

As Reported by the House Health and Aging Committee

130th General Assembly

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Sub. H. B. No. 352

Representatives Hayes, Thompson

Cosponsors: Representatives McClain, Derickson, Amstutz, Wachtmann

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A B I L L

To amend sections 2151.011, 2151.421, and 5103.02 and 1
to enact sections 5103.50, 5103.51, 5103.52, 2
5103.53, 5103.54, and 5103.55 of the Revised Code 3
to license private, nonprofit therapeutic 4
wilderness camps and to declare an emergency. 5

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

Section 1. That sections 2151.011, 2151.421, and 5103.02 be 6
amended and sections 5103.50, 5103.51, 5103.52, 5103.53, 5103.54, 7
and 5103.55 of the Revised Code be enacted to read as follows: 8

Sec. 2151.011. (A) As used in the Revised Code: 9

(1) "Juvenile court" means whichever of the following is 10
applicable that has jurisdiction under this chapter and Chapter 11
2152. of the Revised Code: 12

(a) The division of the court of common pleas specified in 13
section 2101.022 or 2301.03 of the Revised Code as having 14
jurisdiction under this chapter and Chapter 2152. of the Revised 15
Code or as being the juvenile division or the juvenile division 16
combined with one or more other divisions; 17

(b) The juvenile court of Cuyahoga county or Hamilton county 18

that is separately and independently created by section 2151.08 or 19
Chapter 2153. of the Revised Code and that has jurisdiction under 20
this chapter and Chapter 2152. of the Revised Code; 21

(c) If division (A)(1)(a) or (b) of this section does not 22
apply, the probate division of the court of common pleas. 23

(2) "Juvenile judge" means a judge of a court having 24
jurisdiction under this chapter. 25

(3) "Private child placing agency" means any association, as 26
defined in section 5103.02 of the Revised Code, that is certified 27
under section 5103.03 of the Revised Code to accept temporary, 28
permanent, or legal custody of children and place the children for 29
either foster care or adoption. 30

(4) "Private noncustodial agency" means any person, 31
organization, association, or society certified by the department 32
of job and family services that does not accept temporary or 33
permanent legal custody of children, that is privately operated in 34
this state, and that does one or more of the following: 35

(a) Receives and cares for children for two or more 36
consecutive weeks; 37

(b) Participates in the placement of children in certified 38
foster homes; 39

(c) Provides adoption services in conjunction with a public 40
children services agency or private child placing agency. 41

(B) As used in this chapter: 42

(1) "Adequate parental care" means the provision by a child's 43
parent or parents, guardian, or custodian of adequate food, 44
clothing, and shelter to ensure the child's health and physical 45
safety and the provision by a child's parent or parents of 46
specialized services warranted by the child's physical or mental 47
needs. 48

(2) "Adult" means an individual who is eighteen years of age or older. 49
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(3) "Agreement for temporary custody" means a voluntary agreement authorized by section 5103.15 of the Revised Code that transfers the temporary custody of a child to a public children services agency or a private child placing agency. 51
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(4) "Alternative response" means the public children services agency's response to a report of child abuse or neglect that engages the family in a comprehensive evaluation of child safety, risk of subsequent harm, and family strengths and needs and that does not include a determination as to whether child abuse or neglect occurred. 55
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(5) "Certified foster home" means a foster home, as defined in section 5103.02 of the Revised Code, certified under section 5103.03 of the Revised Code. 61
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(6) "Child" means a person who is under eighteen years of age, except that the juvenile court has jurisdiction over any person who is adjudicated an unruly child prior to attaining eighteen years of age until the person attains twenty-one years of age, and, for purposes of that jurisdiction related to that adjudication, a person who is so adjudicated an unruly child shall be deemed a "child" until the person attains twenty-one years of age. 64
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(7) "Child day camp," "child care," "child day-care center," "part-time child day-care center," "type A family day-care home," "licensed type B family day-care home," "type B family day-care home," "administrator of a child day-care center," "administrator of a type A family day-care home," and "in-home aide" have the same meanings as in section 5104.01 of the Revised Code. 72
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(8) "Child care provider" means an individual who is a child-care staff member or administrator of a child day-care 78
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center, a type A family day-care home, or a type B family day-care 80
home, or an in-home aide or an individual who is licensed, is 81
regulated, is approved, operates under the direction of, or 82
otherwise is certified by the department of job and family 83
services, department of developmental disabilities, or the early 84
childhood programs of the department of education. 85

(9) "Chronic truant" has the same meaning as in section 86
2152.02 of the Revised Code. 87

(10) "Commit" means to vest custody as ordered by the court. 88

(11) "Counseling" includes both of the following: 89

(a) General counseling services performed by a public 90
children services agency or shelter for victims of domestic 91
violence to assist a child, a child's parents, and a child's 92
siblings in alleviating identified problems that may cause or have 93
caused the child to be an abused, neglected, or dependent child. 94

(b) Psychiatric or psychological therapeutic counseling 95
services provided to correct or alleviate any mental or emotional 96
illness or disorder and performed by a licensed psychiatrist, 97
licensed psychologist, or a person licensed under Chapter 4757. of 98
the Revised Code to engage in social work or professional 99
counseling. 100

(12) "Custodian" means a person who has legal custody of a 101
child or a public children services agency or private child 102
placing agency that has permanent, temporary, or legal custody of 103
a child. 104

(13) "Delinquent child" has the same meaning as in section 105
2152.02 of the Revised Code. 106

(14) "Detention" means the temporary care of children pending 107
court adjudication or disposition, or execution of a court order, 108
in a public or private facility designed to physically restrict 109

the movement and activities of children.	110
(15) "Developmental disability" has the same meaning as in	111
section 5123.01 of the Revised Code.	112
(16) "Differential response approach" means an approach that	113
a public children services agency may use to respond to accepted	114
reports of child abuse or neglect with either an alternative	115
response or a traditional response.	116
(17) "Foster caregiver" has the same meaning as in section	117
5103.02 of the Revised Code.	118
(18) "Guardian" means a person, association, or corporation	119
that is granted authority by a probate court pursuant to Chapter	120
2111. of the Revised Code to exercise parental rights over a child	121
to the extent provided in the court's order and subject to the	122
residual parental rights of the child's parents.	123
(19) "Habitual truant" means any child of compulsory school	124
age who is absent without legitimate excuse for absence from the	125
public school the child is supposed to attend for five or more	126
consecutive school days, seven or more school days in one school	127
month, or twelve or more school days in a school year.	128
(20) "Juvenile traffic offender" has the same meaning as in	129
section 2152.02 of the Revised Code.	130
(21) "Legal custody" means a legal status that vests in the	131
custodian the right to have physical care and control of the child	132
and to determine where and with whom the child shall live, and the	133
right and duty to protect, train, and discipline the child and to	134
provide the child with food, shelter, education, and medical care,	135
all subject to any residual parental rights, privileges, and	136
responsibilities. An individual granted legal custody shall	137
exercise the rights and responsibilities personally unless	138
otherwise authorized by any section of the Revised Code or by the	139
court.	140

(22) A "legitimate excuse for absence from the public school	141
the child is supposed to attend" includes, but is not limited to,	142
any of the following:	143
(a) The fact that the child in question has enrolled in and	144
is attending another public or nonpublic school in this or another	145
state;	146
(b) The fact that the child in question is excused from	147
attendance at school for any of the reasons specified in section	148
3321.04 of the Revised Code;	149
(c) The fact that the child in question has received an age	150
and schooling certificate in accordance with section 3331.01 of	151
the Revised Code.	152
(23) "Mental illness" and "mentally ill person subject to	153
hospitalization by court order" have the same meanings as in	154
section 5122.01 of the Revised Code.	155
(24) "Mental injury" means any behavioral, cognitive,	156
emotional, or mental disorder in a child caused by an act or	157
omission that is described in section 2919.22 of the Revised Code	158
and is committed by the parent or other person responsible for the	159
child's care.	160
(25) "Mentally retarded person" has the same meaning as in	161
section 5123.01 of the Revised Code.	162
(26) "Nonsecure care, supervision, or training" means care,	163
supervision, or training of a child in a facility that does not	164
confine or prevent movement of the child within the facility or	165
from the facility.	166
(27) "Of compulsory school age" has the same meaning as in	167
section 3321.01 of the Revised Code.	168
(28) "Organization" means any institution, public,	169
semipublic, or private, and any private association, society, or	170

agency located or operating in the state, incorporated or 171
unincorporated, having among its functions the furnishing of 172
protective services or care for children, or the placement of 173
children in certified foster homes or elsewhere. 174

(29) "Out-of-home care" means detention facilities, shelter 175
facilities, certified children's crisis care facilities, certified 176
foster homes, placement in a prospective adoptive home prior to 177
the issuance of a final decree of adoption, organizations, 178
certified organizations, child day-care centers, type A family 179
day-care homes, type B family day-care homes, child care provided 180
by in-home aides, group home providers, group homes, institutions, 181
state institutions, residential facilities, residential care 182
facilities, residential camps, day camps, private, nonprofit 183
therapeutic wilderness camps, public schools, chartered nonpublic 184
schools, educational service centers, hospitals, and medical 185
clinics that are responsible for the care, physical custody, or 186
control of children. 187

(30) "Out-of-home care child abuse" means any of the 188
following when committed by a person responsible for the care of a 189
child in out-of-home care: 190

(a) Engaging in sexual activity with a child in the person's 191
care; 192

(b) Denial to a child, as a means of punishment, of proper or 193
necessary subsistence, education, medical care, or other care 194
necessary for a child's health; 195

(c) Use of restraint procedures on a child that cause injury 196
or pain; 197

(d) Administration of prescription drugs or psychotropic 198
medication to the child without the written approval and ongoing 199
supervision of a licensed physician; 200

(e) Commission of any act, other than by accidental means, 201

that results in any injury to or death of the child in out-of-home care or commission of any act by accidental means that results in an injury to or death of a child in out-of-home care and that is at variance with the history given of the injury or death.

(31) "Out-of-home care child neglect" means any of the following when committed by a person responsible for the care of a child in out-of-home care:

(a) Failure to provide reasonable supervision according to the standards of care appropriate to the age, mental and physical condition, or other special needs of the child;

(b) Failure to provide reasonable supervision according to the standards of care appropriate to the age, mental and physical condition, or other special needs of the child, that results in sexual or physical abuse of the child by any person;

(c) Failure to develop a process for all of the following:

(i) Administration of prescription drugs or psychotropic drugs for the child;

(ii) Assuring that the instructions of the licensed physician who prescribed a drug for the child are followed;

(iii) Reporting to the licensed physician who prescribed the drug all unfavorable or dangerous side effects from the use of the drug.

(d) Failure to provide proper or necessary subsistence, education, medical care, or other individualized care necessary for the health or well-being of the child;

(e) Confinement of the child to a locked room without monitoring by staff;

(f) Failure to provide ongoing security for all prescription and nonprescription medication;

(g) Isolation of a child for a period of time when there is

substantial risk that the isolation, if continued, will impair or 232
retard the mental health or physical well-being of the child. 233

(32) "Permanent custody" means a legal status that vests in a 234
public children services agency or a private child placing agency, 235
all parental rights, duties, and obligations, including the right 236
to consent to adoption, and divests the natural parents or 237
adoptive parents of all parental rights, privileges, and 238
obligations, including all residual rights and obligations. 239

(33) "Permanent surrender" means the act of the parents or, 240
if a child has only one parent, of the parent of a child, by a 241
voluntary agreement authorized by section 5103.15 of the Revised 242
Code, to transfer the permanent custody of the child to a public 243
children services agency or a private child placing agency. 244

(34) "Person" means an individual, association, corporation, 245
or partnership and the state or any of its political subdivisions, 246
departments, or agencies. 247

(35) "Person responsible for a child's care in out-of-home 248
care" means any of the following: 249

(a) Any foster caregiver, in-home aide, or provider; 250

(b) Any administrator, employee, or agent of any of the 251
following: a public or private detention facility; shelter 252
facility; certified children's crisis care facility; organization; 253
certified organization; child day-care center; type A family 254
day-care home; licensed type B family day-care home; group home; 255
institution; state institution; residential facility; residential 256
care facility; residential camp; day camp; school district; 257
community school; chartered nonpublic school; educational service 258
center; hospital; or medical clinic; 259

(c) Any person who supervises or coaches children as part of 260
an extracurricular activity sponsored by a school district, public 261
school, or chartered nonpublic school; 262

(d) Any other person who performs a similar function with respect to, or has a similar relationship to, children.	263 264
(36) "Physically impaired" means having one or more of the following conditions that substantially limit one or more of an individual's major life activities, including self-care, receptive and expressive language, learning, mobility, and self-direction:	265 266 267 268
(a) A substantial impairment of vision, speech, or hearing;	269
(b) A congenital orthopedic impairment;	270
(c) An orthopedic impairment caused by disease, rheumatic fever or any other similar chronic or acute health problem, or amputation or another similar cause.	271 272 273
(37) "Placement for adoption" means the arrangement by a public children services agency or a private child placing agency with a person for the care and adoption by that person of a child of whom the agency has permanent custody.	274 275 276 277
(38) "Placement in foster care" means the arrangement by a public children services agency or a private child placing agency for the out-of-home care of a child of whom the agency has temporary custody or permanent custody.	278 279 280 281
(39) "Planned permanent living arrangement" means an order of a juvenile court pursuant to which both of the following apply:	282 283
(a) The court gives legal custody of a child to a public children services agency or a private child placing agency without the termination of parental rights.	284 285 286
(b) The order permits the agency to make an appropriate placement of the child and to enter into a written agreement with a foster care provider or with another person or agency with whom the child is placed.	287 288 289 290
(40) "Practice of social work" and "practice of professional counseling" have the same meanings as in section 4757.01 of the	291 292

Revised Code.	293
(41) <u>"Private, nonprofit therapeutic wilderness camp" has the same meaning as in section 5103.02 of the Revised Code.</u>	294 295
(42) "Sanction, service, or condition" means a sanction, service, or condition created by court order following an adjudication that a child is an unruly child that is described in division (A)(4) of section 2152.19 of the Revised Code.	296 297 298 299
(42) (43) "Protective supervision" means an order of disposition pursuant to which the court permits an abused, neglected, dependent, or unruly child to remain in the custody of the child's parents, guardian, or custodian and stay in the child's home, subject to any conditions and limitations upon the child, the child's parents, guardian, or custodian, or any other person that the court prescribes, including supervision as directed by the court for the protection of the child.	300 301 302 303 304 305 306 307
(43) (44) "Psychiatrist" has the same meaning as in section 5122.01 of the Revised Code.	308 309
(44) (45) "Psychologist" has the same meaning as in section 4732.01 of the Revised Code.	310 311
(45) (46) "Residential camp" means a program in which the care, physical custody, or control of children is accepted overnight for recreational or recreational and educational purposes.	312 313 314 315
(46) (47) "Residential care facility" means an institution, residence, or facility that is licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code and that provides care for a child.	316 317 318 319
(47) (48) "Residential facility" means a home or facility that is licensed by the department of developmental disabilities under section 5123.19 of the Revised Code and in which a child with a	320 321 322

developmental disability resides.	323
(48) (49) "Residual parental rights, privileges, and responsibilities" means those rights, privileges, and responsibilities remaining with the natural parent after the transfer of legal custody of the child, including, but not necessarily limited to, the privilege of reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and the responsibility for support.	324 325 326 327 328 329 330
(49) (50) "School day" means the school day established by the board of education of the applicable school district pursuant to section 3313.481 of the Revised Code.	331 332 333
(50) (51) "School year" has the same meaning as in section 3313.62 of the Revised Code.	334 335
(51) (52) "Secure correctional facility" means a facility under the direction of the department of youth services that is designed to physically restrict the movement and activities of children and used for the placement of children after adjudication and disposition.	336 337 338 339 340
(52) (53) "Sexual activity" has the same meaning as in section 2907.01 of the Revised Code.	341 342
(53) (54) "Shelter" means the temporary care of children in physically unrestricted facilities pending court adjudication or disposition.	343 344 345
(54) (55) "Shelter for victims of domestic violence" has the same meaning as in section 3113.33 of the Revised Code.	346 347
(55) (56) "Temporary custody" means legal custody of a child who is removed from the child's home, which custody may be terminated at any time at the discretion of the court or, if the legal custody is granted in an agreement for temporary custody, by the person who executed the agreement.	348 349 350 351 352

~~(56)~~(57) "Traditional response" means a public children services agency's response to a report of child abuse or neglect that encourages engagement of the family in a comprehensive evaluation of the child's current and future safety needs and a fact-finding process to determine whether child abuse or neglect occurred and the circumstances surrounding the alleged harm or risk of harm.

(C) For the purposes of this chapter, a child shall be presumed abandoned when the parents of the child have failed to visit or maintain contact with the child for more than ninety days, regardless of whether the parents resume contact with the child after that period of ninety days.

Sec. 2151.421. (A)(1)(a) No person described in division (A)(1)(b) of this section who is acting in an official or professional capacity and knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired child under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall fail to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in this division. Except as provided in section 5120.173 of the Revised Code, the person making the report shall make it to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. In the circumstances described in section 5120.173 of the Revised Code, the person making the report shall make it to the entity specified in that section.

(b) Division (A)(1)(a) of this section applies to any person 384
who is an attorney; physician, including a hospital intern or 385
resident; dentist; podiatrist; practitioner of a limited branch of 386
medicine as specified in section 4731.15 of the Revised Code; 387
registered nurse; licensed practical nurse; visiting nurse; other 388
health care professional; licensed psychologist; licensed school 389
psychologist; independent marriage and family therapist or 390
marriage and family therapist; speech pathologist or audiologist; 391
coroner; administrator or employee of a child day-care center; 392
administrator or employee of a residential camp ~~or~~, child day 393
camp, or private, nonprofit therapeutic wilderness camp; 394
administrator or employee of a certified child care agency or 395
other public or private children services agency; school teacher; 396
school employee; school authority; person engaged in social work 397
or the practice of professional counseling; agent of a county 398
humane society; person, other than a cleric, rendering spiritual 399
treatment through prayer in accordance with the tenets of a 400
well-recognized religion; employee of a county department of job 401
and family services who is a professional and who works with 402
children and families; superintendent, board member, or employee 403
of a county board of developmental disabilities; investigative 404
agent contracted with by a county board of developmental 405
disabilities; employee of the department of developmental 406
disabilities; employee of a facility or home that provides respite 407
care in accordance with section 5123.171 of the Revised Code; 408
employee of a home health agency; employee of an entity that 409
provides homemaker services; a person performing the duties of an 410
assessor pursuant to Chapter 3107. or 5103. of the Revised Code; 411
or third party employed by a public children services agency to 412
assist in providing child or family related services. 413

(2) Except as provided in division (A)(3) of this section, an 414
attorney or a physician is not required to make a report pursuant 415
to division (A)(1) of this section concerning any communication 416

the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if, in accordance with division (A) or (B) of section 2317.02 of the Revised Code, the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding.

(3) The client or patient in an attorney-client or physician-patient relationship described in division (A)(2) of this section is deemed to have waived any testimonial privilege under division (A) or (B) of section 2317.02 of the Revised Code with respect to any communication the attorney or physician receives from the client or patient in that attorney-client or physician-patient relationship, and the attorney or physician shall make a report pursuant to division (A)(1) of this section with respect to that communication, if all of the following apply:

(a) The client or patient, at the time of the communication, is either a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age.

(b) The attorney or physician knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar position to suspect, as a result of the communication or any observations made during that communication, that the client or patient has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the client or patient.

(c) The abuse or neglect does not arise out of the client's or patient's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

(4)(a) No cleric and no person, other than a volunteer,

designated by any church, religious society, or faith acting as a 448
leader, official, or delegate on behalf of the church, religious 449
society, or faith who is acting in an official or professional 450
capacity, who knows, or has reasonable cause to believe based on 451
facts that would cause a reasonable person in a similar position 452
to believe, that a child under eighteen years of age or a mentally 453
retarded, developmentally disabled, or physically impaired child 454
under twenty-one years of age has suffered or faces a threat of 455
suffering any physical or mental wound, injury, disability, or 456
condition of a nature that reasonably indicates abuse or neglect 457
of the child, and who knows, or has reasonable cause to believe 458
based on facts that would cause a reasonable person in a similar 459
position to believe, that another cleric or another person, other 460
than a volunteer, designated by a church, religious society, or 461
faith acting as a leader, official, or delegate on behalf of the 462
church, religious society, or faith caused, or poses the threat of 463
causing, the wound, injury, disability, or condition that 464
reasonably indicates abuse or neglect shall fail to immediately 465
report that knowledge or reasonable cause to believe to the entity 466
or persons specified in this division. Except as provided in 467
section 5120.173 of the Revised Code, the person making the report 468
shall make it to the public children services agency or a 469
municipal or county peace officer in the county in which the child 470
resides or in which the abuse or neglect is occurring or has 471
occurred. In the circumstances described in section 5120.173 of 472
the Revised Code, the person making the report shall make it to 473
the entity specified in that section. 474

(b) Except as provided in division (A)(4)(c) of this section, 475
a cleric is not required to make a report pursuant to division 476
(A)(4)(a) of this section concerning any communication the cleric 477
receives from a penitent in a cleric-penitent relationship, if, in 478
accordance with division (C) of section 2317.02 of the Revised 479
Code, the cleric could not testify with respect to that 480

communication in a civil or criminal proceeding. 481

(c) The penitent in a cleric-penitent relationship described 482
in division (A)(4)(b) of this section is deemed to have waived any 483
testimonial privilege under division (C) of section 2317.02 of the 484
Revised Code with respect to any communication the cleric receives 485
from the penitent in that cleric-penitent relationship, and the 486
cleric shall make a report pursuant to division (A)(4)(a) of this 487
section with respect to that communication, if all of the 488
following apply: 489

(i) The penitent, at the time of the communication, is either 490
a child under eighteen years of age or a mentally retarded, 491
developmentally disabled, or physically impaired person under 492
twenty-one years of age. 493

(ii) The cleric knows, or has reasonable cause to believe 494
based on facts that would cause a reasonable person in a similar 495
position to believe, as a result of the communication or any 496
observations made during that communication, the penitent has 497
suffered or faces a threat of suffering any physical or mental 498
wound, injury, disability, or condition of a nature that 499
reasonably indicates abuse or neglect of the penitent. 500

(iii) The abuse or neglect does not arise out of the 501
penitent's attempt to have an abortion performed upon a child 502
under eighteen years of age or upon a mentally retarded, 503
developmentally disabled, or physically impaired person under 504
twenty-one years of age without the notification of her parents, 505
guardian, or custodian in accordance with section 2151.85 of the 506
Revised Code. 507

(d) Divisions (A)(4)(a) and (c) of this section do not apply 508
in a cleric-penitent relationship when the disclosure of any 509
communication the cleric receives from the penitent is in 510
violation of the sacred trust. 511

(e) As used in divisions (A)(1) and (4) of this section, 512
"cleric" and "sacred trust" have the same meanings as in section 513
2317.02 of the Revised Code. 514

(B) Anyone who knows, or has reasonable cause to suspect 515
based on facts that would cause a reasonable person in similar 516
circumstances to suspect, that a child under eighteen years of age 517
or a mentally retarded, developmentally disabled, or physically 518
impaired person under twenty-one years of age has suffered or 519
faces a threat of suffering any physical or mental wound, injury, 520
disability, or other condition of a nature that reasonably 521
indicates abuse or neglect of the child may report or cause 522
reports to be made of that knowledge or reasonable cause to 523
suspect to the entity or persons specified in this division. 524
Except as provided in section 5120.173 of the Revised Code, a 525
person making a report or causing a report to be made under this 526
division shall make it or cause it to be made to the public 527
children services agency or to a municipal or county peace 528
officer. In the circumstances described in section 5120.173 of the 529
Revised Code, a person making a report or causing a report to be 530
made under this division shall make it or cause it to be made to 531
the entity specified in that section. 532

(C) Any report made pursuant to division (A) or (B) of this 533
section shall be made forthwith either by telephone or in person 534
and shall be followed by a written report, if requested by the 535
receiving agency or officer. The written report shall contain: 536

(1) The names and addresses of the child and the child's 537
parents or the person or persons having custody of the child, if 538
known; 539

(2) The child's age and the nature and extent of the child's 540
injuries, abuse, or neglect that is known or reasonably suspected 541
or believed, as applicable, to have occurred or of the threat of 542
injury, abuse, or neglect that is known or reasonably suspected or 543

believed, as applicable, to exist, including any evidence of 544
previous injuries, abuse, or neglect; 545

(3) Any other information that might be helpful in 546
establishing the cause of the injury, abuse, or neglect that is 547
known or reasonably suspected or believed, as applicable, to have 548
occurred or of the threat of injury, abuse, or neglect that is 549
known or reasonably suspected or believed, as applicable, to 550
exist. 551

Any person, who is required by division (A) of this section 552
to report child abuse or child neglect that is known or reasonably 553
suspected or believed to have occurred, may take or cause to be 554
taken color photographs of areas of trauma visible on a child and, 555
if medically indicated, cause to be performed radiological 556
examinations of the child. 557

(D) As used in this division, "children's advocacy center" 558
and "sexual abuse of a child" have the same meanings as in section 559
2151.425 of the Revised Code. 560

(1) When a municipal or county peace officer receives a 561
report concerning the possible abuse or neglect of a child or the 562
possible threat of abuse or neglect of a child, upon receipt of 563
the report, the municipal or county peace officer who receives the 564
report shall refer the report to the appropriate public children 565
services agency. 566

(2) When a public children services agency receives a report 567
pursuant to this division or division (A) or (B) of this section, 568
upon receipt of the report, the public children services agency 569
shall do both of the following: 570

(a) Comply with section 2151.422 of the Revised Code; 571

(b) If the county served by the agency is also served by a 572
children's advocacy center and the report alleges sexual abuse of 573
a child or another type of abuse of a child that is specified in 574

the memorandum of understanding that creates the center as being 575
within the center's jurisdiction, comply regarding the report with 576
the protocol and procedures for referrals and investigations, with 577
the coordinating activities, and with the authority or 578
responsibility for performing or providing functions, activities, 579
and services stipulated in the interagency agreement entered into 580
under section 2151.428 of the Revised Code relative to that 581
center. 582

(E) No township, municipal, or county peace officer shall 583
remove a child about whom a report is made pursuant to this 584
section from the child's parents, stepparents, or guardian or any 585
other persons having custody of the child without consultation 586
with the public children services agency, unless, in the judgment 587
of the officer, and, if the report was made by physician, the 588
physician, immediate removal is considered essential to protect 589
the child from further abuse or neglect. The agency that must be 590
consulted shall be the agency conducting the investigation of the 591
report as determined pursuant to section 2151.422 of the Revised 592
Code. 593

(F)(1) Except as provided in section 2151.422 of the Revised 594
Code or in an interagency agreement entered into under section 595
2151.428 of the Revised Code that applies to the particular 596
report, the public children services agency shall investigate, 597
within twenty-four hours, each report of child abuse or child 598
neglect that is known or reasonably suspected or believed to have 599
occurred and of a threat of child abuse or child neglect that is 600
known or reasonably suspected or believed to exist that is 601
referred to it under this section to determine the circumstances 602
surrounding the injuries, abuse, or neglect or the threat of 603
injury, abuse, or neglect, the cause of the injuries, abuse, 604
neglect, or threat, and the person or persons responsible. The 605
investigation shall be made in cooperation with the law 606

enforcement agency and in accordance with the memorandum of 607
understanding prepared under division (J) of this section. A 608
representative of the public children services agency shall, at 609
the time of initial contact with the person subject to the 610
investigation, inform the person of the specific complaints or 611
allegations made against the person. The information shall be 612
given in a manner that is consistent with division (H)(1) of this 613
section and protects the rights of the person making the report 614
under this section. 615

A failure to make the investigation in accordance with the 616
memorandum is not grounds for, and shall not result in, the 617
dismissal of any charges or complaint arising from the report or 618
the suppression of any evidence obtained as a result of the report 619
and does not give, and shall not be construed as giving, any 620
rights or any grounds for appeal or post-conviction relief to any 621
person. The public children services agency shall report each case 622
to the uniform statewide automated child welfare information 623
system that the department of job and family services shall 624
maintain in accordance with section 5101.13 of the Revised Code. 625
The public children services agency shall submit a report of its 626
investigation, in writing, to the law enforcement agency. 627

(2) The public children services agency shall make any 628
recommendations to the county prosecuting attorney or city 629
director of law that it considers necessary to protect any 630
children that are brought to its attention. 631

(G)(1)(a) Except as provided in division (H)(3) of this 632
section, anyone or any hospital, institution, school, health 633
department, or agency participating in the making of reports under 634
division (A) of this section, anyone or any hospital, institution, 635
school, health department, or agency participating in good faith 636
in the making of reports under division (B) of this section, and 637
anyone participating in good faith in a judicial proceeding 638

resulting from the reports, shall be immune from any civil or 639
criminal liability for injury, death, or loss to person or 640
property that otherwise might be incurred or imposed as a result 641
of the making of the reports or the participation in the judicial 642
proceeding. 643

(b) Notwithstanding section 4731.22 of the Revised Code, the 644
physician-patient privilege shall not be a ground for excluding 645
evidence regarding a child's injuries, abuse, or neglect, or the 646
cause of the injuries, abuse, or neglect in any judicial 647
proceeding resulting from a report submitted pursuant to this 648
section. 649

(2) In any civil or criminal action or proceeding in which it 650
is alleged and proved that participation in the making of a report 651
under this section was not in good faith or participation in a 652
judicial proceeding resulting from a report made under this 653
section was not in good faith, the court shall award the 654
prevailing party reasonable attorney's fees and costs and, if a 655
civil action or proceeding is voluntarily dismissed, may award 656
reasonable attorney's fees and costs to the party against whom the 657
civil action or proceeding is brought. 658

(H)(1) Except as provided in divisions (H)(4) and (N) of this 659
section, a report made under this section is confidential. The 660
information provided in a report made pursuant to this section and 661
the name of the person who made the report shall not be released 662
for use, and shall not be used, as evidence in any civil action or 663
proceeding brought against the person who made the report. Nothing 664
in this division shall preclude the use of reports of other 665
incidents of known or suspected abuse or neglect in a civil action 666
or proceeding brought pursuant to division (M) of this section 667
against a person who is alleged to have violated division (A)(1) 668
of this section, provided that any information in a report that 669
would identify the child who is the subject of the report or the 670

maker of the report, if the maker of the report is not the 671
defendant or an agent or employee of the defendant, has been 672
redacted. In a criminal proceeding, the report is admissible in 673
evidence in accordance with the Rules of Evidence and is subject 674
to discovery in accordance with the Rules of Criminal Procedure. 675

(2) No person shall permit or encourage the unauthorized 676
dissemination of the contents of any report made under this 677
section. 678

(3) A person who knowingly makes or causes another person to 679
make a false report under division (B) of this section that 680
alleges that any person has committed an act or omission that 681
resulted in a child being an abused child or a neglected child is 682
guilty of a violation of section 2921.14 of the Revised Code. 683

(4) If a report is made pursuant to division (A) or (B) of 684
this section and the child who is the subject of the report dies 685
for any reason at any time after the report is made, but before 686
the child attains eighteen years of age, the public children 687
services agency or municipal or county peace officer to which the 688
report was made or referred, on the request of the child fatality 689
review board, shall submit a summary sheet of information 690
providing a summary of the report to the review board of the 691
county in which the deceased child resided at the time of death. 692
On the request of the review board, the agency or peace officer 693
may, at its discretion, make the report available to the review 694
board. If the county served by the public children services agency 695
is also served by a children's advocacy center and the report of 696
alleged sexual abuse of a child or another type of abuse of a 697
child is specified in the memorandum of understanding that creates 698
the center as being within the center's jurisdiction, the agency 699
or center shall perform the duties and functions specified in this 700
division in accordance with the interagency agreement entered into 701
under section 2151.428 of the Revised Code relative to that 702

advocacy center. 703

(5) A public children services agency shall advise a person 704
alleged to have inflicted abuse or neglect on a child who is the 705
subject of a report made pursuant to this section, including a 706
report alleging sexual abuse of a child or another type of abuse 707
of a child referred to a children's advocacy center pursuant to an 708
interagency agreement entered into under section 2151.428 of the 709
Revised Code, in writing of the disposition of the investigation. 710
The agency shall not provide to the person any information that 711
identifies the person who made the report, statements of 712
witnesses, or police or other investigative reports. 713

(I) Any report that is required by this section, other than a 714
report that is made to the state highway patrol as described in 715
section 5120.173 of the Revised Code, shall result in protective 716
services and emergency supportive services being made available by 717
the public children services agency on behalf of the children 718
about whom the report is made, in an effort to prevent further 719
neglect or abuse, to enhance their welfare, and, whenever 720
possible, to preserve the family unit intact. The agency required 721
to provide the services shall be the agency conducting the 722
investigation of the report pursuant to section 2151.422 of the 723
Revised Code. 724

(J)(1) Each public children services agency shall prepare a 725
memorandum of understanding that is signed by all of the 726
following: 727

(a) If there is only one juvenile judge in the county, the 728
juvenile judge of the county or the juvenile judge's 729
representative; 730

(b) If there is more than one juvenile judge in the county, a 731
juvenile judge or the juvenile judges' representative selected by 732
the juvenile judges or, if they are unable to do so for any 733

reason, the juvenile judge who is senior in point of service or	734
the senior juvenile judge's representative;	735
(c) The county peace officer;	736
(d) All chief municipal peace officers within the county;	737
(e) Other law enforcement officers handling child abuse and	738
neglect cases in the county;	739
(f) The prosecuting attorney of the county;	740
(g) If the public children services agency is not the county	741
department of job and family services, the county department of	742
job and family services;	743
(h) The county humane society;	744
(i) If the public children services agency participated in	745
the execution of a memorandum of understanding under section	746
2151.426 of the Revised Code establishing a children's advocacy	747
center, each participating member of the children's advocacy	748
center established by the memorandum.	749
(2) A memorandum of understanding shall set forth the normal	750
operating procedure to be employed by all concerned officials in	751
the execution of their respective responsibilities under this	752
section and division (C) of section 2919.21, division (B)(1) of	753
section 2919.22, division (B) of section 2919.23, and section	754
2919.24 of the Revised Code and shall have as two of its primary	755
goals the elimination of all unnecessary interviews of children	756
who are the subject of reports made pursuant to division (A) or	757
(B) of this section and, when feasible, providing for only one	758
interview of a child who is the subject of any report made	759
pursuant to division (A) or (B) of this section. A failure to	760
follow the procedure set forth in the memorandum by the concerned	761
officials is not grounds for, and shall not result in, the	762
dismissal of any charges or complaint arising from any reported	763

case of abuse or neglect or the suppression of any evidence 764
obtained as a result of any reported child abuse or child neglect 765
and does not give, and shall not be construed as giving, any 766
rights or any grounds for appeal or post-conviction relief to any 767
person. 768

(3) A memorandum of understanding shall include all of the 769
following: 770

(a) The roles and responsibilities for handling emergency and 771
nonemergency cases of abuse and neglect; 772

(b) Standards and procedures to be used in handling and 773
coordinating investigations of reported cases of child abuse and 774
reported cases of child neglect, methods to be used in 775
interviewing the child who is the subject of the report and who 776
allegedly was abused or neglected, and standards and procedures 777
addressing the categories of persons who may interview the child 778
who is the subject of the report and who allegedly was abused or 779
neglected. 780

(4) If a public children services agency participated in the 781
execution of a memorandum of understanding under section 2151.426 782
of the Revised Code establishing a children's advocacy center, the 783
agency shall incorporate the contents of that memorandum in the 784
memorandum prepared pursuant to this section. 785

(5) The clerk of the court of common pleas in the county may 786
sign the memorandum of understanding prepared under division 787
(J)(1) of this section. If the clerk signs the memorandum of 788
understanding, the clerk shall execute all relevant 789
responsibilities as required of officials specified in the 790
memorandum. 791

(K)(1) Except as provided in division (K)(4) of this section, 792
a person who is required to make a report pursuant to division (A) 793
of this section may make a reasonable number of requests of the 794

public children services agency that receives or is referred the 795
report, or of the children's advocacy center that is referred the 796
report if the report is referred to a children's advocacy center 797
pursuant to an interagency agreement entered into under section 798
2151.428 of the Revised Code, to be provided with the following 799
information: 800

(a) Whether the agency or center has initiated an 801
investigation of the report; 802

(b) Whether the agency or center is continuing to investigate 803
the report; 804

(c) Whether the agency or center is otherwise involved with 805
the child who is the subject of the report; 806

(d) The general status of the health and safety of the child 807
who is the subject of the report; 808

(e) Whether the report has resulted in the filing of a 809
complaint in juvenile court or of criminal charges in another 810
court. 811

(2) A person may request the information specified in 812
division (K)(1) of this section only if, at the time the report is 813
made, the person's name, address, and telephone number are 814
provided to the person who receives the report. 815

When a municipal or county peace officer or employee of a 816
public children services agency receives a report pursuant to 817
division (A) or (B) of this section the recipient of the report 818
shall inform the person of the right to request the information 819
described in division (K)(1) of this section. The recipient of the 820
report shall include in the initial child abuse or child neglect 821
report that the person making the report was so informed and, if 822
provided at the time of the making of the report, shall include 823
the person's name, address, and telephone number in the report. 824

Each request is subject to verification of the identity of 825
the person making the report. If that person's identity is 826
verified, the agency shall provide the person with the information 827
described in division (K)(1) of this section a reasonable number 828
of times, except that the agency shall not disclose any 829
confidential information regarding the child who is the subject of 830
the report other than the information described in those 831
divisions. 832

(3) A request made pursuant to division (K)(1) of this 833
section is not a substitute for any report required to be made 834
pursuant to division (A) of this section. 835

(4) If an agency other than the agency that received or was 836
referred the report is conducting the investigation of the report 837
pursuant to section 2151.422 of the Revised Code, the agency 838
conducting the investigation shall comply with the requirements of 839
division (K) of this section. 840

(L) The director of job and family services shall adopt rules 841
in accordance with Chapter 119. of the Revised Code to implement 842
this section. The department of job and family services may enter 843
into a plan of cooperation with any other governmental entity to 844
aid in ensuring that children are protected from abuse and 845
neglect. The department shall make recommendations to the attorney 846
general that the department determines are necessary to protect 847
children from child abuse and child neglect. 848

(M) Whoever violates division (A) of this section is liable 849
for compensatory and exemplary damages to the child who would have 850
been the subject of the report that was not made. A person who 851
brings a civil action or proceeding pursuant to this division 852
against a person who is alleged to have violated division (A)(1) 853
of this section may use in the action or proceeding reports of 854
other incidents of known or suspected abuse or neglect, provided 855
that any information in a report that would identify the child who 856

is the subject of the report or the maker of the report, if the maker is not the defendant or an agent or employee of the defendant, has been redacted.

(N)(1) As used in this division:

(a) "Out-of-home care" includes a nonchartered nonpublic school if the alleged child abuse or child neglect, or alleged threat of child abuse or child neglect, described in a report received by a public children services agency allegedly occurred in or involved the nonchartered nonpublic school and the alleged perpetrator named in the report holds a certificate, permit, or license issued by the state board of education under section 3301.071 or Chapter 3319. of the Revised Code.

(b) "Administrator, director, or other chief administrative officer" means the superintendent of the school district if the out-of-home care entity subject to a report made pursuant to this section is a school operated by the district.

(2) No later than the end of the day following the day on which a public children services agency receives a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall provide written notice of the allegations contained in and the person named as the alleged perpetrator in the report to the administrator, director, or other chief administrative officer of the out-of-home care entity that is the subject of the report unless the administrator, director, or other chief administrative officer is named as an alleged perpetrator in the report. If the administrator, director, or other chief administrative officer of an out-of-home care entity is named as an alleged perpetrator in a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved the out-of-home care entity, the agency

shall provide the written notice to the owner or governing board 889
of the out-of-home care entity that is the subject of the report. 890
The agency shall not provide witness statements or police or other 891
investigative reports. 892

(3) No later than three days after the day on which a public 893
children services agency that conducted the investigation as 894
determined pursuant to section 2151.422 of the Revised Code makes 895
a disposition of an investigation involving a report of alleged 896
child abuse or child neglect, or a report of an alleged threat of 897
child abuse or child neglect, that allegedly occurred in or 898
involved an out-of-home care entity, the agency shall send written 899
notice of the disposition of the investigation to the 900
administrator, director, or other chief administrative officer and 901
the owner or governing board of the out-of-home care entity. The 902
agency shall not provide witness statements or police or other 903
investigative reports. 904

(O) As used in this section, "investigation" means the public 905
children services agency's response to an accepted report of child 906
abuse or neglect through either an alternative response or a 907
traditional response. 908

Sec. 5103.02. As used in sections 5103.03 to 5103.17 of the 909
Revised Code: 910

(A)(1) "Association" or "institution" includes all of the 911
following: 912

(a) Any incorporated or unincorporated organization, society, 913
association, or agency, public or private, that receives or cares 914
for children for two or more consecutive weeks; 915

(b) Any individual, including the operator of a foster home, 916
who, for hire, gain, or reward, receives or cares for children for 917
two or more consecutive weeks, unless the individual is related to 918

them by blood or marriage; 919

(c) Any individual not in the regular employ of a court, or 920
of an institution or association certified in accordance with 921
section 5103.03 of the Revised Code, who in any manner becomes a 922
party to the placing of children in foster homes, unless the 923
individual is related to such children by blood or marriage or is 924
the appointed guardian of such children. 925

(2) "Association" or "institution" does not include any of 926
the following: 927

(a) Any organization, society, association, school, agency, 928
child guidance center, detention or rehabilitation facility, or 929
children's clinic licensed, regulated, approved, operated under 930
the direction of, or otherwise certified by the department of 931
education, a local board of education, the department of youth 932
services, the department of mental health and addiction services, 933
or the department of developmental disabilities; 934

(b) Any individual who provides care for only a single-family 935
group, placed there by their parents or other relative having 936
custody; 937

(c) A private, nonprofit therapeutic wilderness camp. 938

(B) "Family foster home" means a foster home that is not a 939
specialized foster home. 940

(C) "Foster caregiver" means a person holding a valid foster 941
home certificate issued under section 5103.03 of the Revised Code. 942

(D) "Foster home" means a private residence in which children 943
are received apart from their parents, guardian, or legal 944
custodian, by an individual reimbursed for providing the children 945
nonsecure care, supervision, or training twenty-four hours a day. 946
"Foster home" does not include care provided for a child in the 947
home of a person other than the child's parent, guardian, or legal 948

custodian while the parent, guardian, or legal custodian is 949
temporarily away. Family foster homes and specialized foster homes 950
are types of foster homes. 951

(E) "Medically fragile foster home" means a foster home that 952
provides specialized medical services designed to meet the needs 953
of children with intensive health care needs who meet all of the 954
following criteria: 955

(1) Under rules adopted by the medicaid director governing 956
medicaid payments for long-term care services, the children 957
require a skilled level of care. 958

(2) The children require the services of a doctor of medicine 959
or osteopathic medicine at least once a week due to the 960
instability of their medical conditions. 961

(3) The children require the services of a registered nurse 962
on a daily basis. 963

(4) The children are at risk of institutionalization in a 964
hospital, skilled nursing facility, or intermediate care facility 965
for individuals with intellectual disabilities. 966

(F) "Private, nonprofit therapeutic wilderness camp" means a 967
structured, alternative residential setting for children who are 968
experiencing emotional, behavioral, moral, social, or learning 969
difficulties at home or school in which all of the following are 970
the case: 971

(1) The children spend the majority of their time, including 972
overnight, either outdoors or in a primitive structure. 973

(2) The children have been placed there by their parents or 974
another relative having custody. 975

(3) The camp accepts no public funds for use in its 976
operations. 977

(G) "Recommending agency" means a public children services 978

agency, private child placing agency, or private noncustodial	979
agency that recommends that the department of job and family	980
services take any of the following actions under section 5103.03	981
of the Revised Code regarding a foster home:	982
(1) Issue a certificate;	983
(2) Deny a certificate;	984
(3) Renew a certificate;	985
(4) Deny renewal of a certificate;	986
(5) Revoke a certificate.	987
(G) (H) "Specialized foster home" means a medically fragile	988
foster home or a treatment foster home.	989
(H) (I) "Treatment foster home" means a foster home that	990
incorporates special rehabilitative services designed to treat the	991
specific needs of the children received in the foster home and	992
that receives and cares for children who are emotionally or	993
behaviorally disturbed, chemically dependent, mentally retarded,	994
developmentally disabled, or who otherwise have exceptional needs.	995
<u>Sec. 5103.50. (A) As used in this section and sections</u>	996
<u>5103.51 to 5103.55 of the Revised Code, "private, nonprofit</u>	997
<u>therapeutic wilderness camp" has the same meaning as in section</u>	998
<u>5103.02 of the Revised Code.</u>	999
<u>(B) The director of job and family services shall issue a</u>	1000
<u>license to a private, nonprofit therapeutic wilderness camp that</u>	1001
<u>meets the minimum standards for such camps specified in division</u>	1002
<u>(C) of this section and applies to the director for a license on a</u>	1003
<u>form prescribed by the director.</u>	1004
<u>(C) Both of the following apply as the minimum standards to</u>	1005
<u>be met by a private, nonprofit therapeutic wilderness camp:</u>	1006
<u>(1) The camp shall develop and implement a written policy</u>	1007

<u>that establishes all of the following:</u>	1008
<u>(a) Standards for hiring, training, and supervising staff;</u>	1009
<u>(b) Standards for behavioral intervention, including</u> <u>standards prohibiting the use of prone restraint and governing the</u> <u>use of other restraints or isolation;</u>	1010 1011 1012
<u>(c) Standards for recordkeeping, including specifying</u> <u>information that must be included in each child's record, who may</u> <u>access records, confidentiality, maintenance, security, and</u> <u>disposal of records;</u>	1013 1014 1015 1016
<u>(d) A procedure for handling complaints about the camp from</u> <u>the children attending the camp, their families, staff, and the</u> <u>public;</u>	1017 1018 1019
<u>(e) Standards for emergency and disaster preparedness,</u> <u>including procedures for emergency evacuation and standards</u> <u>requiring that a method of emergency communication be accessible</u> <u>at all times;</u>	1020 1021 1022 1023
<u>(f) Standards that ensure the protection of children's civil</u> <u>rights;</u>	1024 1025
<u>(g) Standards for the admission and discharge of children</u> <u>attending the camp, including standards for emergency discharge.</u>	1026 1027
<u>(2) The camp shall cooperate with any request from the</u> <u>director for an inspection or for access to records or written</u> <u>policies of the camp.</u>	1028 1029 1030
<u>Sec. 5103.51. A license issued under section 5103.50 of the</u> <u>Revised Code is valid for five years, unless earlier revoked by</u> <u>the director of job and family services. The license may be</u> <u>renewed.</u>	1031 1032 1033 1034
<u>Each private, nonprofit therapeutic wilderness camp seeking</u> <u>license renewal shall submit to the director an application for</u>	1035 1036

license renewal on such form as the director prescribes. If the 1037
camp meets the minimum standards specified in section 5103.50 of 1038
the Revised Code, the director shall renew the license. 1039

Sec. 5103.52. (A) The director of job and family services may 1040
inspect a private, nonprofit therapeutic wilderness camp at any 1041
time. The director may delegate this authority to a county 1042
department of job and family services. 1043

(B) The director may request access to the camp's records or 1044
to the written policies adopted by the camp pursuant to section 1045
5103.50 of the Revised Code. The director may delegate this 1046
authority to a county department of job and family services. 1047

Sec. 5103.53. A private, nonprofit therapeutic wilderness 1048
camp shall not operate without a license issued under section 1049
5103.50 of the Revised Code. If the director of job and family 1050
services determines that a camp is operating without a license, 1051
the director may petition the court of common pleas in the county 1052
in which the camp is located for an order enjoining its operation. 1053
The court shall grant injunctive relief upon a showing that the 1054
camp is operating without a license. 1055

Sec. 5103.54. If a licensed private, nonprofit therapeutic 1056
wilderness camp fails to meet the minimum standards set forth in 1057
section 5103.50 of the Revised Code, the director of job and 1058
family services shall notify the camp that the director intends to 1059
revoke the license. Unless the violation poses an imminent risk to 1060
the life, health, or safety of one or more children attending the 1061
camp, the director shall give the camp ninety days to meet the 1062
minimum standards. If the violation poses an imminent risk to the 1063
life, health, or safety of one or more children attending the camp 1064
or the camp fails to meet the minimum standards within ninety days 1065
of receipt of the notice of revocation, the director shall revoke 1066

the license. An order of revocation under this section may be 1067
appealed in accordance with Chapter 119. of the Revised Code. 1068

Sec. 5103.55. A parent of a child attending a private, 1069
nonprofit therapeutic wilderness camp is not relieved of the 1070
parent's obligations regarding compulsory school attendance 1071
pursuant to section 3321.04 of the Revised Code. 1072

Section 2. That existing sections 2151.011, 2151.421, and 1073
5103.02 of the Revised Code are hereby repealed. 1074

Section 3. The amendments to divisions (B)(49) and (50) of 1075
section 2151.011 of the Revised Code by Am. Sub. H.B. 59 of the 1076
130th General Assembly, which appear in this act and are to take 1077
effect on July 1, 2014, are not accelerated by their inclusion in 1078
this act. 1079

Section 4. This act is hereby declared to be an emergency 1080
measure necessary for the immediate preservation of the public 1081
peace, health, and safety. The reason for such necessity is to 1082
ensure that private, nonprofit therapeutic wilderness camps may 1083
continue to provide critical services to at-risk youth in Ohio 1084
without interruption. 1085