

ACTION: ORIGINAL
FILED

DATE: 09/13/2002
02:05 PM

5101:2-13-08 **Complaint investigations.**

- (A) The director's representative shall investigate and may inspect any licensed type A home upon receipt of any complaint that the home is out of compliance with the requirements of Chapter 5104. of the Revised Code or Chapter 5101:2-13 of the Administrative Code.
- (B) The investigation may include any number of contacts with persons such as, but not limited to:
- (1) Building inspectors, fire department inspectors, public health officials;
 - (2) Neighbors;
 - (3) Parents and relatives of children in care;
 - (4) Public children services staff;
 - (5) Persons mentioned by the complainant;
 - (6) Health agency or law enforcement personnel;
 - (7) Current and past type A home employees; or
 - (8) Other witnesses.
- (C) Complaint dispositions and summary reports: the director's representative shall complete a disposition report for each complaint at the conclusion of the investigation. The report shall be kept on file at the Ohio department of job and family services.
- (D) The director's representative shall forward summary reports of complaints to the administrator and the licensee. These reports shall outline the allegations, the results of the investigation, and expectations for corrections of any confirmed or discovered violations of the rule requirements. Copies of the summary reports shall be kept on file at the Ohio department of job and family services.
- (E) The administrator or licensee may submit to the director's representative a written response to a complaint investigation. The response shall be kept on file at the Ohio department of job and family services.
- (F) Allegations of child abuse or neglect: the director's representative shall immediately notify the local public children services agency upon receipt of a complaint when

allegations include child abuse or child neglect. The department shall send to the public children services agency a follow-up report which includes:

(1) A summary of the allegations;

(2) The director's representative's plans for investigation of the alleged noncompliance with requirements of Chapter 5104. of the Revised Code or Chapter 5101:2-13 of the Administrative Code; and

(3) A request for clarification of joint or parallel investigatory roles.

(G) Public record requests: a copy of the type A home's licensing record, with confidential information deleted, shall be provided to any person who submits a written request to the director. The licensing record shall include complaint investigation documents. The disposition report required by paragraphs (C) or (D) of this rule shall not disclose the results of investigations of abuse or neglect conducted by the local public children services agency.

Replaces: 5101:2-13-20

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5104.011
Rule Amplifies: 5104.04
Prior Effective Dates: 9/5/86