

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
DATE: July 15, 2009
TIME: 10:00 AM
LOCATION: Rhodes State Office Tower Room 3110B,
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.412, 2151.421, 3107.034, 5103.03, 5153.16 and 5153.17 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 and rescission of the rules as identified below and of a public hearing thereon.

OAC 5101:2-1-01 entitled **Children services definitions of terms** is being proposed for rescission because it was reformatted for clarity and to make it more user friendly. This rule contains the children services definitions of terms used in Chapters 5101:2-5, 5101:2-7, 5101:2-9, 5101:2-33, 5101:2-35, 5101:2-36, 5101:2-39, 5101:2-40, 5101:2-42, 5101:2-44, 5101:2-47, 5101:2-48, 5101:2-49, 5101:2-52 and 5101:2-57 of the Administrative Code.

OAC 5101:2-1-01 entitled **Children services definitions of terms** is being proposed for adoption to replace the rescinded version of the same rule. The rule was reformatted for clarity and to make it more user friendly. The previous lettering schema was changed to numeric references for ease of use and reference. This rule contains the children services definitions of terms used in Chapters 5101:2-5, 5101:2-7, 5101:2-9, 5101:2-33, 5101:2-34, 5101:2-35, 5101:2-40, 5101:2-42, 5101:2-44, 5101:2-47, 5101:2-49, 5101:2-48, 5101:2-52 and 5101:2-57 of the Administrative Code.

OAC 5101:2-1-01.1 entitled **Definition of terms for the implementation of the "Comprehensive Assessment and Planning Model - Interim Solution" and statewide automated child welfare database** is being proposed for amendment to update and clarify policies and practices used in the definitions of the comprehensive assessment and planning model- interim solution and the statewide automated child welfare information system. This rule defines terms used in Chapters 5101:2-36, 5101:2-37, and 5101:2-38 of the Administrative Code and in rules 5101:2-33-20, 5101:2-33-21, 5101:2-33-23, 5101:2-33-28, 5101:2-33-99, 5101:2-39-01, 5101:2-39-02, and 5101:2-40-02 of the Administrative Code. The terms alleged child victim, alleged perpetrator, anonymous reporter, case decision, child subject of the report, courtesy supervision, in-home safety plan, neglected child, out-of-home care child abuse, out-of-home safety plan, principals of the report, risk assessment, specialized assessment/investigation, witness and working day were added or amended to clarify their meaning. The term emerging danger was removed from the rule.

OAC 5101:2-33-20 entitled **PCSA grievance review hearing policies** is being proposed for amendment to update and clarify policies and practices related to administration of complaint reviews and report disposition appeals. This rule outlines the PCSA requirement to develop policies to address complaints concerning the provision of services and appeals by alleged perpetrators who disagree with the PCSA report disposition of a report of child abuse or neglect. The changes to the rule include more

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clearly differentiating the complaint review from the report disposition appeal. Procedures for report disposition appeals have been identified.

OAC 5101:2-33-23 entitled **Case records for children services** is being proposed for amendment to update and clarify policies and practices related to certifying and documenting the citizenship or immigration status for all children in foster care. This rule outlines the requirements for public children service agency regarding preparation, maintenance, and retention of records on cases that come to the attention of the public children service agency. This rule is being amended to include documentation requirements previously found in other Administrative Code rules and to include the requirement that the public children service agency verify and document for all children in foster care their citizenship or immigration status in accordance with the Tax Relief and Health Care Act of 2006.

OAC 5101:2-33-26 entitled **The county child abuse and neglect memorandum of understanding** is being proposed for amendment to update and clarify child abuse and neglect policies and practices. This rule outlines the requirement of the public children service agency to develop a document that sets forth the normal operating procedures to be employed by all concerned officials in the execution of their respective responsibilities regarding conducting child abuse and neglect assessment/ investigations. The changes to the rule include the addition of requirements related to responding to reports alleging the withholding of medically indicated treatment from a disabled infant. The requirements were previously contained in rule 5101:2-36-07 of the Administrative Code. Grammatical changes to the rule were also 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 Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.