

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

DATE: July, 18, 2011
TIME: 10:00 a.m.
LOCATION: Room 3110 B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 3107.033, 5103.02, 5103.03, 5103.0316, 5103.0319, 5103.0327, 5103.18 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 and rescission 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 5101:2-5-06, entitled "Corrective action plans" provides guidance to agencies when an agency has been found to be out of compliance with rule. The rule was amended to correct punctuation. No substantive changes were made.

OAC rule 5101:2-5-08, entitled "PCPA and PNA governance and administration" provides guidance to agencies for the governing body and administrator. The rule was amended for clarity. No substantive changes were made.

OAC rule 5101:2-5-09.1, entitled "Criminal records check required for certain prospective employees and certified foster caregivers" provides guidance to agencies on the conducting of criminal record check for employees and foster caregivers. The rule was amended to add paragraph (U). This paragraph references a waiver of the fingerprint requirement in section 2151.86 of the Revised Code.

OAC rule 5101:2-5-17, entitled "Discharge summary" provides guidance to agencies on how to prepare a written discharge summary for a child who is to be discharged from a residential facility or specialized foster home. Paragraph (A) was amended to specify that the discharge summary must be provided within ten days after discharge to the person or agency who placed the child.

OAC rule 5101:2-5-20, entitled "Initial application for child placement in foster care" provides guidance to agencies on what needs to be completed to initially certify a prospective foster caregiver. Paragraph (E) was amended to update the rule in accordance with the latest central registry procedure. Paragraph (H) was amended to extend the JFS 01653 Medical Statement to one year prior to initial recommendation of the foster home. Paragraph (P) was amended to extend the fire inspection to one year prior to initial certification of the foster home.

OAC rule 5101:2-5-24, entitled "Foster home recertification procedure" provides guidance to agencies on the process for recertifying a foster home. Paragraphs (J) and

(K) were amended to update the rule in accordance with the latest central registry procedure.

OAC rule 5101:2-5-26, entitled "Revocation, denial of initial certification or denial of recertification of a foster home certificate" provides guidance to agencies about the process on revocation and denial of certification for foster homes. Paragraph (F) was added to allow agencies with access to the SACWIS system to recommend denials and revocations through the system rather than using the JFS 01317 form.

OAC rule 5101:2-5-31, entitled "Sharing or transfer of a foster home" provides guidance to agencies on the sharing of a foster home as well as the transfer process for a foster home. The rule was amended for clarity. Paragraph (B) was amended to allow a foster home to transfer to another agency within the first year of certification, if both agencies agree to the transfer. The paragraph was also amended to clarify that a foster caregiver can only transfer to another agency one time during their certification period.

OAC rule 5101:2-5-32, entitled "Occupancy limitations and accessibility" provides guidance to agencies on the capacity of children allowed in foster homes. A clarifying paragraph (B)(5) was added to specify that exceptions to the capacity limits to a foster home would be made only for entire sibling groups.

OAC rule 5101:2-5-35, entitled "Children's rights" provides guidance to agencies on the rights of children in foster care. Paragraph (A)(1) was amended to add that a foster child has a right to abstain from the practice of religion.

OAC rule 5101:2-7-02, entitled "General requirements for foster caregivers and applicants" provides guidance on the requirements of being a foster caregiver to prospective and current foster caregivers. Paragraph (F) was amended to extend the JFS 01653 Medical Statement to one year prior to initial recommendation of the foster home. Paragraph (X) was amended to allow the caregiver up to twelve months prior to initial recommendation to obtain a fire inspection.

OAC rule 5101:2-7-14, entitled "Required notification" provides foster caregivers with guidance on what they are required to report to their agency. The rule was amended for clarity. No substantive changes were made.

OAC rule 5101:2-7-16, entitled "Additional requirements for a treatment foster caregiver and a treatment foster home" provides guidance on the requirements of becoming a treatment foster caregiver. The rule was amended for clarity. 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.