

5101:2-16-12**Publicly funded child care program integrity review.****(A) What is a program integrity review?**

A program integrity review carried out for the publicly funded child care program is meant to ensure:

- (1) The program is limited to only eligible recipients.
- (2) Payments to providers are for actual services provided.
- (3) Payments to providers conform to program rules.

(B) Who performs program integrity reviews?

The following entities may perform program integrity reviews for the publicly funded child care program:

- (1) The Ohio department of job and family services (ODJFS).
- (2) A county department of job and family services.
- (3) The Ohio auditor of state.
- (4) The Ohio attorney general.
- (5) The Ohio inspector general.
- (6) The U.S. department of health and human services (HHS).
- (7) The HHS office of inspector general.
- (8) The U.S. government accountability office.
- (9) Any entity working on behalf of ODJFS or the federal government.

(C) Who shall comply with publicly funded child care program integrity reviews?

Child care providers with a provider agreement or who had a provider agreement pursuant to rule 5101:2-16-09 of the Administrative Code, and caretakers determined eligible for publicly funded child care benefits pursuant to rule 5101:2-16-02 of the Administrative Code shall cooperate and participate in reviews conducted by any of the entities listed in paragraph (B) of this rule.

(D) What documentation and records will child care providers be required to provide as part of a program integrity review?

(1) Child care providers shall provide all documentation and records which are required to be maintained by Chapters 3301-32, 3301-37, 5101:2-12, 5101:2-13, 5101:2-14, 5101:2-16 and 5101:2-18 of the Administrative Code.

(2) Child care providers shall provide the documents and records listed in paragraph (D)(1) of this rule immediately upon request or no later than fifteen days from the date the child care provider receives notice of the request.

(3) Child care providers shall provide all documentation and records required to be maintained on-site immediately upon request during an on-site review.

(E) What happens if a child care provider fails to comply with a program integrity review request?

If a child care provider fails to comply with a program integrity review request, ODJFS may do both of the following:

(1) Terminate the provider agreement entered into with ODJFS pursuant to rule 5101:2-16-09 of the Administrative Code.

(2) Determine an overpayment for any claims under examination as part of the review.

(F) What happens if ODJFS determines misuse of publicly funded child care or the automated child care system pursuant to rule 5101:2-16-11 of the Administrative Code?

ODJFS may do any of the following:

(1) Recoup all improper payments due to misuse of publicly funded child care.

(2) Terminate the provider agreement entered into with ODJFS pursuant to rule 5101:2-16-09 of the Administrative Code.

(G) If ODJFS terminates a provider agreement pursuant to this rule, when can the provider request a new agreement?

A child care provider whose provider agreement has been terminated pursuant to this rule may not re-enter into a provider agreement for a period of five years from the date of termination.

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