

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: April 2, 2014
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 5103.02, 5103.03, 5103.07, 5153.166 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 5101:2-5-13.1, entitled "Disaster preparedness plan requirements", provides guidance to agencies on the minimum process for the agency to continue to operate during a disaster. The rule was updated for clarity. No substantive changes were made.

OAC rule 5101:2-5-23, entitled "Form and duration of a foster home certificate", provides guidance to agencies regarding the foster home certificate. This rule is being rescinded. It was a directive for ODJFS, not foster care agencies.

OAC rule 5101:2-5-27, entitled "Termination of a foster home certificate", provides guidance to agencies on items regarding the termination of a foster home certificate. Paragraph (B) was amended to update the current procedure for terminating a foster home certificate if an agency has not yet implemented the statewide automated child welfare information system (SACWIS).

OAC rule 5101:2-5-28, entitled "Cause for denial of initial certification, denial of recertification or revocation of a foster home certificate", provides guidance to agencies regarding the reasons a foster home certificate might be denied or revoked. Paragraph (E)(1) was amended to add what an agency is required to do to begin an investigation of noncompliance.

OAC rule 5101:2-5-29, entitled "Foster home records", provides guidance to agencies regarding foster home records. Paragraph (C)(4) was amended regarding the log kept by the agency for foster homes and requires the agency to add the reason for the removal of a foster child from a foster home to the log when a child is removed or discharged.

OAC rule 5101:2-5-36, entitled "Additional requirements for an agency that acts as a representative of ODJFS in recommending treatment foster homes for certification", provides guidance to agencies regarding requirements for treatment foster homes. Paragraph (I) was amended for clarity.

OAC rule 5101:2-5-37, entitled "Additional requirements for an agency that acts as a representative of ODJFS in recommending medically fragile foster homes for

certification", provides guidance to agencies regarding requirements for medically fragile foster homes. A new paragraph (E) was added to state that if the service plan developed by the treatment team recommends any special needs for a child that would conflict with any rule in chapter 5101:2-7 of the Administrative Code, the service plan shall be followed. No other substantive changes were made.

OAC rule 5101:2-5-40, entitled "Preplacement and continuing training programs", provides guidance to agencies regarding the requirements for an agency wishing to implement and maintain a foster care training program. Paragraph (A) was amended to allow for an agency administrator or designee to approve the agency training plan and submit it to ODJFS. Paragraph (C) was amended to replace "agency director" with "agency administrator or designee". Paragraph (D) was amended for clarity. Paragraph (G) was amended for clarity. Paragraphs (H), (J) and (L) were amended to reference the required training topics described in rule 5101:2-5-33. Paragraph (O) was amended for clarity.

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 and Acquisition 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.