

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 section 5153.166 and Chapter 119 of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon.

Rule 5101:2-48-07 entitled "Listing and withdrawing children and families with the Ohio adoption photo listing, OAPL web page and the OAPL families waiting to adopt book" outlines the procedures for listing and withdrawing children on the Ohio Adoption Photo Listing (OAPL) and registering families for the "OAPL Families Waiting to Adopt Book." This rule is proposed for amendment to add the requirement that a child for whom a subsidy is being requested must be posted on the OAPL, to revise the exceptions for not posting a child on OAPL and to include revision dates for adoption forms referenced in this rule.

Rule 5101:2-48-09 entitled "Application process and preservice training" outlines the application process and the preservice training for prospective adoptive applicants. This rule is proposed for amendment to clarify language regarding the JFS 01530 "Multiple Children/Large Family Assessment," include new requirements for the bureau of criminal identification and investigation (BCII) criminal background checks and to include "Permanency Issues for Children" and "Permanency Issues for Families" in the list of components for preservice training.

Rule 5101:2-48-10 entitled "Restrictions concerning provision of adoption services" outlines the bureau of criminal identification and investigation (BCII) requirements for prospective adoptive parents. This rule is proposed for amendment to include the new requirements for BCII criminal background checks, to add additional offenses to the list of prohibited criminal offenses and to add the county department of job and family services to the list of entities that may receive a copy of the criminal records check report.

Rule 5101:2-48-11 entitled "Approval of a foster home for adoptive placement" outlines the procedures for approving a foster home for adoptive placement. This rule is proposed for amendment to include new requirements for the bureau of criminal identification and investigation (BCII) criminal background checks, include the definitions for "commencement of a homestudy" and "fully implemented," to clarify when a search of the statewide automated child welfare information system (SACWIS) or central registry is required and to require a search of SACWIS or the central registry if an applicant or adult member of the applicant's household resided out of state five years prior to the application. This rule is also being amended to clarify the notification procedures when a public children services agency, (PCSA), private child placing agency (PCPA), private non-custodial agency (PNA) or an attorney arranging an adoption initiates a homestudy on a family residing in another county.

Rule 5101:2-48-11.1 entitled "Foster caregiver adoption process of a foster child who has resided with the caregiver for at least twelve consecutive months" outlines the adoption process for a child who has resided with their caregiver for at least twelve consecutive months. This rule is proposed for amendment to include the definition of "fully implemented," clarify when a search of the statewide automated child welfare information system (SACWIS) or central registry is required and include new requirements for the bureau of criminal identification and investigation (BCII) criminal background checks. This rule is also being amended to clarify the notification procedures when a public children services agency, (PCSA), private child placing agency (PCPA), private non-custodial agency (PNA) or an attorney arranging an adoption initiates a homestudy on a family residing in another county.

Rule 5101:2-48-12 entitled "Completion of the homestudy report" outlines the homestudy process for prospective adoptive applicants, who may conduct homestudies and the process for recommending or not recommending the homestudy. This rule is proposed for amendment to include the definitions of "commencement of a homestudy" and "fully implemented," to clarify when a search of the statewide automated child welfare information system (SACWIS) or central registry is required and to require a search of SACWIS or the central registry if an applicant or adult member of the applicant's household resided out of state five years prior to the application. This rule is also being amended to clarify the notification procedures when a public children services agency, (PCSA), private child placing agency (PCPA), private non-custodial agency (PNA) or an attorney arranging an adoption initiates a homestudy on a family residing in another county. Final amendments to this rule include new requirements for the bureau of criminal identification and investigation (BCII) criminal background checks, exemption for international and step-parent adoptions from using the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" and mandated use of the JFS 01200 "Fire Inspection Report for Foster Homes or Residential Facilities Certified/Approved by ODJFS" for a fire inspection of a prospective adoptive parent's home.

Rule 5101:2-48-12.1 entitled "Completion of adoption homestudy updates and amendments" outlines the requirements for completing an update or amendment to an adoptive homestudy. This rule is proposed for amendment to clarify when homestudy updates are due, exempt international-only adoptions from using the JFS 01385 "Ohio Department of Job and Family Services Assessment for Child Placement Update," clarify what documents must be completed and attached to the JFS 01385, and mandate use of the JFS 01200 "Fire Inspection Report for Foster Homes or Residential Facilities Certified/Approved by ODJFS" for a fire inspection of a prospective adoptive parent's home. This rule was also amended to include the new requirements for BCII criminal background checks, the process for criminal background checks at the time of update and a timeframe for completion of criminal background checks for new adult household members. Final revisions to this rule include a timeframe for completion of the JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" for new household members.

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@jfs.ohio.gov.