a joint interview or separate individual interviews.
- (B) Homestudies shall be conducted by an adoption assessor meeting the requirements contained in rules 5101:2-1-01 and 5101:2-48-06 of the Administrative Code and is employed or under contract with one of the following:
- (1) A public children services agency (PCSA) acting as a representative of the Ohio department of job and family services (ODJFS) to:
 - (a) Place children for adoption.
 - (b) Participate in the placement of children for adoption.
 - (2) A private child placing agency (PCPA) or private non-custodial agency (PNA) certified to act as a representative of ODJFS to:
 - (a) Place children for adoption.
 - (b) Participate in the placement of children for adoption.
- (C) The assessment required by paragraph (B) of this rule shall commence within thirty days of the date the agency receives a fully completed JFS 01691 "Application for Child Placement" (~~rev. 12/2006~~) (rev. 6/2009) signed by the adoptive applicant. An agency failing to commence a homestudy within thirty days of receiving the application shall document in the applicant's record the reason(s) the agency is unable to meet this requirement.
- (D) The assessment for applicants seeking to adopt a child with special needs shall be completed within one hundred eighty days of the date the agency received the application. An agency failing to complete a homestudy within one hundred eighty days shall document in the applicant's record the reason(s) the agency is unable to meet this requirement.
- (E) For an applicant(s) not seeking a child with special needs, the timeframes for

completion of a written homestudy report, approval or denial of the adoptive homestudy, and written notification to the applicant(s) 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.

- (F) The PCSA, PCPA or PNA shall search the statewide automated child welfare information system (SACWIS), or the central registry of abuse and neglect if SACWIS is not fully implemented, for each applicant and adult members of the applicant's household in accordance with rule 5101:2-48-09 of the Administrative Code.
- (G) The PCSA, PCPA or PNA shall request a check of the child abuse and neglect registry of any other state a prospective applicant or other adult residing with the prospective adoptive parent has resided in the five years immediately prior to the application.
- (H) If a PCSA initiates an adoptive homestudy with an applicant from another county, ~~it~~ the PCSA shall notify the PCSA in the county the applicant resides. This requirement does not apply to an adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.
- (I) If a PCPA, PNA or attorney arranging an adoption initiates an adoptive homestudy with an applicant, ~~notifying they shall notify~~ the PCSA in the county the applicant resides. This requirement does not apply to:
 - (1) An adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.
 - (2) An adoption where the PCSA in the county the adoptive applicant resides is contracted with the PCPA or PNA to complete the adoptive applicant's homestudy.
- (J) The written notification to the PCSA, required in paragraphs (H) and (I) of this rule, shall be sent within ten days of the initiation of the homestudy.
- (K) The written notification required in paragraphs (H) and (I) of this rule shall include the following information:
 - (1) The applicant's name.
 - (2) The applicant's address.

- (3) The applicant's telephone number.
- (4) The names and dates of birth of all household members at the time of the application.
- (5) A request for any relevant information, if known, including, at a minimum:
 - (a) Past or present functioning of the prospective adoptive parent.
 - (b) Rule violations involving any foster or pre-adoptive child.
 - (c) Any third party investigations.
 - (d) Information relating to any previous adoption applications and/or placements.
 - (e) Information on the events leading to a removal of any child from the prospective adoptive family home.
 - (f) Confirmation of household members as determined by a review of agency records.
- (L) If the PCSA in the county the adoptive applicant resides receives the notification letter, the PCSA shall provide, in writing, any relevant information listed in paragraph (K) of this rule to the requesting agency within fifteen days.
- (M) The PCSA in the county the adoptive applicant resides shall maintain written documentation on each family they receive a notification letter. If the family is known to the agency and a record exists, the information shall be merged with the existing file.
- (N) 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 residing 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, if applicable.
- (O) Agencies shall respect the right of the applicant(s) to select an agency for the purpose

of completing the homestudy assessment. Once the homestudy is initiated, the PCSA, PCPA or PNA shall maintain involvement with the applicant(s) through completion of the homestudy assessment, unless the applicant requests a transfer or fails to follow through with timely submission of homestudy documents.

(P) 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 indicates an interest in adopting in determining whether to approve or disapprove the family's homestudy.~~

(Q) The race, color or national origin of a child being considered for adoption shall not be a consideration by a PCSA, PCPA, or PNA in determining whether to approve the family's homestudy.

~~(Q)~~(R) 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 (1/2/2006) and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201 (1/2/2006).

~~(R)~~(S) If a PCSA, PCPA or PNA determines any statement in a homestudy is false, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.

~~(S)~~(T) No PCSA, PCPA or PNA shall release a homestudy to any other agency or probate court if it is determined the application or homestudy contains a false statement knowingly made by the applicant(s), included in the written report of the homestudy.

~~(T)~~(U) All homestudies conducted by PCSAs, PCPAs and PNAs shall be documented on the JFS 01673, or the JFS 01692 "Application for Adoption of a Foster Child" (rev. 6/2009), as applicable. Step-parent and international homestudies are exempt from this requirement. The JFS 01698 "Step-parent Homestudy Report" (rev. 10/2006) may be used when the court requests a PCSA, PCPA, or PNA to conduct a homestudy involving a step-parent adoption.

~~(U)~~(V) 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. 12/2006) indicating 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. International and step-parent adoptions are exempt from this requirement.

~~(V)~~(W) Upon completion of the homestudy, the PCSA, PCPA and PNA shall document the results of the homestudy on the JFS 01609 "Family Permanency Planning Data Summary" (2/2005).

~~(W)~~(X) The agency shall require the following for the homestudy:

(1) JFS 01673-A signed by the adoptive/foster parent(s), assessor and assessor's supervisor.

(2) The JFS 01530, if applicable.

(3) The JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 6/2009) completed by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife not more than six months prior to an initial recommendation by the agency for approval.

(a) The form shall document that the applicant and all members of the household are free from any physical, emotional or mental condition which would endanger children or seriously impair the ability of the household members to care for the child being adopted.

(b) The agency may require the medical statements(s) be provided before the person may participate in any preservice training required by rule 5101:2-48-09 of the Administrative Code.

(4) The names of three people unrelated to the applicant; that do not reside with the applicant and can be contacted by the agency as references.

(a) The agency may require the person to provide the names of the references and any signed release of information statements before the person participates in any preservice training required by rule 5101:2-48-09 of the Administrative Code.

(b) The applicant shall provide the name of any other agency or organization the applicant has had a homestudy approved as well as a written and signed release of information statement so any such reference may be contacted.

(c) Prior to approving the homestudy, the agency shall contact all references given by the applicant, including any other agency or organization the

applicant has been previously approved as an adoptive parent.

- (d) All contacts with references shall be documented in the narrative section of the JFS 01673.
- (5) 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. The report shall not be dated more than six months prior to the agency's recommendation for approval.
- (6) The JFS 01348 "Safety Audit of a Foster Home" (rev. 1/2003), also used for adoptive homes, and documentation the residence satisfactorily meets all safety standards.
- (7) The JFS 01681 "Applicant Financial Statement" (rev. 10/2000).
- (8) The bureau of criminal identification and investigation (BCII) and federal bureau of investigation (FBI) reports as outlined in rule 5101:2-48-10 of the Administrative Code.
- (9) A completed water test by an approved Ohio water testing laboratory, if deemed necessary by the agency.
- ~~(X)~~(Y) The assessor shall provide written notification to the applicant(s) of approval or denial of the adoption homestudy. The written notification shall be provided within ten days after the homestudy is approved or disapproved.
- ~~(Y)~~(Z) The assessor shall make one or more of the following recommendations at the completion of the homestudy:
- (1) Approve the applicant(s) as adoptive parent(s) only.
 - (2) Recommend the applicant(s) for certification as a foster caregiver(s) only.
 - (3) Approve the applicant(s) as adoptive parents and recommend the applicant(s) for certification as a foster caregiver(s) simultaneously.
 - (4) Deny the adoption application.
 - (5) Recommend that the applicant(s) certification as a foster caregiver(s) not be approved.

(6) Deny the adoption application and recommend the applicant's certification as a foster caregiver(s) not be approved.

~~(Z)~~(AA) If the decision of the assessor is to approve the applicant(s) as an adoptive parent(s), the written notification required in paragraph ~~(X)~~ (Y) of this rule shall include, at minimum, the following information:

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

~~(AA)~~(BB) If the decision of the assessor is to deny the applicant for adoption, the written notification required in paragraph ~~(X)~~ (Y) of this rule shall contain both of the following:

- (1) A detailed explanation of the reason for the denial setting forth all of the reasons for the denial.
- (2) A description of procedures for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.

~~(BB)~~(CC) The PCSA, PCPA or PNA shall follow procedures contained in rules 5101:2-5-22 and 5101:2-5-26 of the Administrative Code for approval or denial of an applicant(s) for certification as a foster home.

~~(CC)~~(DD) The homestudy shall be updated every two years from the date of approval of the initial homestudy in accordance with rule 5101:2-48-12.1 of the Administrative Code.

~~(DD)~~(EE) The homestudy shall be amended, if applicable, in accordance with rule 5101:2-48-12.2 of the Administrative Code.

~~(EE)~~(FF) If a child has been placed in an approved adoptive home, the PCSA, PCPA or PNA shall assure that the home continues to be in an approved status until the adoption is finalized by updating and amending the homestudy in accordance with rules 5101:2-48-12.1 and 5101:2-48-12.2 of the Administrative Code.

Effective:

R.C. 119.032 review dates: 10/13/2009

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3107.032, 3107.033, 5103.03, 5153.166
Rule Amplifies: 3107.011, 3107.032, 3107.033, 3107.034, 3107.10, 5103.18
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, 12/11/06, 8/21/08, 7/1/09