

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: Monday, July 7, 2008
TIME: 10:00 a.m.
LOCATION: Rm. 1865, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 5103.03 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 identified below and of a public hearing thereon.

OAC 5101:2-5-09 entitled Personnel and prohibited convictions for employment is being amended to require an administrator of an agency to have a bachelor's degree from a nationally recognized accreditation organization. The rule is also amended to require an agency to compile a summary report of child abuse and neglect for any prospective employee who will be performing the duties of child care staff. This rule also contains an appendix of prohibited offenses.

OAC 5101:2-5-09.1 entitled Criminal records check required for certain prospective employees and certified foster caregivers is being amended to require a Federal Bureau of Investigation criminal background check for all prospective foster caregivers. The rule is also amended to allow the sharing of a criminal record check with a county department of job and family services. The rule is also amended to require an agency to assess the foster home for safety concerns if a household member pleads guilty or is convicted of a disqualifying offense.

OAC 5101:2-5-20 entitled Initial application for child placement is being amended for reformatting and to require a foster care applicant to provide the name of any other agency with which the applicant was previously certified. The rule is also amended to require the completion of JFS 01200 "Fire Inspection Report for Residential Facilities Certified by ODJFS" and a JFS 01681 "Applicant Financial Statement" for foster homes prior to certification.

OAC 5101:2-5-32 entitled Occupancy limitations and accessibility is being amended to require an agency to include the number of Type B child care children in the total number of children allowed in a foster home.

OAC 5101:2-7-02 entitled General requirements for foster caregivers and applicants is being amended to require a foster care applicant to complete a JFS 01681. The rule is also amended to include additional prohibitive crimes required by SB 163. Another additional requirement to the rule is a criminal background check every four years upon recertification of a foster home. The rule is also amended to require the foster care applicant to notify the recommending agency if he or she has had a foster care certificate denied or revoked in Ohio or any other state within the last five years. The rule is also amended to prohibit any foster caregiver from being certified as a Type A child care provider. The rule also prohibits a specialized foster home from being certified as a Type B child care provider. This rule also contains an appendix of prohibited offenses.

OAC 5101:2-7-14 entitled Required Notification is being amended to require a foster caregiver to notify the recommending agency if the foster caregiver is certified to operate a Type B child care home. This rule also contains an appendix of prohibited offenses.

OAC 5101:2-7-16 entitled Additional requirements for a treatment foster caregiver and a treatment foster home is being amended to specify the equivalent experience for a foster caregiver who wishes to be certified as a specialized caregiver.

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 for 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@jfs.ohio.gov