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White, Gilb, Allen, Schmidt, Schneider, Brown, Perry, Cirelli, Reidelbach,
Price, Hagan, Flowers, Otterman, Aslanides, Barrett, Beatty, Bocchieri,
Carano, Carmichael, Clancy, Collier, Daniels, DeBose, Distel, C. Evans,
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D. Stewart, J. Stewart, Strahorn, Taylor, Ujvagi, Wagner, Walcher, Widener,
Williams, Wilson, Wolpert, Woodard, Yates**

A B I L L

To amend sections 2151.86, 3107.012, 3107.013, 1
3107.031, 5103.03, 5103.031, 5103.032, 5103.033, 2
5103.035, 5103.037, 5103.038, 5103.039, 5103.0311, 3
5103.0316, 5103.0317, 5120.65, and 5153.60 and to 4
repeal section 5103.0310 of the Revised Code to 5
revise foster caregiver training requirements, add 6
additional offenses to those that disqualify a 7
person as a person responsible for a child's care 8
in out-of-home care or prospective adoptive 9
parent, permit foster caregivers to make 10
application to agencies arranging adoptions, and 11
permit the Department of Job and Family Services 12
to seek injunctive relief in certain 13
circumstances. 14

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

Section 1. That sections 2151.86, 3107.012, 3107.013, 15
3107.031, 5103.03, 5103.031, 5103.032, 5103.033, 5103.035, 16
5103.037, 5103.038, 5103.039, 5103.0311, 5103.0316, 5103.0317, 17
5120.65, and 5153.60 of the Revised Code be amended to read as 18
follows: 19

Sec. 2151.86. (A)(1) The appointing or hiring officer of any 20
entity that appoints or employs any person responsible for a 21
child's care in out-of-home care shall request the superintendent 22
of BCII to conduct a criminal records check with respect to any 23
person who is under final consideration for appointment or 24
employment as a person responsible for a child's care in 25
out-of-home care. 26

(2) The administrative director of an agency, or attorney, 27
who arranges an adoption for a prospective adoptive parent shall 28
request the superintendent of BCII to conduct a criminal records 29
check with respect to that prospective adoptive parent. 30

(3) Before a recommending agency submits a recommendation to 31
the department of job and family services on whether the 32
department should issue a certificate to a foster home under 33
section 5103.03 of the Revised Code, the administrative director 34
of the agency shall request that the superintendent of BCII 35
conduct a criminal records check with respect to the prospective 36
foster caregiver and all other persons eighteen years of age or 37
older who reside with the foster caregiver. 38

(B) If a person subject to a criminal records check does not 39
present proof that the person has been a resident of this state 40
for the five-year period immediately prior to the date upon which 41
the criminal records check is requested or does not provide 42
evidence that within that five-year period the superintendent of 43
BCII has requested information about the person from the federal 44

bureau of investigation in a criminal records check, the 45
appointing or hiring officer, administrative director, or attorney 46
shall request that the superintendent of BCII obtain information 47
from the federal bureau of investigation as a part of the criminal 48
records check. If the person subject to the criminal records check 49
presents proof that the person has been a resident of this state 50
for that five-year period, the officer, director, or attorney may 51
request that the superintendent of BCII include information from 52
the federal bureau of investigation in the criminal records check. 53

An appointing or hiring officer, administrative director, or 54
attorney required by division (A) of this section to request a 55
criminal records check shall provide to each person subject to a 56
criminal records check a copy of the form prescribed pursuant to 57
division (C)(1) of section 109.572 of the Revised Code and a 58
standard impression sheet to obtain fingerprint impressions 59
prescribed pursuant to division (C)(2) of section 109.572 of the 60
Revised Code, obtain the completed form and impression sheet from 61
the person, and forward the completed form and impression sheet to 62
the superintendent of BCII at the time the criminal records check 63
is requested. 64

Any person subject to a criminal records check who receives 65
pursuant to this division a copy of the form prescribed pursuant 66
to division (C)(1) of section 109.572 of the Revised Code and a 67
copy of an impression sheet prescribed pursuant to division (C)(2) 68
of that section and who is requested to complete the form and 69
provide a set of fingerprint impressions shall complete the form 70
or provide all the information necessary to complete the form and 71
shall provide the impression sheet with the impressions of the 72
person's fingerprints. If a person subject to a criminal records 73
check, upon request, fails to provide the information necessary to 74
complete the form or fails to provide impressions of the person's 75
fingerprints, the appointing or hiring officer shall not appoint 76

or employ the person as a person responsible for a child's care in 77
out-of-home care, a probate court may not issue a final decree of 78
adoption or an interlocutory order of adoption making the person 79
an adoptive parent, and the department of job and family services 80
shall not issue a certificate authorizing the prospective foster 81
caregiver to operate a foster home. 82

(C)(1) No appointing or hiring officer shall appoint or 83
employ a person as a person responsible for a child's care in 84
out-of-home care, the department of job and family services shall 85
not issue a certificate under section 5103.03 of the Revised Code 86
authorizing a prospective foster caregiver to operate a foster 87
home, and no probate court shall issue a final decree of adoption 88
or an interlocutory order of adoption making a person an adoptive 89
parent if the person or, in the case of a prospective foster 90
caregiver, any person eighteen years of age or older who resides 91
with the prospective foster caregiver previously has been 92
convicted of or pleaded guilty to any of the following, unless the 93
person meets rehabilitation standards established in rules adopted 94
under division (F) of this section: 95

(a) A violation of section 2903.01, 2903.02, 2903.03, 96
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 97
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 98
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 99
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 100
2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 101
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 102
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, a 103
violation of section 2905.04 of the Revised Code as it existed 104
prior to July 1, 1996, a violation of section 2919.23 of the 105
Revised Code that would have been a violation of section 2905.04 106
of the Revised Code as it existed prior to July 1, 1996, had the 107
violation been committed prior to that date, a violation of 108

section 2925.11 of the Revised Code that is not a minor drug 109
possession offense, or felonious sexual penetration in violation 110
of former section 2907.12 of the Revised Code; 111

(b) A violation of an existing or former law of this state, 112
any other state, or the United States that is substantially 113
equivalent to any of the offenses described in division (C)(1)(a) 114
of this section. 115

~~(2) The department of job and family services shall not issue 116
a certificate under section 5103.03 of the Revised Code 117
authorizing a prospective foster caregiver to operate a foster 118
home if the department has been notified that the foster caregiver 119
or any person eighteen years of age or older who resides with the 120
foster caregiver has been convicted of or pleaded guilty to a 121
violation of one of the following offenses, unless the foster 122
caregiver or other person meets rehabilitation standards 123
established in rules adopted under division (F) of this section.~~ 124

~~(a) Any offense listed in division (C)(1)(a) of this section 125
or section 2909.02 or 2909.03 of the Revised Code; 126~~

~~(b) An existing or former law of this state, any other state, 127
or the United States that is substantially equivalent to any 128
offense listed in division (C)(1)(a) of this section or section 129
2909.02 or 2909.03 of the Revised Code. 130~~

~~(3) The appointing or hiring officer may appoint or employ a 131
person as a person responsible for a child's care in out-of-home 132
care conditionally until the criminal records check required by 133
this section is completed and the officer receives the results of 134
the criminal records check. If the results of the criminal records 135
check indicate that, pursuant to division (C)(1) of this section, 136
the person subject to the criminal records check does not qualify 137
for appointment or employment, the officer shall release the 138
person from appointment or employment. 139~~

(D) The appointing or hiring officer, administrative 140
director, or attorney shall pay to the bureau of criminal 141
identification and investigation the fee prescribed pursuant to 142
division (C)(3) of section 109.572 of the Revised Code for each 143
criminal records check conducted in accordance with that section 144
upon a request pursuant to division (A) of this section. The 145
officer, director, or attorney may charge the person subject to 146
the criminal records check a fee for the costs the officer, 147
director, or attorney incurs in obtaining the criminal records 148
check. A fee charged under this division shall not exceed the 149
amount of fees the officer, director, or attorney pays for the 150
criminal records check. If a fee is charged under this division, 151
the officer, director, or attorney shall notify the person who is 152
the applicant at the time of the person's initial application for 153
appointment or employment, an adoption to be arranged, or a 154
certificate to operate a foster home of the amount of the fee and 155
that, unless the fee is paid, the person who is the applicant will 156
not be considered for appointment or employment or as an adoptive 157
parent or foster caregiver. 158

(E) The report of any criminal records check conducted by the 159
bureau of criminal identification and investigation in accordance 160
with section 109.572 of the Revised Code and pursuant to a request 161
made under division (A) of this section is not a public record for 162
the purposes of section 149.43 of the Revised Code and shall not 163
be made available to any person other than the person who is the 164
subject of the criminal records check or the person's 165
representative; the appointing or hiring officer, administrative 166
director, or attorney requesting the criminal records check or the 167
officer's, director's, or attorney's representative; the 168
department of job and family services or a county department of 169
job and family services; and any court, hearing officer, or other 170
necessary individual involved in a case dealing with the denial of 171

employment, a final decree of adoption or interlocutory order of adoption, or a foster home certificate. 172
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(F) The director of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section. The rules shall include rehabilitation standards a person who has been convicted of or pleaded guilty to an offense listed in division (C)(1) ~~or (2)~~ of this section must meet for an appointing or hiring officer to appoint or employ the person as a person responsible for a child's care in out-of-home care, a probate court to issue a final decree of adoption or interlocutory order of adoption making the person an adoptive parent, or the department to issue a certificate authorizing the prospective foster caregiver to operate a foster home. 174
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(G) An appointing or hiring officer, administrative director, or attorney required by division (A) of this section to request a criminal records check shall inform each person who is the applicant, at the time of the person's initial application for appointment or employment, an adoption to be arranged, or a foster home certificate, that the person subject to the criminal records check is required to provide a set of impressions of the person's fingerprints and that a criminal records check is required to be conducted and satisfactorily completed in accordance with section 109.572 of the Revised Code. 185
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(H) As used in this section: 195

(1) "Children's hospital" means any of the following: 196

(a) A hospital registered under section 3701.07 of the Revised Code that provides general pediatric medical and surgical care, and in which at least seventy-five per cent of annual inpatient discharges for the preceding two calendar years were individuals less than eighteen years of age; 197
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(b) A distinct portion of a hospital registered under section 202

3701.07 of the Revised Code that provides general pediatric 203
medical and surgical care, has a total of at least one hundred 204
fifty registered pediatric special care and pediatric acute care 205
beds, and in which at least seventy-five per cent of annual 206
inpatient discharges for the preceding two calendar years were 207
individuals less than eighteen years of age; 208

(c) A distinct portion of a hospital, if the hospital is 209
registered under section 3701.07 of the Revised Code as a 210
children's hospital and the children's hospital meets all the 211
requirements of division (H)(3)(a) of this section. 212

(2) "Criminal records check" has the same meaning as in 213
section 109.572 of the Revised Code. 214

(3) "Minor drug possession offense" has the same meaning as 215
in section 2925.01 of the Revised Code. 216

(4) "Person responsible for a child's care in out-of-home 217
care" has the same meaning as in section 2151.011 of the Revised 218
Code, except that it does not include a prospective employee of 219
the department of youth services or a person responsible for a 220
child's care in a hospital or medical clinic other than a 221
children's hospital. 222

(5) "Person subject to a criminal records check" means the 223
following: 224

(a) A person who is under final consideration for appointment 225
or employment as a person responsible for a child's care in 226
out-of-home care; 227

(b) A prospective adoptive parent; 228

(c) A prospective foster caregiver; 229

(d) A person eighteen years old or older who resides with a 230
prospective foster caregiver. 231

(6) "Recommending agency" means a public children services 232

agency, private child placing agency, or private noncustodial 233
agency to which the department of job and family services has 234
delegated a duty to inspect and approve foster homes. 235

(7) "Superintendent of BCII" means the superintendent of the 236
bureau of criminal identification and investigation. 237

Sec. 3107.012. (A) A foster caregiver who holds a valid 238
foster home certificate issued under section 5103.03 of the 239
Revised Code may use the application prescribed under division (B) 240
of this section to obtain the services of an agency to arrange an 241
adoption for the foster caregiver if ~~the~~ one of the following 242
applies: 243

(1) The foster caregiver seeks to adopt the foster 244
caregiver's foster child who has resided in the foster caregiver's 245
home for at least twelve months prior to the date the foster 246
caregiver submits the application to the agency. 247

(2) The foster caregiver holds a valid foster home 248
certificate issued under section 5103.03 of the Revised Code on or 249
after the effective date of this amendment. 250

(B) The department of job and family services shall prescribe 251
an application for a foster caregiver to use under division (A) of 252
this section. The application shall not require that the foster 253
caregiver provide any information the foster caregiver already 254
provided the department, or undergo an inspection the foster 255
caregiver already underwent, to obtain a foster home certificate 256
under section 5103.03 of the Revised Code. 257

(C) An agency that receives an application prescribed under 258
division (B) of this section from a foster caregiver authorized to 259
use the application shall not require, as a condition of the 260
agency accepting or approving the application, that the foster 261
caregiver undergo a criminal records check under section 2151.86 262

of the Revised Code as a prospective adoptive parent. The agency 263
shall inform the foster caregiver, in accordance with division (G) 264
of section 2151.86 of the Revised Code, that the foster caregiver 265
must undergo the criminal records check before a court may issue a 266
final decree of adoption or interlocutory order of adoption under 267
section 3107.14 of the Revised Code. 268

An agency that receives an application prescribed under 269
division (B) of this section from a foster caregiver who meets the 270
requirements of division (A)(2) of this section shall not require 271
additional training to become a prospective adoptive parent beyond 272
the preplacement training requirements for foster caregivers 273
prescribed in section 5103.031 or 5103.033 of the Revised Code. 274

(D) The department of job and family services shall adopt 275
rules implementing this section. 276

Sec. 3107.013. An agency arranging an adoption pursuant to an 277
application submitted to the agency under section 3107.012 of the 278
Revised Code for a foster caregiver seeking to adopt ~~the foster 279
caregiver's foster child~~ shall provide the foster caregiver 280
information about adoption, including information about state 281
adoption law, adoption assistance available pursuant to section 282
5153.163 of the Revised Code and Title IV-E of the "Social 283
Security Act," 94 Stat. 501, 42 U.S.C.A. 670 (1980), as amended, 284
the types of behavior that the prospective adoptive parents may 285
anticipate from children who have experienced abuse and neglect, 286
suggested interventions and the assistance available if the child 287
exhibits those types of behavior after adoption, and other 288
adoption issues the department of job and family services 289
identifies. The agency shall provide the information to the foster 290
caregiver in accordance with rules the department of job and 291
family services shall adopt in accordance with Chapter 119. of the 292
Revised Code. 293

Sec. 3107.031. Except as otherwise provided in this section, 294
an assessor shall conduct a home study for the purpose of 295
ascertaining whether a person seeking to adopt a minor is suitable 296
to adopt. A written report of the home study shall be filed with 297
the court at least ten days before the petition for adoption is 298
heard. 299

The report shall contain the opinion of the assessor as to 300
whether the person who is the subject of the report is suitable to 301
adopt a minor and other information and documents specified in 302
rules adopted by the director of job and family services under 303
section 3107.032 of the Revised Code. The assessor shall not 304
consider the person's age when determining whether the person is 305
suitable to adopt if the person is old enough to adopt as provided 306
by section 3107.03 of the Revised Code. 307

An assessor may request departments or agencies within or 308
outside this state to assist in the home study as may be 309
appropriate and to make a written report to be included with and 310
attached to the report to the court. The assessor shall make 311
similar home studies and reports on behalf of other assessors 312
designated by the courts of this state or another place. 313

Upon order of the court, the costs of the home study and 314
other proceedings shall be paid by the person seeking to adopt, 315
and, if the home study is conducted by a public agency or public 316
employee, the part of the cost representing any services and 317
expenses shall be taxed as costs and paid into the state treasury 318
or county treasury, as the court may direct. 319

On request, the assessor shall provide the person seeking to 320
adopt a copy of the report of the home study. The assessor shall 321
delete from that copy any provisions concerning the opinion of 322
other persons, excluding the assessor, of the person's suitability 323
to adopt a minor. 324

This section does not apply to a either of the following: 325

(A) A foster caregiver seeking to adopt the foster 326
caregiver's foster child if the foster child has resided in the 327
foster caregiver's home for at least twelve months prior to the 328
date the foster caregiver submits an application prescribed under 329
division (B) of section 3107.012 of the Revised Code to the agency 330
arranging the adoption; 331

(B) A foster caregiver who meets the requirements of division 332
(A)(2) of section 3107.012 of the Revised Code and submits an 333
application prescribed under division (B) of that section to the 334
agency arranging the adoption. 335

Sec. 5103.03. (A) The director of job and family services 336
shall adopt rules as necessary for the adequate and competent 337
management of institutions or associations. 338

(B)(1) Except for facilities under the control of the 339
department of youth services, places of detention for children 340
established and maintained pursuant to sections 2151.34 to 341
2151.3415 of the Revised Code, and child day-care centers subject 342
to Chapter 5104. of the Revised Code, the department of job and 343
family services every two years shall pass upon the fitness of 344
every institution and association that receives, or desires to 345
receive and care for children, or places children in private 346
homes. 347

(2) When the department of job and family services is 348
satisfied as to the care given such children, and that the 349
requirements of the statutes and rules covering the management of 350
such institutions and associations are being complied with, it 351
shall issue to the institution or association a certificate to 352
that effect. A certificate is valid for two years, unless sooner 353
revoked by the department. When determining whether an institution 354

or association meets a particular requirement for certification, 355
the department may consider the institution or association to have 356
met the requirement if the institution or association shows to the 357
department's satisfaction that it has met a comparable requirement 358
to be accredited by a nationally recognized accreditation 359
organization. 360

(3) The department may issue a temporary certificate valid 361
for less than one year authorizing an institution or association 362
to operate until minimum requirements have been met. 363

(C) The department may revoke a certificate if it finds that 364
the institution or association is in violation of law or rule. No 365
juvenile court shall commit a child to an association or 366
institution that is required to be certified under this section if 367
its certificate has been revoked or, if after revocation, the date 368
of reissue is less than fifteen months prior to the proposed 369
commitment. 370

(D) Every two years, on a date specified by the department, 371
each institution or association desiring certification or 372
recertification shall submit to the department a report showing 373
its condition, management, competency to care adequately for the 374
children who have been or may be committed to it or to whom it 375
provides care or services, the system of visitation it employs for 376
children placed in private homes, and other information the 377
department requires. 378

(E) The department shall, not less than once each year, send 379
a list of certified institutions and associations to each juvenile 380
court and certified association or institution. 381

(F) No person shall receive children or receive or solicit 382
money on behalf of such an institution or association not so 383
certified or whose certificate has been revoked. 384

(G) The director may delegate by rule any duties imposed on 385

it by this section to inspect and approve family foster homes and 386
specialized foster homes to public children services agencies, 387
private child placing agencies, or private noncustodial agencies. 388

(H) If the director of job and family services determines 389
that an institution or association ~~is operating a facility~~ that 390
cares for children is operating without a certificate, the 391
director may petition the court of common pleas in the county in 392
which the ~~facility~~ institution or association is located for an 393
order enjoining ~~the~~ its operation ~~of that facility~~. The court 394
shall grant injunctive relief upon a showing that the institution 395
or association is operating ~~a facility~~ without a certificate. 396

(I) If both of the following are the case, the director of 397
job and family services may petition the court of common pleas of 398
any county in which an institution or association that holds a 399
certificate under this section operates for an order, and the 400
court may issue an order, preventing the institution or 401
association from receiving additional children into its care or an 402
order removing children from its care: 403

(1) The department has evidence that the life, health, or 404
safety of one or more children in the care of the institution or 405
association is at imminent risk. 406

(2) The department has issued a proposed adjudication order 407
pursuant to Chapter 119. of the Revised Code to deny renewal of or 408
revoke the certificate of the institution or association. 409

Sec. 5103.031. ~~(A)~~ Except as provided in section 5103.033 of 410
the Revised Code, the department of job and family services may 411
not issue a certificate under section 5103.03 of the Revised Code 412
to a foster home unless the foster caregiver successfully 413
completes the following amount of preplacement training through 414
the Ohio child welfare training program or a preplacement training 415
program operated under section 5103.034 of the Revised Code: 416

~~(1)(A)~~ If the foster home is a family foster home, at least 417
~~twelve twenty-four hours;~~ 418

~~(2)(B)~~ If the foster home is a specialized foster home, at 419
least thirty-six hours. 420

~~(B) No child may be placed in a family foster home unless the 421
foster caregiver completes at least twelve additional hours of 422
preplacement training through the Ohio child welfare training 423
program or a preplacement training program operated under section 424
5103.034 of the Revised Code. 425~~

Sec. 5103.032. (A) Except as provided in divisions (B) ~~and~~ 426
(C), and (D) of this section and in section 5103.033 of the 427
Revised Code, the department of job and family services may not 428
renew a foster home certificate under section 5103.03 of the 429
Revised Code unless the foster caregiver successfully completes 430
the following amount of continuing training in accordance with the 431
foster caregiver's needs assessment and continuing training plan 432
developed and implemented under section 5103.035 of the Revised 433
Code: 434

(1) If the foster home is a family foster home, at least 435
~~twenty forty hours each year in the preceding two-year period;~~ 436

(2) If the foster home is a specialized foster home, at least 437
~~thirty sixty hours each year in the preceding two-year period.~~ 438

The continuing training required by this section shall comply 439
with rules the department adopts pursuant to section 5103.0316 of 440
the Revised Code. 441

(B) ~~A~~ At the beginning of a foster caregiver's two-year 442
certification period, a public children services agency, private 443
child placing agency, or private noncustodial agency acting as a 444
recommending agency for a foster caregiver holding a certificate 445
issued under section 5103.03 of the Revised Code for a family 446

foster home or specialized foster home may waive up to ~~four~~ eight 447
hours of continuing training the foster caregiver is otherwise 448
required by division (A) of this section to complete ~~in a year~~ in 449
that two-year certification period if all of the following apply: 450

(1) The foster caregiver has ~~provided foster care~~ held a 451
certificate issued under section 5103.03 of the Revised Code for a 452
family foster home or specialized foster home for at least two 453
years; 454

(2) The foster caregiver has provided foster care for at 455
least ninety days of the twelve months preceding the date the 456
agency issues the waiver; 457

(3) The foster caregiver has not violated any requirements 458
governing certification of foster homes during the twelve months 459
preceding the date the agency issues the waiver; 460

(4) The foster caregiver has complied in full with the needs 461
assessment and continuing training plan developed for the foster 462
caregiver under section 5103.035 of the Revised Code for the 463
preceding certification period. 464

(C) Each recommending agency shall establish and implement a 465
policy regarding good cause for a foster caregiver's failure to 466
complete the continuing training in accordance with division (A) 467
of this section. If the foster caregiver complies with the policy, 468
as determined by the agency, the department may renew the foster 469
caregiver's foster home certificate. The agency shall submit the 470
policy to the department and provide a copy to each foster home 471
the agency recommends for certification or renewal. The policy 472
shall include the following: 473

(1) What constitutes good cause, including documented 474
illness, critical emergencies, and lack of accessible training 475
programs; 476

(2) Procedures for developing a scheduled corrective action 477

plan that provides for prompt completion of the continuing 478
training; 479

(3) Procedures for recommending revocation of the foster home 480
certificate if the foster caregiver fails to comply with the 481
corrective action plan. 482

(D) A foster caregiver who has served in active duty outside 483
Ohio with a branch of the armed forces of the United States for 484
more than thirty days in the preceding two-year period or has 485
served in active duty as a member of the Ohio national guard 486
during an emergency in Ohio that lasted longer than thirty days of 487
the preceding two-year period shall be required to complete a 488
reduced amount of continuing training required under division (A) 489
of this section in accordance with rules adopted by the department 490
of job and family services. 491

Sec. 5103.033. The department of job and family services may 492
issue or renew a certificate under section 5103.03 of the Revised 493
Code to a foster home for the care of a child who is in the 494
custody of a public children services agency or private child 495
placing agency pursuant to an agreement entered into under section 496
5103.15 of the Revised Code regarding a child who was less than 497
six months of age on the date the agreement was executed if the 498
foster caregiver successfully completes the following amount of 499
training: 500

(A) For an initial certificate, at least twelve hours of 501
preplacement training through the Ohio child welfare training 502
program or a preplacement training program operated under section 503
5103.034 of the Revised Code; 504

(B) For renewal of a certificate, at least ~~twelve~~ twenty-four 505
hours ~~each year~~ in the preceding two-year period of continuing 506
training in accordance with the foster caregiver's needs 507
assessment and continuing training plan developed and implemented 508

under section 5103.035 of the Revised Code; 509

(C) For a foster caregiver who has served in active duty 510
outside Ohio with a branch of the armed forces of the United 511
States for more than thirty days of the preceding two-year period 512
or has served in active duty as a member of the Ohio national 513
guard during an emergency in Ohio that lasted longer than thirty 514
days of the preceding two-year period, a reduced amount of 515
continuing training required under division (B) of this section in 516
accordance with rules adopted by the department of job and family 517
services. 518

Sec. 5103.035. A public children services agency, private 519
child placing agency, or private noncustodial agency acting as a 520
recommending agency for a foster caregiver holding a certificate 521
issued under section 5103.03 of the Revised Code shall develop and 522
implement a written needs assessment and continuing training plan 523
for the foster caregiver. Each needs assessment and continuing 524
training plan shall satisfy all of the following requirements: 525

(A) Be effective for the two-year period the foster 526
caregiver's certificate is in effect; 527

(B) Be appropriate for the type of foster home the foster 528
caregiver operates; 529

(C) Require the foster caregiver to successfully complete the 530
~~courses each continuing training program must provide as specified~~ 531
training required by the department in rules adopted pursuant to 532
section 5103.0310 or 5103.0311 5103.0316 of the Revised Code, ~~as~~ 533
~~appropriate,~~ and any other courses the agency considers 534
appropriate; 535

(D) Include criteria the agency is to use to determine 536
whether the foster caregiver has successfully completed the 537
courses; 538

(E) Guarantee that the courses the foster caregiver is 539
required to complete are available to the foster caregiver at 540
reasonable times and places; 541

(F) Specify whether the agency will waive any of the hours of 542
continuing training the foster caregiver is required by section 543
5103.032 of the Revised Code to complete ~~annually~~ if the foster 544
caregiver satisfies the conditions for the agency to issue a 545
waiver. If the agency will issue a waiver, the agency shall state 546
in the needs assessment and continuing training plan the number of 547
hours of continuing training, not to exceed ~~four~~ eight, that the 548
agency will waive. 549

Sec. 5103.037. The department of job and family services, in 550
consultation with the departments of youth services, mental 551
health, education, mental retardation and developmental 552
disabilities, and alcohol and drug addiction services, shall 553
develop a model design of a preplacement training program for 554
foster caregivers seeking an initial certificate under section 555
5103.03 of the Revised Code and a model design of a continuing 556
training program for foster caregivers seeking renewal of a 557
certificate under that section. The model design of a preplacement 558
training program shall comply with section 5103.039 of the Revised 559
Code. The model design of a continuing training program shall 560
comply with rules adopted pursuant to division (C) of section 561
~~5103.0310~~ 5103.0316 of the Revised Code. The department of job and 562
family services shall make the model designs available to public 563
children services agencies, private child placing agencies, and 564
private noncustodial agencies. 565

Sec. 5103.038. (A) Every other year by a date specified in 566
rules adopted under section 5103.0316 of the Revised Code, each 567
public children services agency, private child placing agency, and 568

private noncustodial agency that seeks to operate a preplacement 569
training program or continuing training program under section 570
5103.034 of the Revised Code shall submit to the department of job 571
and family services a proposal outlining the program. The proposal 572
may be the same as, a modification of, or different from, a model 573
design developed under section 5103.037 of the Revised Code. The 574
proposal shall include a budget for the program regarding the cost 575
associated with trainers, obtaining sites at which the training is 576
provided, and the administration of the training. The budget shall 577
be consistent with rules adopted under section 5103.0316 of the 578
Revised Code governing the department of job and family services' 579
reimbursement of public children services agencies, private child 580
placing agencies, and private noncustodial agencies under section 581
5103.0313 of the Revised Code. 582

(B) Not later than thirty days after receiving a proposal 583
under division (A) of this section, the department shall either 584
approve or disapprove the proposed program. The department shall 585
approve a proposed preplacement training program if it complies 586
with section 5103.039 or ~~5103.0310~~ 5103.0311 of the Revised Code, 587
as appropriate, and, in the case of a proposal submitted by an 588
agency operating a preplacement training program at the time the 589
proposal is submitted, the department is satisfied with the 590
agency's operation of the program. The department shall approve a 591
proposed continuing training program if it complies with rules 592
adopted pursuant to division (C) of section ~~5103.0310~~ or ~~5103.0311~~ 593
5103.0316 of the Revised Code, ~~as appropriate,~~ and, in the case of 594
a proposal submitted by an agency operating a continuing training 595
program at the time the proposal is submitted, the department is 596
satisfied with the agency's operation of the program. The 597
department shall disapprove a proposed program if the program's 598
budget is not consistent with rules adopted under section 599
5103.0316 of the Revised Code governing the department's 600
reimbursement of public children services agencies, private child 601

placing agencies, and private noncustodial agencies under section 602
5103.0313 of the Revised Code. If the department disapproves a 603
proposal, it shall provide the reason for disapproval to the 604
agency that submitted the proposal and advise the agency of how to 605
revise the proposal so that the department can approve it. 606

(C) The department's approval under division (B) of this 607
section of a proposed preplacement training program or continuing 608
training program is valid only for two years following the year 609
the proposal for the program is submitted to the department under 610
division (A) of this section. 611

Sec. 5103.039. Except for preplacement training programs 612
described in section 5103.0311 of the Revised Code, a preplacement 613
training program shall consist of courses in the role of foster 614
caregivers as a part of the care and treatment of foster children. 615
A foster caregiver shall complete all of the courses, which shall 616
address all of the following: 617

(A) The legal rights and responsibilities of foster 618
caregivers; 619

(B) Public children services agencies, private child placing 620
agencies, and private noncustodial agencies' policies and 621
procedures regarding foster caregivers; 622

(C) The department of job and family services' requirements 623
for certifying foster homes; 624

(D) The effects placement, separation, and attachment issues 625
have on children, their families, and foster caregivers; 626

(E) Foster caregivers' involvement in permanency planning for 627
children and their families; 628

(F) The effects of physical abuse, sexual abuse, emotional 629
abuse, neglect, and substance abuse on normal human growth and 630
development; 631

(G) Behavior management techniques;	632
(H) Effects of caregiving on children's families;	633
(I) Cultural issues in placement;	634
(J) Prevention, recognition, and management of communicable diseases;	635 636
(K) Community health and social services available to children and their families;	637 638
(L) Cardiopulmonary resuscitation and first aid;	639
(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.	640 641 642
(N) In the case of a preplacement training program for a foster caregiver seeking certification for a specialized treatment foster home, additional issues specific to the types of children placed in specialized treatment foster homes, including <u>appropriate behavioral intervention techniques, such as de-escalation, self-defense, and physical restraint techniques</u> and the appropriate use of physical restraints and up to eight hours of special education surrogate parent training <u>such techniques</u> .	643 644 645 646 647 648 649 650
Sec. 5103.0311. (A) A preplacement training program for foster caregivers described in section 5103.033 of the Revised Code shall consist of courses that address all of the following:	651 652 653
(1) The legal rights and responsibilities of foster caregivers;	654 655
(2) The policies and procedures of public children services agencies, private child placing agencies, and private noncustodial agencies regarding foster caregivers;	656 657 658
(3) The department of job and family services' requirements for certifying foster homes;	659 660

(4) Infant care;	661
(5) Cardiopulmonary resuscitation and first aid;	662
(6) Early childhood development.	663
(B) A continuing training program for foster caregivers	664
described in section 5103.033 of the Revised Code shall consist of	665
courses that address both of the following:	666
(1) Infant care;	667
(2) Early childhood development, including developmentally	668
appropriate activities meet the requirements of rules adopted	669
pursuant to section 5103.0316 of the Revised Code.	670
Sec. 5103.0316. Not later than ninety days after January 1,	671
2001, the <u>The</u> department of job and family services shall adopt	672
rules in accordance with Chapter 119. of the Revised Code as	673
necessary for the efficient administration of sections 5103.031 to	674
5103.0316 of the Revised Code. The rules shall provide for all of	675
the following:	676
(A) For the purpose of section 5103.038 of the Revised Code,	677
the date by which a public children services agency, private child	678
placing agency, or private noncustodial agency that seeks to	679
operate a preplacement training program or continuing training	680
program under section 5103.034 of the Revised Code must submit to	681
the department a proposal outlining the program;	682
(B) Requirements governing the department's reimbursement of	683
the Ohio child welfare training program and public children	684
services agencies, private child placing agencies, and private	685
noncustodial agencies under sections 5103.0312 and 5103.0313 of	686
the Revised Code;	687
(C) <u>Requirements governing the continuing training required</u>	688
<u>by sections 5103.032 and 5103.033 of the Revised Code.</u>	689

(D) Any other matter the department considers appropriate. 690

Sec. 5103.0317. A foster home may not receive more than five 691
children apart from their parents, guardian, or custodian, except 692
in ~~order to~~ any of the following circumstances: 693

(A) To accommodate a sibling group or the remaining members 694
of a sibling group; 695

(B) When the additional child or children are related to the 696
foster caregiver by blood or marriage; 697

(C) When the additional child or children are foster children 698
who previously resided in the foster home; 699

(D) When the additional child or children are the children of 700
a foster child who resides in the foster home. 701

Sec. 5120.65. (A) The department of rehabilitation and 702
correction may establish in one or more of the institutions for 703
women operated by the department a prison nursery program under 704
which eligible inmates and children born to them while in the 705
custody of the department may reside together in the institution. 706
If the department establishes a prison nursery program in one or 707
more institutions under this section, sections 5120.651 to 708
5120.657 of the Revised Code apply regarding the program. If the 709
department establishes a prison nursery program and an inmate 710
participates in the program, neither the inmate's participation in 711
the program nor any provision of sections 5120.65 to ~~5120.658~~ 712
5120.657 of the Revised Code affects, modifies, or interferes with 713
the inmate's custodial rights of the child or establishes legal 714
custody of the child with the department. 715

(B) As used in sections 5120.651 to 5120.657 of the Revised 716
Code: 717

(1) "Prison nursery program" means the prison nursery program 718

established by the department of rehabilitation and correction 719
under this section, if one is so established. 720

(2) "Public assistance" has the same meaning as in section 721
5101.58 of the Revised Code. 722

(3) "Support" means amounts to be paid under a support order. 723

(4) "Support order" has the same meaning as in section 724
~~3113.21~~ 3119.01 of the Revised Code. 725

Sec. 5153.60. The department of job and family services shall 726
establish a statewide program that provides the training section 727
5153.122 of the Revised Code requires public children services 728
agency caseworkers and supervisors to complete. The program may 729
also provide the preplacement and continuing training described in 730
sections 5103.039, ~~5103.0310~~, and 5103.0311 of the Revised Code 731
that foster caregivers are required by sections 5103.031, 732
5103.032, and 5103.033 of the Revised Code to obtain. The program 733
shall be called the "Ohio child welfare training program." 734
735

Section 2. That existing sections 2151.86, 3107.012, 736
3107.013, 3107.031, 5103.03, 5103.031, 5103.032, 5103.033, 737
5103.035, 5103.037, 5103.038, 5103.039, 5103.0311, 5103.0316, 738
5103.0317, 5120.65, and 5153.60 and section 5103.0310 of the 739
Revised Code are hereby repealed. 740