

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: May 5, 2010
TIME: 10:00 a.m.
LOCATION: Tower conference room- 1st floor, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to section 5103.02, 5103.03, 5103.0316, 5103.0324, 5153.16 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon. The rules are proposed for amendment as a result of the five year review process.

OAC rule 5101:2-5-02, entitled "Application for an agency to perform specific functions; amended applications," was amended and has been reformatted for clarity. This rule provides guidance for agencies who wish to apply to become a certified foster care agency. Paragraph (A) was amended to require the application to be submitted electronically. The paragraph was also amended to extend the requirement to submit the application from ninety days to one-hundred twenty days from the intended date of start-up. The rule was also amended to remove directives for ODJFS staff.

OAC rule 5101:2-5-03, entitled "Certification of an agency to perform specific functions," was amended and has been reformatted for clarity. This rule provides information about what foster care functions are certified through ODJFS.

OAC rule 5101:2-5-04, entitled "Recertification of an agency to perform specific functions," was amended and has been reformatted for clarity. This rule provides guidance for recertification of a foster care agency. The rule was amended to remove directives for ODJFS staff.

OAC rule 5101:2-5-05, entitled "Agency appeal of findings of noncompliance," was amended and has been reformatted for clarity. This rule provides guidance about appealing a finding of non-compliance for foster care agencies. Paragraph (B) has been eliminated to improve and streamline the appeal process.

OAC rule 5101:2-5-07, entitled "Denial or revocation of an agency's certificate or certification to perform specific functions; temporary certificates," was amended and has been reformatted for clarity. This rule addresses the denial of an agency application for foster care services and covers temporary certificates for agencies that are not operating at an acceptable level of compliance. No substantive changes were made.

OAC rule 5101:2-5-10, entitled "Child records," was amended and has been reformatted for clarity. This rule addresses the maintenance of child records for foster care agencies. The rule was amended for a grammar change.

OAC rule 5101:2-5-16, entitled "Consideration to be given to child's religion," was amended and has been reformatted for clarity. This rule describes the agency responsibility to consider a child's religious preferences. The rule was amended for a grammatical change.

OAC rule 5101:2-5-22, entitled "Recommendations for initial foster home certification," was amended and has been reformatted for clarity. This rule provides guidance to foster care agencies for initial recommendations of foster caregivers to ODJFS. The rule was amended to clarify the procedure for recommendations within the statewide automated child welfare information system (SACWIS). The timeframe for submissions of recommendations was updated to accommodate SACWIS.

OAC rule 5101:2-5-25, entitled "Changing the certification of a foster caregiver from one type of foster home to another," was amended and has been reformatted for clarity. This rule provides guidance for changing the type certification for a foster caregiver. No substantive changes were made.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.