

5101:2-48-12

Completion of the homestudy report.

(A) For the purpose of this rule, "commencement of a homestudy" means, at minimum, scheduling an appointment to interview the applicant or assuring that the applicant has been informed of the necessary materials required for the assessor to complete the homestudy.

(B) Homestudies shall be conducted by an adoption assessor who meets the requirements contained in rules 5101:2-1-01 and 5101:2-48-06 of the Administrative Code and is employed or under contract with one of the following:

(1) A public children services agency (PCSA) that acts as a representative of the Ohio department of job and family services (ODJFS) to:

(a) Recommend foster homes for certification and/or to place children for adoption

(b) Participate in the placement of children in foster homes or for adoption

(2) A private child placing agency (PCPA) or private non-custodial agency (PNA) that has been certified to act as a representative of ODJFS to:

(a) Recommend foster homes for certification and/or to place children for adoption.

(b) Participate in the placement of children in foster homes or for adoption.

(C) The assessment required by paragraph (B) of this rule shall commence within thirty days of the date the agency receives a fully completed JFS 01691 "Application for Child Placement" (rev. 12/2006) signed by the adoptive applicant. An agency that fails to commence a homestudy within thirty days of receiving the application shall document in the applicant's record the reason(s) the agency was unable to meet this requirement.

(D) The assessment for applicants seeking to adopt a child with special needs shall be completed within one hundred eighty days of the date that the agency received the application. An agency that fails to complete a homestudy within one hundred eighty days shall document in the applicant's record the reason(s) the agency was unable to meet this requirement.

(E) For an applicant(s) not seeking a child with special needs, the timeframes for completion of a written homestudy report, approval or denial of the adoptive homestudy, and written notification to the applicant(s) of the approval or denial shall be consistent with the agency's adoption and foster care policy prepared pursuant to rule 5101:2-48-05 of the Administrative Code.

(F) The PCSA, PCPA or PNA shall search the statewide automated child welfare information system (SACWIS) or the central registry of abuse if SACWIS is not

fully implemented, in accordance with the procedures outlined in rule 5101:2-48-09 of the Administrative Code for each applicant, adult household member and any new adult household member.

- (G) The applicant shall provide the PCSA, PCPA or PNA with documentation that the applicant and each adult who resides with the prospective adoptive parent have been residents of the state of Ohio for the five-year period immediately prior to the date on which a criminal records check is requested. This documentation may include tax records, school attendance records, bank records and rent or mortgage payment receipts.
- (H) The PCSA, PCPA or PNA shall request a check of the child abuse and neglect registry of any other state in which a prospective applicant or other adult who resides with the prospective adoptive parent has resided in the five years immediately prior to the application.
- (I) If a PCSA initiates an adoptive homestudy with an applicant from another county, it shall notify the PCSA in the county in which the applicant resides. This requirement does not apply to an adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.
- (J) If a PCPA, PNA or attorney arranging an adoption initiates an adoptive homestudy with an applicant, it shall notify the PCSA in the county in which the applicant resides. This requirement does not apply to:
- (1) An adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.
 - (2) An adoption where the PCSA in the county in which the adoptive applicant resides has contracted with the PCPA or PNA to complete the adoptive applicant's homestudy.
- (K) The written notification to the PCSA, required in paragraphs (I) and (J) of this rule, shall be sent within ten days of the initiation of the homestudy.
- (L) The written notification required in paragraphs (I) and (J) of this rule shall include the following information:
- (1) The applicant's name.
 - (2) The applicant's address.
 - (3) The applicant's telephone number.
 - (4) The names and dates of birth of all household members at the time of the application.

(5) A request for any relevant information, if known, including, at a minimum:

(a) Past or present functioning of the prospective adoptive parent.

(b) Rule violations involving any foster or pre-adoptive child.

(c) Any third party investigations.

(d) Information relating to any previous adoption applications and/or placements.

(e) Information on the events leading to a removal of any child from the prospective adoptive family home.

(f) Confirmation of household members as determined by a review of agency records.

(M) When the PCSA in the county in which the adoptive applicant resides receives the notification letter, the PCSA shall provide, in writing, any relevant information listed in paragraph (L) of this rule to the requesting agency within fifteen days.

(N) The PCSA in the county in which the adoptive applicant resides shall maintain written documentation on each family for whom they have received a notification letter. If the family is known to the agency and a record exists, the information shall be merged with the existing file.

(O) A multiple children/large family assessment shall be completed for any person seeking to adopt a child when a family has a total of five or more children residing in the home, including foster children and children in kinship care; or if the family will have a total of five or more children who will reside in the home upon the adoptive placement of a child. The large family assessment shall be completed on the JFS 01530 "Multiple Children/Large Family Assessment" (12/2006) form and attached to the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. 8/2005), if applicable.

(P) Agencies shall respect the right of the applicant(s) to select an agency for the purpose of completing the homestudy assessment. Once the homestudy has been initiated, the PCSA, PCPA or PNA shall maintain involvement with the applicant(s) through completion of the homestudy assessment, unless the applicant requests a transfer or fails to follow through with timely submission of homestudy documents. Agencies shall cooperate with an applicant(s) who has requested a transfer to another agency pursuant to rule 5101:2-48-19 of the Administrative Code.

(Q) No PCSA, PCPA or PNA shall consider race, color, or national origin of a family for whom that agency is conducting a homestudy in determining whether a homestudy is approved or disapproved. No PCSA, PCPA, or PNA shall consider the race, color

or national origin of the child in whom a family has indicated an interest in adopting in determining whether to approve or disapprove the family's homestudy.

(R) No PCSA, PCPA or PNA shall discriminate in approving or disapproving a homestudy on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (1/2/2006) and of Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 1201 (1/2/2006).

(S) When a PCSA, PCPA or PNA determines that any statement in a homestudy has been falsified, the PCSA, PCPA or PNA shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code.

(T) No PCSA, PCPA or PNA shall release a homestudy to any other agency or to the probate court when it has been determined that the application or homestudy contains a false statement knowingly made by the applicant(s) that is included in the written report of the homestudy.

(U) All homestudies conducted by PCSAs, PCPAs and PNAs shall be documented on the JFS 01673, or the JFS 01692 "Application for Adoption of a Foster Child" (rev. 12/2006), as applicable. Step-parent and international homestudies are exempt from this requirement. The JFS 01698 "Step-parent Homestudy Report" (rev. 10/2006) may be used when the court requests a PCSA, PCPA, or PNA to conduct a homestudy involving a step-parent adoption.

(V) Prior to the end of the assessment process, applicants shall complete and sign the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 12/2006) which indicates the acceptable characteristics of the child the applicant is requesting to adopt. Upon completion of the assessment process, the JFS 01673-A shall be attached to the JFS 01673. International and step-parent adoptions are exempt from this requirement.

(W) Upon completion of the homestudy, the PCSA, PCPA and PNA shall document the results of the homestudy on the JFS 01609 "Family Permanency Planning Data Summary" (2/2005).

(X) The agency shall attach the following documents to the JFS 01673:

(1) JFS 01673-A signed by the adoptive/foster parent(s), assessor and assessor's supervisor.

(2) The JFS 01530, if applicable.

(3) The JFS 01653 "Medical Statement for Foster Care/Adoptive Applicant and All Household Members" (rev. 2/2003) signed by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner or certified nurse-midwife.

- (4) Four personal reference statements (three from non-relatives) for each applicant to determine the applicant's suitability to parent a child.
- (5) A fire inspection by a state certified fire safety inspector or the state fire marshal's office using the JFS 01200 "Fire Inspection Report for Residential Facilities Certified by ODJFS" (rev. 10/2000).
- (6) The JFS 01348 "Safety Audit of a Foster Home," which is also used for adoptive homes (1/2003).
- (7) The JFS 01681 "Applicant Financial Statement" (rev. 10/2000).
- (8) The bureau of identification and investigation (BCII) and federal bureau of investigation (FBI) reports as outlined in rule 5101:2-48-10 of the Administrative Code.
- (9) A completed water test by an approved Ohio water testing laboratory, if deemed necessary by the agency.
- (Y) The assessor shall provide written notification to the applicant(s) of approval or denial of the adoption homestudy. The written notification shall be provided within ten days after the homestudy has been approved or disapproved.
- (Z) The assessor shall make one or more of the following recommendations at the completion of the homestudy:
 - (1) Approve the applicant(s) as adoptive parent(s) only.
 - (2) Recommend the applicant(s) for certification as a foster caregiver(s).
 - (3) Approve the applicant(s) as adoptive parents and recommend the applicant(s) for certification as a foster caregiver(s) simultaneously.
 - (4) Deny the adoption application.
 - (5) Recommend that the applicant(s) certification as a foster caregiver(s) not be approved.
 - (6) Deny the adoption application and recommend that the applicant's certification as a foster caregiver(s) not be approved.
- (AA) If the decision of the assessor is to approve the applicant(s) as an adoptive parent(s), the written notification shall include, at minimum, the following information:
 - (1) Date of approval of the adoptive homestudy with the date the approved

homestudy or update will expire.

(2) A description of the characteristics of the child or children for whom the applicant is being approved.

(BB) If the decision of the assessor is to deny the applicant for adoption, the written notification shall contain both of the following:

(1) A detailed explanation of the reason for the denial which sets forth all of the reasons upon which the denial was based.

(2) A description of procedures for an agency review pursuant to rule 5101:2-48-24 of the Administrative Code.

(CC) The PCSA, PCPA or PNA shall follow procedures contained in rule 5101:2-5-22 of the Administrative Code for approval or denial of an applicant(s) for certification as a foster home.

(DD) The expiration date of a JFS 01673 initial homestudy is six years from the date of the initial approval of the applicant(s) as adoptive parent(s). The JFS 01673 homestudy shall not be valid after a six year period.

(EE) If a PCSA intends to place a child for adoption with an adoptive family from another county, it shall notify the PCSA in the county in which the applicant resides. This requirement does not apply to an adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.

(FF) If a PCPA, PNA or attorney arranging an adoption intends to place a child for adoption with an adoptive family, it shall notify the PCSA in the county in which the applicant resides. This requirement does not apply to:

(1) An adoption by a step-parent whose spouse is a biological or adoptive parent of the minor to be adopted.

(2) An adoption where the PCSA in the county in which the adoptive applicant resides has contracted with the PCPA or PNA to complete the adoptive applicant's homestudy.

(GG) The written notification to the PCSA, required in paragraphs (EE) and (FF) of this rule, shall be sent at least ten days prior to the placement of the child. In the case of an infant placement, the notification may be made prior to the birth of the child.

(HH) The written notification required in paragraphs (EE) and (FF) of this rule shall include the following information:

(1) The prospective adoptive child's age.

(2) A description of the prospective adoptive child's special needs.

(3) The name(s) of the prospective adoptive parents.

(4) The number of children that will reside in the prospective adoptive home when the prospective adoptive child is placed in that home.

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CERTIFIED ELECTRONICALLY

Certification

08/11/2008

Date

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