

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

**DATE: Tuesday, April 28, 2009**  
**TIME: 10:00 a.m.**  
**LOCATION: Rm. 3110B, Rhodes State Office Tower**  
**30 E. Broad Street, Columbus, Ohio 43215**

Pursuant to sections 3107.032, 3107.033, 5103.03, 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 adoption and amendment of the rules as identified below and of a public hearing thereon.

Rule 5101:2-5-20, entitled Initial application for child placement, provides agency guidelines for an initial application for child placement. This rule is being proposed for amendment to clarify procedures when an application for initial child placement has been received and to include language indicating that forms used for local or state fire inspections may be used in lieu of the JFS 01200 "Fire Inspection Report for Residential Facilities Certified by ODJFS." This rule is also being amended as a result of the five year review process.

Rule 5101:2-5-21, entitled Agency assessment of an initial application for a foster home certificate, outlines the assessment process for a prospective foster caregiver. This rule is being proposed for amendment to clarify the assessment procedures when an application for child placement has been received and to include the new revision date for the JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and all Household Members." This rule is also being amended as a result of the five year review process.

Rule 5101:2-5-30, entitled Change in household occupancy; change in marital status; change of address, outlines the procedures an agency must follow when a change in occupancy, marital status or address has occurred. This rule is being proposed for amendment to clarify procedures when an agency has been notified of changes in the foster caregiver's household and to include the new revision date for the JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and all Household Members." This rule is also being amended as a result of the five year review process.

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 being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly. Amendments to this rule include the new revision date for the JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and all Household Members," clarification of what documents must be reviewed in order to determine the appropriateness of a foster caregiver for adoptive placement and to remove language requiring five year proof of residency in Ohio. Other amendments to this rule include the removal of language requiring notification of impending placement as this language can be found in rule 5101:2-48-16 of the Administrative Code.

Rule 5101:2-48-11.1, entitled Foster caregiver adoption of a foster child who has resided with the caregiver for at least twelve consecutive months, outlines the adoption process for a child

who had resided with a caregiver for at least twelve consecutive months. This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly and as a result of the five year review process. The title of this rule and the time frame a child has to reside with the caregiver has been changed from "twelve consecutive months" to "six consecutive months" and the revision dates for the JFS 01692 "Application for Adoption of a Foster Child," JFS 01691 "Application for Child Placement" and JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and all Household Members" have been revised. Other proposed amendments include the removal of language requiring notification of initiation of an adoptive homestudy, clarification of what documents must be reviewed in order to determine the appropriateness of a foster caregiver for adoptive placement and the removal of language requiring five year proof of residency in Ohio. Finally, this rule is being proposed for amendment to clarify what information must be contained in the written notification of denial when the JFS 01692 is denied, to remove language requiring notification of impending placement as this language can be found in rule 5101:2-48-16 of the Administrative Code, and to comply with the Department's required format for rules.

Rule 5101:2-48-12, entitled Completion of the homestudy report, outlines the homestudy process for prospective adoptive applicants, the procedures for approving or denying an applicant as an adoptive parent and who may conduct adoptive homestudies. This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly. Amendments to this rule include the addition of language requiring an assessor to interview all members of the household over the age of four, to clarify the requirements of an adoption assessor who is conducting homestudies, remove language requiring five year proof of residency in Ohio and to clarify what documents are required for a homestudy. Other proposed amendments to this rule include the removal of the six year expiration of a homestudy and removal of language requiring notification of impending placement as this language can be found in rule 5101:2-48-16 of the Administrative Code.

Rule 5101:2-48-12.1, entitled Completion of adoption homestudy updates, outlines the requirements for completing an update to an adoptive homestudy. This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly and as a result of the five year review process. The title of this rule has been changed as all references to the homestudy amendment process have been placed in a separate, new rule. This rule is also being proposed for amendment to clarify when an update and notification of expiration of an existing homestudy is required, to outline what documents must be attached to a homestudy update, to clarify when a new criminal records check is required for adoptive parents and household members and to remove language regarding amendment of a homestudy. Finally, this rule is being proposed for amendment to comply with the Department's required format for rules.

Rule 5101:2-48-12.2, entitled Completion of adoption homestudy amendment, is a new rule which outlines the requirements for completing an amendment to an adoptive homestudy. This language was removed from rule 5101:2-48-12.1 and placed in this rule. This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly. The timeframe for notification of certain circumstances involving the adoptive child in the home has been changed from "within twenty-four hours" to "within one hour." This rule is also being proposed for amendment to specify that within twenty-four hours or the next working

day the agency shall be notified of any "serious" illness or death of an approved adoptive parent or household member and to outline the agency's responsibilities upon notification of a change of address by an adoptive parent.

Rule 5101:2-48-19, entitled Sharing and transferring adoptive homestudies, outlines the procedures for sharing and transferring an adoptive homestudy. The title of this rule has been changed and, due to its restructuring, this rule is being rescinded and replaced with a new rule. This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127<sup>th</sup> General Assembly and as a result of the five year review process. The procedures for sharing and transferring adoptive homestudies have been clarified in this rule.

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, 31<sup>st</sup> Floor, Columbus, Ohio 43215, by fax at (614) 752-8298, or by e-mail at [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).