

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

**DATE:** August 5, 2019  
**TIME:** 10:00 a.m.  
**LOCATION:** Room 3110B, Rhodes State Office Tower  
30 East Broad Street, Columbus, Ohio 43215

Pursuant to sections 5103.03, 5153.166, 3107.083, 5101.141, 5107.05 and 119.03 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.

**OAC 5101:2-42-04** entitled Authority to assume and retain custody of a child sets forth the authority to place a child outside of the parental home only if custody has been assumed or retained by the public children service agency or private child placing agency. The rule has been proposed for amendment to adhere to the five-year rule review. The language proposed by the Family First Prevention Services Act is being included into this rule specifically pertaining to substance use disorder residential facilities.

**OAC 5101:2-42-05** entitled Selection of a placement setting sets forth the requirements in the selection of a placement setting when a child cannot remain in their own home. The rule has been proposed for amendment to adhere to the five-year rule review. The language proposed by the Family First Prevention Services Act is being included into this rule specifically pertaining to substance use disorder residential facilities.

**OAC 5101:2-42-08** entitled Acceptance of temporary custody by agreement and court-approved extensions sets forth the requirements of a temporary custody agreement between the PCSAs and PCPAs and a parent upon the request of a secondary extension. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-09** entitled Acceptance of permanent custody by permanent surrender sets forth the requirements of a permanent custody agreement between the PCSAs and PCPAs and a parent. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-18.1** entitled Non-discrimination requirements for foster care placements sets forth the requirements not to deny or delay prospective foster parents or the placement of children into foster care on the basis of race, color or national origin of that person. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-64** entitled Preplacement services sets forth the guidance for preplacement services for a child and his or her parent, guardian or custodian when substitute care is going to occur. The rule has been proposed for amendment to adhere to the five-year rule review. The language proposed by the Family First Prevention Services Act is being included into this rule specifically pertaining to substance use disorder residential facilities.

**OAC 5101:2-42-65** entitled Caseworker visits and contacts with children in substitute care sets forth the requirements for caseworker visits with the child and the substitute caregiver in the placement setting to ensure safety and well-being. The rule has been proposed for amendment to adhere to the five-year rule review. The language proposed by the Family First Prevention Services Act is being included into this rule specifically pertaining to substance use disorder residential facilities.

**OAC 5101:2-42-67** entitled Preparation of lifebook sets forth the requirements for the PCSA or PCPA to create and maintain and share a lifebook while the child is in substitute care. It is a document for the child to have regarding childhood milestones and memories. The rule has been proposed for amendment to adhere to the five-year rule review and changes were made to the authorizing statute citations.

**OAC 5101:2-42-68** entitled Necessity for continued substitute care placement: Court reviews and hearing sets forth the requirements for each PCSA or PCPA to determine if the need for continued placement in a substitute care setting is necessary. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-70** entitled Provision of services to unmarried minor parents sets forth the requirements for the PCSA to provide and/or arrange services to abused, neglected or dependent unmarried minor during pregnancy through delivery. The rule has been proposed for amendment to adhere to the five-year rule review and changes were made to the authorizing statute citations.

**OAC 5101:2-42-71** entitled Approval of adult-supervised living arrangements sets forth the requirements of an adult-supervised living arrangement which includes an approved family setting, licensed or certified foster home. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-87** entitled Termination of substitute care and custody of a child sets forth the requirements for the PCSA to assess the need for continued custody of a child. The rule changes the requirements of a trial home visit from sixty consecutive days to ninety consecutive days.

**OAC 5101:2-42-88** entitled Requirements for substitute care placement disruptions sets forth the requirements that PCSAs and PCPAs shall document when there is a disruption of a child in substitute care. The rule has been proposed for amendment to adhere to the five-year rule review and changes were made to the authorizing statute citations.

**OAC 5101:2-42-92** entitled Visitation for child in temporary custody sets forth the requirements of the PCSAs and PCPAs to arrange regular and frequent opportunities for visitation for children in temporary custody with their parents or guardians. The rule has been proposed for amendment to adhere to the five-year rule review and changes were made to the authorizing statute citations.

**OAC 5101:2-42-93** entitled Change of placement or visitation plan prior to journalization of case plan sets forth the requirements when a child's placement or visitation plan has been specified by a court order or the court has ordered that no change in the child's placement can occur without the court's approval a motion to modify is to be filed and the court's approval must be obtained. The rule has been proposed for amendment to adhere to the five-year rule review.

**OAC 5101:2-42-95** entitled Obtaining permanent custody: termination of parental rights sets forth the conditions upon which a PCSA or PCPA may petition the court to request permanent custody of a child under specific conditions. The rule has been proposed for amendment to adhere to the five-year rule review.

A copy of the proposed rules are available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at date, time, and location listed at the top of this letter. 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 or comments on the rule should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31<sup>st</sup> floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@odjfs.state.oh.us](mailto:rules@odjfs.state.oh.us).