



**Department of  
Job & Family  
Services**

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Mike DeWine, Governor Jon Husted, Lt. Governor Matt Damschroder, Director

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

**DATE:** January 4, 2024  
**TIME:** 10:00am  
**LOCATION:** Teleconference and Room 3110b, Rhodes State Office Tower  
30 East Broad St., Columbus, Ohio 43215

**This meeting will be held by teleconference and in person. If you would like to submit oral testimony, please attend the meeting site location or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 859 565 302#. Written testimony may also be submitted electronically to: [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov)**

Pursuant to sections 2151.86, 5103.18, 5103.03, 5103.0310, 5103.0319, 5103.0327, 5103.037 and Chapter 119. of the Ohio Revised Code, the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

Rule 5101:2-5-09, entitled Personnel and prohibited convictions for employment, is being proposed for amendment as a result of HB 33 of the 135th General Assembly and the five-year review. This rule provides guidance to agencies on the process for completing background checks for agency employees. The rule was amended to remove all background check requirement language and consolidate this information into rule 5101:2-5-09.1 to make it easier for agencies to locate the information. Specifically, paragraphs G through U were removed. This language was moved to rule 5101:2-5-09.1. Appendix A was removed and moved to rule 5101:2-5-09.1. No other significant changes were made.

Rule 5101:2-5-09.1, entitled Background checks for college interns, subcontractors, volunteers, employees, board presidents, officers, administrators, and foster caregivers, is being introduced as a result of HB 33 to add new criminal codes for prohibitive offenses for foster caregivers and employees of private agencies. The rule is also introduced to combine all background check requirements from three other rules into this rule to make it easier for agencies to locate the information. This is a new rule that consolidates all background check requirements into one location to make it easier for agencies to locate. Appendix A was added which is the former appendix A for rule 5101:2-7-02. Appendix B was added which is the former appendix A for rule 5101:2-5-09. Appendix C was added that lists the rehabilitation criteria for foster caregivers and Appendix D that lists the rehabilitation criteria for agency employees. New criminal codes were added to appendix A and B to align with statutory changes in HB 33 of the 135th General Assembly.

Rule 5101:2-7-02, entitled General requirements for foster caregivers and applicants, is being amended for the five-year rule review and to remove all background check requirements and placing them into rule 5101:2-5-09.1 to make it easier for agencies to locate. This rule provides guidance to agencies on all criteria a foster care applicant must meet to be certified. The rule was amended to remove all background check requirement language. Specifically, paragraphs J, K, L, M, O, P Q and R were removed. This language was moved to rule 5101:2-5-09.1. Appendix A was removed and moved to rule 5101:2-5-09.1. No other significant 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 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@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).