

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: 1/5/2021
TIME: 10:00 a.m.
LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 602 607 539#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Pursuant to sections 2151.86, 3107.031, 3107.032, 3107.033, 3107.09, 3107.14, 3107.15, 3107.17, 5103.03, 5153.16, 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 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, the passage of the Family First Prevention Services Act and to keep alignment with foster care requirements.

OAC rule 5101:2-48-03, entitled "Requirement of social and medical history," provides guidance to agencies regarding the requirement to obtain information for the social and medical histories of the biological parents. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-06, entitled "Assessor roles and responsibilities for foster care and adoption," provides guidance to agencies, attorneys, and courts that employ or contract with assessors to provide specific foster care and adoption services. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-08, entitled "Adoption inquiry," provides guidance to agencies on the procedures an agency must take when contacted by a prospective adoptive applicant. Form revision dates were removed throughout the rule and the state foster care and adoption website link was added.

OAC rule 5101:2-48-09, entitled "Application process and preservice training," provides guidance to agencies regarding the process and training required for persons seeking adoption approval. A new paragraph (I) was added to require a search of the national sex offender registry for adoptive applicants and adult household members. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-10, entitled "Restrictions concerning provision of adoption services," provides guidance to agencies regarding the criminal records check requirement for an adoption placement approval. Name of bureau of criminal investigation updated throughout the rule. Paragraphs (C), (D) and (G) were amended to remove the violation section codes, provide reference to the offense list in appendix A to rule 5101:2-7-02 and to clarify rehabilitation standards. Paragraph (I) was deleted since

the minimum age of a foster caregiver and an adoptive parent are aligned to be eighteen years old. All the changes were amended due to legislative changes in the Family First Prevention Services Act and to keep alignment with foster care requirements.

OAC rule 5101:2-48-11, entitled “Approval of a foster home for adoptive placement,” provides guidance to agencies for persons wanting to add adoption approval to an existing foster care certification. Paragraph (A)(4)(i) was added to require a search of the national sex offender registry for the adoptive applicant and adult household members. Form revision dates were removed throughout the rule and name of bureau of criminal investigation updated.

OAC rule 5101:2-48-11.1, entitled “Foster caregiver adoption of a foster child or sibling group who has resided with the caregiver for at least six consecutive months,” provides guidance to agencies regarding the adoption process for a child or sibling group who has resided with a caregiver for at least six consecutive months. Paragraph (J)(4) was reworded to remove BCI and FBI reports and change to criminal record checks, so sex offender registry checks would be included. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-12, entitled “Completion of the adoption homestudy,” provides guidance to agencies on the homestudy process for prospective adoptive applicants. Paragraphs (Q)(1), (Q)(8) and (Q)(11) were amended regarding interviews, physical exams and references for prospective adoptive applicants and their adult household members. Paragraph (Q)(3)(b) was amended to provide reference to the offense list in appendix A to rule 5101:2-7-02. (Q)(6) was added as a new paragraph to require a search of the national sex offender registry for adoptive applicants and adult household members. New paragraphs, (Q)(15) and (Q)(16), were added to require smoke alarms and carbon monoxide detectors in the adoptive applicant’s home. Paragraph changes were amended due to legislative changes in the Family First Prevention Services Act and to keep alignment with foster care requirements. Remove from paragraph (W) information about submitting the JFS 01318 “SACWIS Private Agency Provider Request” since private agencies have provider access to enter homestudies in SACWIS. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-12.1, entitled “Adoption homestudy updates,” provides guidance to agencies regarding how to update the adoption homestudy every two years. Paragraphs (D), (G) and (H) were revised, since private agencies have provider access to enter homestudies in SACWIS and JFS 01318 “SACWIS Private Agency Provider Request” will no longer be used. Paragraphs (E)(1), (E)(7), (E)(10) and (F) regarding interviews and references for prospective adoptive applicants were amended due to legislative changes in the Family First Prevention Services Act and to keep alignment with foster care requirements. A new paragraph (E)(11) was added to require a search of the national sex offender registry for approved adoptive parents and adult household members when there is an adoption homestudy update. Form revision dates were removed throughout the rule.

OAC rule 5101:2-48-12.2, entitled “Required notification and adoption homestudy amendments,” provides guidance to adoptive families regarding when they need to notify the agency of certain changes, and gives guidance to agencies regarding how to complete amendments. Paragraphs (E)(4) was amended and (E)(5) was removed, since private agencies have provider access to enter homestudies in SACWIS and JFS 01318 “SACWIS Private Agency Provider Request” will no longer be used. Paragraph (F)(1) removed information so that guidance is given to provide that the JFS 01653 is completed for new household members. Amended paragraph (F)(2) to include a search of the national sex offender registry for new adult household members. Form revision dates were removed throughout the rule.

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. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

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.