

As Introduced

**125th General Assembly
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H. B. No. 117

**Representatives Widowfield, Husted, Hollister, McGregor, Kearns, Seitz,
White, Gilb, Allen**

A B I L L

To amend sections 2151.86, 5103.03, 5103.031, 1
5103.032, 5103.033, 5103.035, 5103.037, 5103.038, 2
5103.039, 5103.0311, 5103.0316, 5103.0317, and 3
5153.60 and to repeal section 5103.0310 of the 4
Revised Code to revise foster caregiver training 5
requirements, add additional offenses to those 6
that disqualify a person as a person responsible 7
for a child's care in out-of-home care or 8
prospective adoptive parent, and permit the 9
Department of Job and Family Services to seek 10
injunctive relief in certain circumstances. 11

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2151.86, 5103.03, 5103.031, 12
5103.032, 5103.033, 5103.035, 5103.037, 5103.038, 5103.039, 13
5103.0311, 5103.0316, 5103.0317, and 5153.60 of the Revised Code 14
be amended to read as follows: 15

Sec. 2151.86. (A)(1) The appointing or hiring officer of any 16
entity that appoints or employs any person responsible for a 17
child's care in out-of-home care shall request the superintendent 18
of BCII to conduct a criminal records check with respect to any 19

person who is under final consideration for appointment or 20
employment as a person responsible for a child's care in 21
out-of-home care. 22

(2) The administrative director of an agency, or attorney, 23
who arranges an adoption for a prospective adoptive parent shall 24
request the superintendent of BCII to conduct a criminal records 25
check with respect to that prospective adoptive parent. 26

(3) Before a recommending agency submits a recommendation to 27
the department of job and family services on whether the 28
department should issue a certificate to a foster home under 29
section 5103.03 of the Revised Code, the administrative director 30
of the agency shall request that the superintendent of BCII 31
conduct a criminal records check with respect to the prospective 32
foster caregiver and all other persons eighteen years of age or 33
older who reside with the foster caregiver. 34

(B) If a person subject to a criminal records check does not 35
present proof that the person has been a resident of this state 36
for the five-year period immediately prior to the date upon which 37
the criminal records check is requested or does not provide 38
evidence that within that five-year period the superintendent of 39
BCII has requested information about the person from the federal 40
bureau of investigation in a criminal records check, the 41
appointing or hiring officer, administrative director, or attorney 42
shall request that the superintendent of BCII obtain information 43
from the federal bureau of investigation as a part of the criminal 44
records check. If the person subject to the criminal records check 45
presents proof that the person has been a resident of this state 46
for that five-year period, the officer, director, or attorney may 47
request that the superintendent of BCII include information from 48
the federal bureau of investigation in the criminal records check. 49

An appointing or hiring officer, administrative director, or 50

attorney required by division (A) of this section to request a 51
criminal records check shall provide to each person subject to a 52
criminal records check a copy of the form prescribed pursuant to 53
division (C)(1) of section 109.572 of the Revised Code and a 54
standard impression sheet to obtain fingerprint impressions 55
prescribed pursuant to division (C)(2) of section 109.572 of the 56
Revised Code, obtain the completed form and impression sheet from 57
the person, and forward the completed form and impression sheet to 58
the superintendent of BCII at the time the criminal records check 59
is requested. 60

Any person subject to a criminal records check who receives 61
pursuant to this division a copy of the form prescribed pursuant 62
to division (C)(1) of section 109.572 of the Revised Code and a 63
copy of an impression sheet prescribed pursuant to division (C)(2) 64
of that section and who is requested to complete the form and 65
provide a set of fingerprint impressions shall complete the form 66
or provide all the information necessary to complete the form and 67
shall provide the impression sheet with the impressions of the 68
person's fingerprints. If a person subject to a criminal records 69
check, upon request, fails to provide the information necessary to 70
complete the form or fails to provide impressions of the person's 71
fingerprints, the appointing or hiring officer shall not appoint 72
or employ the person as a person responsible for a child's care in 73
out-of-home care, a probate court may not issue a final decree of 74
adoption or an interlocutory order of adoption making the person 75
an adoptive parent, and the department of job and family services 76
shall not issue a certificate authorizing the prospective foster 77
caregiver to operate a foster home. 78

(C)(1) No appointing or hiring officer shall appoint or 79
employ a person as a person responsible for a child's care in 80
out-of-home care, the department of job and family services shall 81
not issue a certificate under section 5103.03 of the Revised Code 82

authorizing a prospective foster caregiver to operate a foster 83
home, and no probate court shall issue a final decree of adoption 84
or an interlocutory order of adoption making a person an adoptive 85
parent if the person or, in the case of a prospective foster 86
caregiver, any person eighteen years of age or older who resides 87
with the prospective foster caregiver previously has been 88
convicted of or pleaded guilty to any of the following, unless the 89
person meets rehabilitation standards established in rules adopted 90
under division (F) of this section: 91

(a) A violation of section 2903.01, 2903.02, 2903.03, 92
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 93
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 94
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 95
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 96
2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 97
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 98
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, a 99
violation of section 2905.04 of the Revised Code as it existed 100
prior to July 1, 1996, a violation of section 2919.23 of the 101
Revised Code that would have been a violation of section 2905.04 102
of the Revised Code as it existed prior to July 1, 1996, had the 103
violation been committed prior to that date, a violation of 104
section 2925.11 of the Revised Code that is not a minor drug 105
possession offense, or felonious sexual penetration in violation 106
of former section 2907.12 of the Revised Code; 107

(b) A violation of an existing or former law of this state, 108
any other state, or the United States that is substantially 109
equivalent to any of the offenses described in division (C)(1)(a) 110
of this section. 111

(2) ~~The department of job and family services shall not issue~~ 112
~~a certificate under section 5103.03 of the Revised Code~~ 113
~~authorizing a prospective foster caregiver to operate a foster~~ 114

~~me if the department has been notified that the foster caregiver 115
or any person eighteen years of age or older who resides with the 116
foster caregiver has been convicted of or pleaded guilty to a 117
violation of one of the following offenses, unless the foster 118
caregiver or other person meets rehabilitation standards 119
established in rules adopted under division (F) of this section. 120~~

~~(a) Any offense listed in division (C)(1)(a) of this section 121
or section 2909.02 or 2909.03 of the Revised Code; 122~~

~~(b) An existing or former law of this state, any other state, 123
or the United States that is substantially equivalent to any 124
offense listed in division (C)(1)(a) of this section or section 125
2909.02 or 2909.03 of the Revised Code. 126~~

~~(3) The appointing or hiring officer may appoint or employ a 127
person as a person responsible for a child's care in out-of-home 128
care conditionally until the criminal records check required by 129
this section is completed and the officer receives the results of 130
the criminal records check. If the results of the criminal records 131
check indicate that, pursuant to division (C)(1) of this section, 132
the person subject to the criminal records check does not qualify 133
for appointment or employment, the officer shall release the 134
person from appointment or employment. 135~~

~~(D) The appointing or hiring officer, administrative 136
director, or attorney shall pay to the bureau of criminal 137
identification and investigation the fee prescribed pursuant to 138
division (C)(3) of section 109.572 of the Revised Code for each 139
criminal records check conducted in accordance with that section 140
upon a request pursuant to division (A) of this section. The 141
officer, director, or attorney may charge the person subject to 142
the criminal records check a fee for the costs the officer, 143
director, or attorney incurs in obtaining the criminal records 144
check. A fee charged under this division shall not exceed the 145
amount of fees the officer, director, or attorney pays for the 146~~

riminal records check. If a fee is charged under this division, 147
the officer, director, or attorney shall notify the person who is 148
the applicant at the time of the person's initial application for 149
appointment or employment, an adoption to be arranged, or a 150
certificate to operate a foster home of the amount of the fee and 151
that, unless the fee is paid, the person who is the applicant will 152
not be considered for appointment or employment or as an adoptive 153
parent or foster caregiver. 154

(E) The report of any criminal records check conducted by the 155
bureau of criminal identification and investigation in accordance 156
with section 109.572 of the Revised Code and pursuant to a request 157
made under division (A) of this section is not a public record for 158
the purposes of section 149.43 of the Revised Code and shall not 159
be made available to any person other than the person who is the 160
subject of the criminal records check or the person's 161
representative; the appointing or hiring officer, administrative 162
director, or attorney requesting the criminal records check or the 163
officer's, director's, or attorney's representative; the 164
department of job and family services or a county department of 165
job and family services; and any court, hearing officer, or other 166
necessary individual involved in a case dealing with the denial of 167
employment, a final decree of adoption or interlocutory order of 168
adoption, or a foster home certificate. 169

(F) The director of job and family services shall adopt rules 170
in accordance with Chapter 119. of the Revised Code to implement 171
this section. The rules shall include rehabilitation standards a 172
person who has been convicted of or pleaded guilty to an offense 173
listed in division (C)(1) ~~or (2)~~ of this section must meet for an 174
appointing or hiring officer to appoint or employ the person as a 175
person responsible for a child's care in out-of-home care, a 176
probate court to issue a final decree of adoption or interlocutory 177
order of adoption making the person an adoptive parent, or the 178

department to issue a certificate authorizing the prospective 179
foster caregiver to operate a foster home. 180

(G) An appointing or hiring officer, administrative director, 181
or attorney required by division (A) of this section to request a 182
criminal records check shall inform each person who is the 183
applicant, at the time of the person's initial application for 184
appointment or employment, an adoption to be arranged, or a foster 185
home certificate, that the person subject to the criminal records 186
check is required to provide a set of impressions of the person's 187
fingerprints and that a criminal records check is required to be 188
conducted and satisfactorily completed in accordance with section 189
109.572 of the Revised Code. 190

(H) As used in this section: 191

(1) "Children's hospital" means any of the following: 192

(a) A hospital registered under section 3701.07 of the 193
Revised Code that provides general pediatric medical and surgical 194
care, and in which at least seventy-five per cent of annual 195
inpatient discharges for the preceding two calendar years were 196
individuals less than eighteen years of age; 197

(b) A distinct portion of a hospital registered under section 198
3701.07 of the Revised Code that provides general pediatric 199
medical and surgical care, has a total of at least one hundred 200
fifty registered pediatric special care and pediatric acute care 201
beds, and in which at least seventy-five per cent of annual 202
inpatient discharges for the preceding two calendar years were 203
individuals less than eighteen years of age; 204

(c) A distinct portion of a hospital, if the hospital is 205
registered under section 3701.07 of the Revised Code as a 206
children's hospital and the children's hospital meets all the 207
requirements of division (H)(3)(a) of this section. 208

(2) "Criminal records check" has the same meaning as in 209

section 109.572 of the Revised Code.	210
(3) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code.	211 212
(4) "Person responsible for a child's care in out-of-home care" has the same meaning as in section 2151.011 of the Revised Code, except that it does not include a prospective employee of the department of youth services or a person responsible for a child's care in a hospital or medical clinic other than a children's hospital.	213 214 215 216 217 218
(5) "Person subject to a criminal records check" means the following:	219 220
(a) A person who is under final consideration for appointment or employment as a person responsible for a child's care in out-of-home care;	221 222 223
(b) A prospective adoptive parent;	224
(c) A prospective foster caregiver;	225
(d) A person eighteen years old or older who resides with a prospective foster caregiver.	226 227
(6) "Recommending agency" means a public children services agency, private child placing agency, or private noncustodial agency to which the department of job and family services has delegated a duty to inspect and approve foster homes.	228 229 230 231
(7) "Superintendent of BCII" means the superintendent of the bureau of criminal identification and investigation.	232 233
Sec. 5103.03. (A) The director of job and family services shall adopt rules as necessary for the adequate and competent management of institutions or associations.	234 235 236
(B)(1) Except for facilities under the control of the department of youth services, places of detention for children	237 238

stablished and maintained pursuant to sections 2151.34 to 239
2151.3415 of the Revised Code, and child day-care centers subject 240
to Chapter 5104. of the Revised Code, the department of job and 241
family services every two years shall pass upon the fitness of 242
every institution and association that receives, or desires to 243
receive and care for children, or places children in private 244
homes. 245

(2) When the department of job and family services is 246
satisfied as to the care given such children, and that the 247
requirements of the statutes and rules covering the management of 248
such institutions and associations are being complied with, it 249
shall issue to the institution or association a certificate to 250
that effect. A certificate is valid for two years, unless sooner 251
revoked by the department. When determining whether an institution 252
or association meets a particular requirement for certification, 253
the department may consider the institution or association to have 254
met the requirement if the institution or association shows to the 255
department's satisfaction that it has met a comparable requirement 256
to be accredited by a nationally recognized accreditation 257
organization. 258

(3) The department may issue a temporary certificate valid 259
for less than one year authorizing an institution or association 260
to operate until minimum requirements have been met. 261

(C) The department may revoke a certificate if it finds that 262
the institution or association is in violation of law or rule. No 263
juvenile court shall commit a child to an association or 264
institution that is required to be certified under this section if 265
its certificate has been revoked or, if after revocation, the date 266
of reissue is less than fifteen months prior to the proposed 267
commitment. 268

(D) Every two years, on a date specified by the department, 269
each institution or association desiring certification or 270

recertification shall submit to the department a report showing 271
its condition, management, competency to care adequately for the 272
children who have been or may be committed to it or to whom it 273
provides care or services, the system of visitation it employs for 274
children placed in private homes, and other information the 275
department requires. 276

(E) The department shall, not less than once each year, send 277
a list of certified institutions and associations to each juvenile 278
court and certified association or institution. 279

(F) No person shall receive children or receive or solicit 280
money on behalf of such an institution or association not so 281
certified or whose certificate has been revoked. 282

(G) The director may delegate by rule any duties imposed on 283
it by this section to inspect and approve family foster homes and 284
specialized foster homes to public children services agencies, 285
private child placing agencies, or private noncustodial agencies. 286

(H) If the director of job and family services determines 287
that an institution or association ~~is operating a facility~~ that 288
cares for children is operating without a certificate, the 289
director may petition the court of common pleas in the county in 290
which the ~~facility~~ institution or association is located for an 291
order enjoining ~~the~~ its operation ~~of that facility~~. The court 292
shall grant injunctive relief upon a showing that the institution 293
or association is operating ~~a facility~~ without a certificate. 294

(I) If both of the following are the case, the director of 295
job and family services may petition the court of common pleas of 296
any county in which an institution or association that holds a 297
certificate under this section operates for an order, and the 298
court may issue an order, preventing the institution or 299
association from receiving additional children into its care or an 300
order removing children from its care: 301

(1) The department has evidence that the life, health, or safety of one or more children in the care of the institution or association is at imminent risk. 302
303
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(2) The department has issued a proposed adjudication order pursuant to Chapter 119. of the Revised Code to deny renewal of or revoke the certificate of the institution or association. 305
306
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Sec. 5103.031. ~~(A)~~ Except as provided in section 5103.033 of 308
the Revised Code, the department of job and family services may 309
not issue a certificate under section 5103.03 of the Revised Code 310
to a foster home unless the foster caregiver successfully 311
completes the following amount of preplacement training through 312
the Ohio child welfare training program or a preplacement training 313
program operated under section 5103.034 of the Revised Code: 314

(1) If the foster home is a family foster home, at least 315
~~twelve~~ twenty-four hours; 316

(2) If the foster home is a specialized foster home, at least 317
thirty-six hours. 318

~~(B) No child may be placed in a family foster home unless the foster caregiver completes at least twelve additional hours of preplacement training through the Ohio child welfare training program or a preplacement training program operated under section 5103.034 of the Revised Code.~~ 319
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Sec. 5103.032. (A) Except as provided in divisions (B) ~~and~~, 324
(C), (D), and (E) of this section and in section 5103.033 of the 325
Revised Code, the department of job and family services may not 326
renew a foster home certificate under section 5103.03 of the 327
Revised Code unless the foster caregiver successfully completes 328
the following amount of continuing training in accordance with the 329
foster caregiver's needs assessment and continuing training plan 330
developed and implemented under section 5103.035 of the Revised 331

Code: 332

(1) If the foster home is a family foster home, at least 333
~~twenty~~ forty hours ~~each year in the preceding two-year period;~~ 334

(2) If the foster home is a specialized foster home, at least 335
~~thirty~~ sixty hours ~~each year in the preceding two-year period.~~ 336

The continuing training required by this section shall comply 337
with rules the department adopts pursuant to section 5103.0316 of 338
the Revised Code. 339

(B) A public children services agency, private child placing 340
agency, or private noncustodial agency acting as a recommending 341
agency for a foster caregiver holding a certificate issued under 342
section 5103.03 of the Revised Code for a family foster home or 343
specialized foster home may waive up to ~~four~~ eight hours of 344
continuing training the foster caregiver is otherwise required by 345
division (A) of this section to complete ~~in a year~~ in a two-year 346
certification period if all of the following apply: 347

(1) The foster caregiver has ~~provided foster care~~ held a 348
certificate issued under section 5103.03 of the Revised Code for a 349
family foster home or specialized foster home for at least two 350
years; 351

(2) The foster caregiver has provided foster care for at 352
least ninety days of the twelve months preceding the date the 353
agency issues the waiver; 354

(3) The foster caregiver has not violated any requirements 355
governing certification of foster homes during the twelve months 356
preceding the date the agency issues the waiver; 357

(4) The foster caregiver has complied in full with the needs 358
assessment and continuing training plan developed for the foster 359
caregiver under section 5103.035 of the Revised Code for the 360
preceding certification period. 361

(C) Each recommending agency shall establish and implement a policy regarding good cause for a foster caregiver's failure to complete the continuing training in accordance with division (A) of this section. If the foster caregiver complies with the policy, as determined by the agency, the department may renew the foster caregiver's foster home certificate. The agency shall submit the policy to the department and provide a copy to each foster home the agency recommends for certification or renewal. The policy shall include the following:

(1) What constitutes good cause, including documented illness, critical emergencies, and lack of accessible training programs;

(2) Procedures for developing a scheduled corrective action plan that provides for prompt completion of the continuing training;

(3) Procedures for recommending revocation of the foster home certificate if the foster caregiver fails to comply with the corrective action plan.

(D) A foster caregiver who has served in active duty outside Ohio with a branch of the armed forces of the United States for more than thirty days in the preceding two-year period is not subject to division (A) of this section.

(E) A foster caregiver who has served in active duty as a member of the Ohio national guard during an emergency in Ohio that lasted longer than thirty days of the preceding two-year period is not subject to division (A) of this section.

Sec. 5103.033. The department of job and family services may issue or renew a certificate under section 5103.03 of the Revised Code to a foster home for the care of a child who is in the custody of a public children services agency or private child

placing agency pursuant to an agreement entered into under section 392
5103.15 of the Revised Code regarding a child who was less than 393
six months of age on the date the agreement was executed if the 394
foster caregiver successfully completes the following amount of 395
training: 396

(A) For an initial certificate, at least twelve hours of 397
preplacement training through the Ohio child welfare training 398
program or a preplacement training program operated under section 399
5103.034 of the Revised Code; 400

(B) For renewal of a certificate, at least ~~twelve~~ twenty-four 401
hours ~~each year in the preceding two-year period~~ of continuing 402
training in accordance with the foster caregiver's needs 403
assessment and continuing training plan developed and implemented 404
under section 5103.035 of the Revised Code. 405

(C) A foster caregiver who has served in active duty outside 406
Ohio with a branch of the armed forces of the United States for 407
more than thirty days of the preceding two-year period is not 408
subject to division (B) of this section. 409

(D) A foster caregiver who has served in active duty as a 410
member of the Ohio national guard during an emergency in Ohio that 411
lasted longer than thirty days of the preceding two-year period is 412
not subject to division (B) of this section. 413

Sec. 5103.035. A public children services agency, private 414
child placing agency, or private noncustodial agency acting as a 415
recommending agency for a foster caregiver holding a certificate 416
issued under section 5103.03 of the Revised Code shall develop and 417
implement a written needs assessment and continuing training plan 418
for the foster caregiver. Each needs assessment and continuing 419
training plan shall satisfy all of the following requirements: 420

(A) Be effective for the two-year period the foster 421

caregiver's certificate is in effect; 422

(B) Be appropriate for the type of foster home the foster 423
caregiver operates; 424

(C) Require the foster caregiver to successfully complete the 425
~~courses each continuing training program must provide as specified~~ 426
training required by the department in rules adopted pursuant to 427
~~section 5103.0310 or 5103.0311~~ 5103.0316 of the Revised Code, ~~as~~ 428
~~appropriate,~~ and any other courses the agency considers 429
appropriate; 430

(D) Include criteria the agency is to use to determine 431
whether the foster caregiver has successfully completed the 432
courses; 433

(E) Guarantee that the courses the foster caregiver is 434
required to complete are available to the foster caregiver at 435
reasonable times and places; 436

(F) Specify whether the agency will waive any of the hours of 437
continuing training the foster caregiver is required by section 438
5103.032 of the Revised Code to complete ~~annually~~ if the foster 439
caregiver satisfies the conditions for the agency to issue a 440
waiver. If the agency will issue a waiver, the agency shall state 441
in the needs assessment and continuing training plan the number of 442
hours of continuing training, not to exceed ~~four~~ eight, that the 443
agency will waive. 444

Sec. 5103.037. The department of job and family services, in 445
consultation with the departments of youth services, mental 446
health, education, mental retardation and developmental 447
disabilities, and alcohol and drug addiction services, shall 448
develop a model design of a preplacement training program for 449
foster caregivers seeking an initial certificate under section 450
5103.03 of the Revised Code and a model design of a continuing 451

training program for foster caregivers seeking renewal of a 452
certificate under that section. The model design of a preplacement 453
training program shall comply with section 5103.039 of the Revised 454
Code. The model design of a continuing training program shall 455
comply with rules adopted pursuant to division (C) of section 456
~~5103.0310~~ 5103.0316 of the Revised Code. The department of job and 457
family services shall make the model designs available to public 458
children services agencies, private child placing agencies, and 459
private noncustodial agencies. 460

Sec. 5103.038. (A) Every other year by a date specified in 461
rules adopted under section 5103.0316 of the Revised Code, each 462
public children services agency, private child placing agency, and 463
private noncustodial agency that seeks to operate a preplacement 464
training program or continuing training program under section 465
5103.034 of the Revised Code shall submit to the department of job 466
and family services a proposal outlining the program. The proposal 467
may be the same as, a modification of, or different from, a model 468
design developed under section 5103.037 of the Revised Code. The 469
proposal shall include a budget for the program regarding the cost 470
associated with trainers, obtaining sites at which the training is 471
provided, and the administration of the training. The budget shall 472
be consistent with rules adopted under section 5103.0316 of the 473
Revised Code governing the department of job and family services' 474
reimbursement of public children services agencies, private child 475
placing agencies, and private noncustodial agencies under section 476
5103.0313 of the Revised Code. 477

(B) Not later than thirty days after receiving a proposal 478
under division (A) of this section, the department shall either 479
approve or disapprove the proposed program. The department shall 480
approve a proposed preplacement training program if it complies 481
with section 5103.039 or ~~5103.0310~~ 5103.0311 of the Revised Code, 482

as appropriate, and, in the case of a proposal submitted by an 483
agency operating a preplacement training program at the time the 484
proposal is submitted, the department is satisfied with the 485
agency's operation of the program. The department shall approve a 486
proposed continuing training program if it complies with rules 487
adopted pursuant to division (C) of section ~~5103.0310~~ or ~~5103.0311~~ 488
5103.0316 of the Revised Code, ~~as appropriate~~, and, in the case of 489
a proposal submitted by an agency operating a continuing training 490
program at the time the proposal is submitted, the department is 491
satisfied with the agency's operation of the program. The 492
department shall disapprove a proposed program if the program's 493
budget is not consistent with rules adopted under section 494
5103.0316 of the Revised Code governing the department's 495
reimbursement of public children services agencies, private child 496
placing agencies, and private noncustodial agencies under section 497
5103.0313 of the Revised Code. If the department disapproves a 498
proposal, it shall provide the reason for disapproval to the 499
agency that submitted the proposal and advise the agency of how to 500
revise the proposal so that the department can approve it. 501

(C) The department's approval under division (B) of this 502
section of a proposed preplacement training program or continuing 503
training program is valid only for two years following the year 504
the proposal for the program is submitted to the department under 505
division (A) of this section. 506

Sec. 5103.039. Except for preplacement training programs 507
described in section 5103.0311 of the Revised Code, a preplacement 508
training program shall consist of courses in the role of foster 509
caregivers as a part of the care and treatment of foster children. 510
A foster caregiver shall complete all of the courses, which shall 511
address all of the following: 512

(A) The legal rights and responsibilities of foster 513

egivers;	514
(B) Public children services agencies, private child placing agencies, and private noncustodial agencies' policies and procedures regarding foster caregivers;	515 516 517
(C) The department of job and family services' requirements for certifying foster homes;	518 519
(D) The effects placement, separation, and attachment issues have on children, their families, and foster caregivers;	520 521
(E) Foster caregivers' involvement in permanency planning for children and their families;	522 523
(F) The effects of physical abuse, sexual abuse, emotional abuse, neglect, and substance abuse on normal human growth and development;	524 525 526
(G) Behavior management techniques;	527
(H) Effects of caregiving on children's families;	528
(I) Cultural issues in placement;	529
(J) Prevention, recognition, and management of communicable diseases;	530 531
(K) Community health and social services available to children and their families;	532 533
(L) Cardiopulmonary resuscitation and first aid;	534
(M) The substance of section 2151.62 <u>2152.72</u> of the Revised Code. A course addressing section 2151.62 <u>2152.72</u> of the Revised Code shall be not less than one hour long.	535 536 537
(N) In the case of a preplacement training program for a foster caregiver seeking certification for a specialized foster home, additional issues specific to the types of children placed in specialized foster homes, including physical restraint techniques and the appropriate use of physical restraints and up	538 539 540 541 542

~~to eight hours of special education surrogate parent training.~~ 543

Sec. 5103.0311. (A) A preplacement training program for 544
foster caregivers described in section 5103.033 of the Revised 545
Code shall consist of courses that address all of the following: 546

(1) The legal rights and responsibilities of foster 547
caregivers; 548

(2) The policies and procedures of public children services 549
agencies, private child placing agencies, and private noncustodial 550
agencies regarding foster caregivers; 551

(3) The department of job and family services' requirements 552
for certifying foster homes; 553

(4) Infant care; 554

(5) Cardiopulmonary resuscitation and first aid; 555

(6) Early childhood development. 556

(B) A continuing training program for foster caregivers 557
described in section 5103.033 of the Revised Code shall ~~consist of~~ 558
~~courses that address both of the following:~~ 559

~~(1) Infant care;~~ 560

~~(2) Early childhood development, including developmentally 561
appropriate activities~~ meet the requirements of rules adopted 562
pursuant to section 5103.0316 of the Revised Code. 563

Sec. 5103.0316. Not later than ninety days after January 1, 564
2001, the department of job and family services shall adopt rules 565
in accordance with Chapter 119. of the Revised Code as necessary 566
for the efficient administration of sections 5103.031 to 5103.0316 567
of the Revised Code. The rules shall provide for all of the 568
following: 569

(A) For the purpose of section 5103.038 of the Revised Code, 570

the date by which a public children services agency, private child placing agency, or private noncustodial agency that seeks to operate a preplacement training program or continuing training program under section 5103.034 of the Revised Code must submit to the department a proposal outlining the program;

(B) Requirements governing the department's reimbursement of the Ohio child welfare training program and public children services agencies, private child placing agencies, and private noncustodial agencies under sections 5103.0312 and 5103.0313 of the Revised Code;

(C) Requirements governing the continuing training required by sections 5103.032 and 5103.033 of the Revised Code.

(D) Any other matter the department considers appropriate.

Sec. 5103.0317. A foster home may not receive more than five children apart from their parents, guardian, or custodian, except in ~~order to~~ any of the following circumstances:

(A) To accommodate a sibling group or the remaining members of a sibling group;

(B) When the additional child or children are related to the foster caregiver by blood or marriage;

(C) When the additional child or children are foster children who previously resided in the foster home;

(D) When the additional child or children are the children of a foster child who resides in the foster home.

Sec. 5153.60. The department of job and family services shall establish a statewide program that provides the training section 5153.122 of the Revised Code requires public children services agency caseworkers and supervisors to complete. The program may also provide the preplacement and continuing training described in

sections 5103.039, ~~5103.0310~~, and 5103.0311 of the Revised Code 600
that foster caregivers are required by sections 5103.031, 601
5103.032, and 5103.033 of the Revised Code to obtain. The program 602
shall be called the "Ohio child welfare training program." 603
604

Section 2. That existing sections 2151.86, 5103.03, 5103.031, 605
5103.032, 5103.033, 5103.035, 5103.037, 5103.038, 5103.039, 606
5103.0311, 5103.0316, 5103.0317, and 5153.60 and section 5103.0310 607
of the Revised Code are hereby repealed. 608