

5101:2-5-03

**Certification of an agency to perform specific functions.**

(A) A certificate issued by the Ohio department of job and family services (ODJFS) shall state the specific functions that the agency is certified to perform.

(B) Specific functions of a public children services agency (PCSA) which require certification by ODJFS are:

- (1) To operate children's residential center(s);
- (2) To operate group home(s);
- (3) To operate residential parenting facilities.

Functions performed by a PCSA that do not require certification by ODJFS shall comply with the Ohio Administrative Code rules applicable to the functions performed. ODJFS may take any appropriate action permitted under division (C) of section 5101.24 of the Revised Code for noncompliance with applicable rules.

(C) Specific functions of a private child placing agency (PCPA) which require certification by ODJFS are:

- (1) To operate children's residential center(s);
- (2) To operate group home(s);
- (3) To operate or provide independent living arrangements;
- (4) To operate residential parenting facilities;
- (5) To act as a representative of ODJFS in recommending pre-adoptive infant foster homes for certification.
- (6) To act as a representative of ODJFS in recommending family foster homes for certification;
- (7) To act as a representative of ODJFS in recommending treatment foster homes for certification.
- (8) To act as a representative of ODJFS in recommending medically fragile foster homes for certification.

- (9) To accept temporary, permanent or legal custody of children; and
  - (10) To place children for foster care or adoption.
- (D) Specific functions of a private noncustodial agency (PNA) or a local public entity that is not a PCSA which require certification by ODJFS are:
- (1) To operate children's residential center(s);
  - (2) To operate group home(s);
  - (3) To operate or provide independent living arrangements;
  - (4) To operate residential parenting facilities;
  - (5) To act as a representative of ODJFS in recommending pre-adoptive infant foster homes for certification.
  - (6) To act as a representative of ODJFS in recommending family foster homes for certification;
  - (7) To act as a representative of ODJFS in recommending treatment foster homes for certification.
  - (8) To act as a representative of ODJFS in recommending medically fragile foster homes for certification.
  - (9) To participate in the placement of children in foster homes or for adoption.
- (E) A certificate issued to an agency shall contain, at a minimum, the name of the agency, its principal address, the functions which the agency is certified to perform, and the effective and expiration dates of the certification. Any certificate issued by ODJFS, either required or voluntary, shall not be transferable from one agency, owner, operator, corporation, partnership, or association to another.
- (F) An agency shall provide written notification to the assigned ODJFS licensing specialist:
- (1) Within thirty days of the termination of the agency administrator's employment;

- (2) Within thirty days of the commencement of a new agency administrator's employment;
  - (3) Within thirty days of the deletion of any certified functions;
  - (4) ~~Within thirty days of~~ Immediately upon any change in agency ownership;
  - (5) Within ~~thirty~~ sixty days prior to any planned change of any agency office or residential facility location;
  - (6) Within twenty-four hours or the next working day of any unplanned change of agency office or residential facility location; or
  - (7) Within twenty-four hours or the next working day when any agency office or residential facility is rendered uninhabitable for any reason.
- (G) A PCPA shall, in addition to the requirements of this chapter, maintain compliance with the following rules, as applicable, for any child it is serving under a court order for protective supervision or for any child in the temporary, permanent or legal custody of the PCPA.
- 5101:2-39-10 "PCPA case plan for children in custody or under court-ordered protective supervision".
- 5101:2-39-11 "Required contents of a private child placing agency (PCPA) case plan document".
- 5101:2-39-30 "Protective supervision by PCSAs and PCPAs".
- 5101:2-42-04 "Authority to assume and retain custody of a child".
- 5101:2-42-05 "Selection of a placement setting".
- 5101:2-42-06 "Agreement for temporary custody of child" (~~ODHS 1645~~);(JFS 01645).
- 5101:2-42-07 "Extension of 'Agreement for Temporary Custody of Child'" (~~ODHS 1645~~);(JFS 01645).
- 5101:2-42-08 "Acceptance of temporary custody by agreement and court-approved extensions".
- 5101:2-42-09 "Acceptance of permanent custody by permanent surrender".

5101:2-42-18 "PCSA and PCPA approval of placements with relative and nonrelative substitute caregivers ~~Approval of substitute care placement settings~~".

5101:2-42-18.1 "Non-discrimination requirements for foster care placements ~~Foster care requirements pursuant to the Multiethnic Placement Act.~~".

5101:2-42-19 "Requirements for the provision of lifeskill services and independent living services to youth in custody ~~placement~~".

5101:2-42-19.1 "Requirements for independent living arrangements for independent living youth in custody".

5101:2-42-43 "Requirement of semiannual administrative review".

5101:2-42-64 "Preplacement services".

5101:2-42-65 "Agency visits and contacts".

5101:2-42-66.1 "Comprehensive health care for children in custody".

5101:2-42-66.2 "Documentation of comprehensive health care for children in placement".

5101:2-42-67 "Preparation of lifebook".

5101:2-42-68 "Necessity for continued substitute care placement: court reviews and hearing requirements".

5101:2-42-87 "Termination of substitute care".

5101:2-42-88 "Requirements for substitute care placement disruptions".

5101:2-42-89 "Death of a child in custody".

5101:2-42-90 "Information to be provided to caregivers, school districts and juvenile courts; information to be included in individual child care agreement".

5101:2-42-92 "Visitation for child in temporary custody".

5101:2-42-93 "Procedural requirements regarding change of placement or visitation plan prior to journalization of case plan".

5101:2-42-94 "Termination of custody of a child".

5101:2-47-28 "Adoption assistance eligibility procedure: application process for adoption assistance".

- (H) ODJFS shall inspect each agency at least twice during every twenty-four month certification period, not including the recertification inspection. At least one inspection shall be unannounced and all inspections may be unannounced.
- (I) During a complaint investigation or review of an agency acting as representative of ODJFS in recommending foster homes for certification, ODJFS may inspect any foster home recommended for certification by the agency. Such inspection may be announced or unannounced.
- (J) An agency may voluntarily terminate certification of any or all of its authorized functions upon written notice to ODJFS.

Effective:

R.C. 119.032 review dates: 06/30/2005

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 5103.03, 5153.16  
Rule Amplifies: 5101.24, 5103.02, 5103.03, 5153.16, 5153.27  
Prior Effective Dates: 12-30-66; 10-1-86; 7-2-90 (Emer.); 10-1-90; 1-1-91;  
9-18-96 (Emer.); 10-21-96; 7-1-00; 1-1-03