

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: December 5, 2016
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 5103.02, 5103.03, 5103.0316 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. These rules are proposed for amendment as a result of the five year review process.

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 requirements for criminal records checks for agency employees as well as for foster caregivers. Paragraphs (A), (K) and (N) were amended to include a reference to section 2151.86 of the Revised Code in regard to conducting criminal records checks.

OAC rule 5101:2-5-26, entitled "Procedures for revocation, denial of initial certification or denial of recertification of a foster home certificate," provides guidance to agencies on what an agency must do to deny a foster home certificate. Paragraphs (B), (D) and (E) were amended for clarification. No substantive changes were made.

OAC rule 5101:2-5-28, entitled "Agency cause for denial of initial certification, denial of recertification or revocation of a foster home certificate," provides guidance to agencies on valid reasons for denial or revocation of a foster home certificate. Paragraph (A)(13) was added to reference section 5103.0326 of the Revised Code.

OAC rule 5101:2-5-32, entitled "Occupancy limitations and accessibility," provides guidance to agencies on occupancy limits in foster homes. Paragraph (B) was amended to add and clarify exceptions to each occupancy limit listed in the paragraph. These exceptions existed for the total number of children in the home but were never expanded to include the limits in paragraph (B) prior to this change.

OAC rule 5101:2-5-35, entitled "Children's rights," provides guidance to agencies on the rights of a child placed in foster care. Paragraph (A) was amended for clarification. No substantive changes were made.

OAC rule 5101:2-7-08, entitled "Alternative Care Arrangements," provides guidance to agencies on the requirements for babysitting and other child care arrangements for foster children by the foster caregivers. A new paragraph (C) was added to clarify how the reasonable and prudent parent standard affects alternative care arrangements.

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.