

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: September 5, 2007
TIME: 10:00 a.m.
LOCATION: Room 3110 B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 5103.03, 5103.0316, 5153.16 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 adoption, amendment or rescission of the rule or rules identified below and of a public hearing thereon.

5101:2-9-02 Staffing requirements is being proposed for amendment due to new language added to prohibit staff members of a residential facility to have overnight guests in the facility except for their own children under the age of eighteen.

5101:2-9-05 Requirements for residential parenting facility furniture, materials and equipment; diaper changing is being proposed for amendment due to a small change made in paragraph (J) to ensure consistency. No substantial changes.

5101:2-9-06 General Safety is being proposed for amendment due to new language added in paragraph (E) to comply with the new smoking legislation by not allowing smoking within the facility.

5101:2-9-08 Fire Safety is being proposed for amendment due to new language added in paragraph (A) to bring the agency name up to date and clarify that any work area in the facility would be inaccessible to children.

5101:2-9-10 Storage of Hazardous Materials is being proposed for amendment due to minor grammatical changes to paragraph (A).

5101:2-9-11 Admissions and Admissions Log is being proposed for amendment due to new language added in paragraph (A)(3) to allow children under the age of six years old to be admitted to a crisis care facility.

5101:2-9-14 Medications is being proposed for amendment due to new language added in paragraph (A) to require upon admission to a residential facility the staff of the facility to document any currently prescribed medications for the child being admitted in accordance with rule 5101:2-42-66.2 of the Administrative Code.

5101:2-9-16 Visiting and Communications is being proposed for amendment due to new language added in paragraph (G) to ensure that a child who has access to electronic media, which may include internet and e-mail service, adheres to the agency's policy regarding communications.

5101:2-9-17 Child's Money is being proposed for amendment due to new language in paragraph (A) to ensure the money a child has brought in or earned is not considered to be either the staff's or the agency's funds.

5101:2-9-19 Personal belongings, hygiene, socialization, and education is being proposed for amendment due to a typographical correction has been made in paragraph (J).

5101:2-9-20 Food and Nutrition is being proposed for amendment due to new grammar changes added in paragraph (B). Paragraph (L) has been amended to allow the use of refrigerated formula for infants beyond 24 hours if the instruction or physician recommends this type of usage.

5101:2-9-21 Disciplinary policy and procedures is being proposed for amendment due to new language added in paragraph (D) to make reference to the children's rights rule.

5101:2-9-22 Isolation is being proposed for amendment due to new language in paragraph (I) to ensure that any approved restraint techniques used by the agency are written in the agency's policies.

5101:2-9-23 Notification and documentation of critical incidents is being proposed for amendment due to new language in paragraph (A) to ensure critical incidents are reported within twenty four hours of the incident to notify the individual or agency that placed a child or teenage mother. New language has been added in paragraph (B) to ensure the incident report is given to the individual or agency that placed a child or teenage mother.

5101:2-9-24 Child and family complaint policy and procedure is being proposed for amendment due to new language in paragraph (A) to ensure that documentation that the child and family received the complaint policy and procedure is placed in the child's file.

5101:2-9-27 Dining Areas is being proposed for amendment due to a typographical error corrected in paragraph (C).

5101:2-9-28 Bedrooms is being proposed for amendment due to new language added in paragraph (M) to ensure that a child under the age of six shall not sleep on the upper bunk of a bunk bed. This makes the rule consistent with rule 5101:2-7-05 (F) of the Administrative Code. New language has been added in paragraph (R) (4) to ensure the gap between the mattress and the sides of the crib is no more than one and one-half inches.

5101:2-9-30 Kitchens and kitchen supplies is being proposed for amendment due to new language added in paragraph (A) to update the references to the Revised Code.

5101:2-9-32 Transportation is being proposed for amendment due to a new paragraph

(C) added to ensure that the residential facility keeps documentation of automobile insurance for all privately owned vehicles used to transport children of the facility. The documentation of automobile insurance shall be updated annually to ensure the insurance coverage is current. First aid supplies shall be located in each privately owned vehicle used to transport children of the facility. New language is added in paragraph (E) to allow the use of the new LATCH system as an acceptable form of safety restraint in vehicles.

5101:2-9-34 Building approval is being proposed for amendment due to new language added in paragraph (A) (2) to ensure that a CRC secures a building approval and occupancy permit at the time of any modification or alteration of any existing structure as required by the Ohio department of commerce or from a county or municipal building department certified by the department of commerce to inspect and approve the building code use group applicable to the CRC.

A copy of the proposed rules is 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 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 rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215, by fax at (614) 752-8298, or by e-mail at rules@odjfs.state.oh.us.