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Representative Gonzales

**Cosponsors: Representatives Derickson, Wachtmann, Schuring, Bishoff,
Brown, Hagan, R., Johnson, Smith, Anielski, Baker, Beck, Buchy, Butler,
Cera, Conditt, DeVitis, Green, Grossman, Hackett, Hagan, C., Milkovich,
Pillich, Rogers, Sprague, Winburn Speaker Batchelder**

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A B I L L

To amend sections 5153.21 and 5153.42 and to enact 1
sections 5103.05 and 5103.051 of the Revised Code 2
to require children's residential facilities to 3
provide specified information to local law 4
enforcement agencies, emergency management 5
agencies, and fire departments and to require the 6
Department of Job and Family Services to implement 7
a Child Placement Level of Care Tool Pilot 8
Program. 9

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

Section 1. That sections 5153.21 and 5153.42 be amended and 10
sections 5103.05 and 5103.051 of the Revised Code be enacted to 11
read as follows: 12

Sec. 5103.05. (A) As used in this section and section 13
5103.051 of the Revised Code: 14

(1) "Children's residential center" means a facility that is 15
operated by a private child placing agency, private noncustodial 16

agency, or public children services agency, that has been 17
certified by the department of job and family services to operate 18
a children's residential center, and in which eleven or more 19
children, including the children of any staff residing at the 20
facility, are given nonsecure care and supervision twenty-four 21
hours a day. 22

(2) "Children's crisis care facility" has the same meaning as 23
in section 5103.13 of the Revised Code. 24

(3) "County children's home" means a facility established 25
under section 5153.21 of the Revised Code. 26

(4) "District children's home" means a facility established 27
under section 5153.42 of the Revised Code. 28

(5) "Group home for children" means any public or private 29
facility that is operated by a private child placing agency, 30
private noncustodial agency, or public children services agency, 31
that has been certified by the department to operate a group home 32
for children, and that meets all of the following criteria: 33

(a) Gives, for compensation, a maximum of ten children, 34
including the children of the operator or any staff who reside in 35
the facility, nonsecure care and supervision twenty-four hours a 36
day by a person or persons who are unrelated to the children by 37
blood or marriage, or who is not the appointed guardian of any of 38
the children; 39

(b) Is not certified as a foster home; 40

(c) Receives or cares for children for two or more 41
consecutive weeks. 42

"Group home for children" does not include any facility that 43
provides care for children from only a single-family group, placed 44
at the facility by the children's parents or other relative having 45
custody. 46

(6) "Residential facility" means a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four-hour child care, county children's home, or district children's home. A foster home is not a residential facility.

(7) "Residential parenting facility" means a facility operated by a private child placing agency, private noncustodial agency, or public children services agency, that has been certified by the department to operate a residential parenting facility, in which teenage mothers and their children reside for the purpose of keeping mother and child together, teaching parenting and life skills to the mother, and assisting teenage mothers in obtaining educational or vocational training and skills.

(8) "Nonsecure care and supervision" means care and supervision of a child in a residential facility that does not confine or prevent movement of the child within the facility or from the facility.

(B) Within ten days after the commencement of operations at a residential facility, the facility shall provide the following to all county, municipal, or township law enforcement agencies, emergency management agencies, and fire departments with jurisdiction over the facility:

(1) Written notice that the facility is located and will be operating in the agency's or department's jurisdiction. The written notice shall provide the address of the facility, identify the facility as a group home for children, children's crisis care facility, children's residential center, residential parenting facility, county children's home, or district children's home, and provide contact information for the facility.

(2) A copy of the facility's procedures for emergencies and

disasters established pursuant to rules adopted under section 78
5103.03 of the Revised Code; 79

(3) A copy of the facility's medical emergency plan 80
established pursuant to rules adopted under section 5103.03 of the 81
Revised Code; 82

(4) A copy of the facility's community engagement plan 83
established pursuant to rules adopted under section 5103.051 of 84
the Revised Code. 85

(C) Within ten days of a facility's recertification by the 86
department, the facility shall provide to all county, municipal, 87
or township law enforcement agencies, emergency management 88
agencies, and fire departments with jurisdiction over the facility 89
updated copies of the information required to be provided under 90
divisions (B)(2), (3), and (4) of this section. 91

(D) The department may adopt rules in accordance with Chapter 92
119. of the Revised Code necessary to implement this section. 93

Sec. 5103.051. (A) Each private child placing agency, private 94
noncustodial agency, public children services agency, or 95
superintendent of a county or district children's home shall 96
establish a community engagement plan in accordance with rules 97
adopted under division (B) of this section for each residential 98
facility the agency, entity, or superintendent operates. 99

(B)(1) The department of job and family services shall adopt 100
rules in accordance with Chapter 119. of the Revised Code that 101
establish the following: 102

(a) The contents of a community engagement plan to be 103
established under division (A) of this section that includes the 104
following: 105

(i) Protocols for the community in which a residential 106
facility is located to communicate concerns or other pertinent 107

<u>information directly to the agency or entity;</u>	108
<u>(ii) Protocols for the agency or entity in responding to a communication made under division (B)(1)(a)(i) of this section.</u>	109 110
<u>(b) Orientation procedures for training residential facility staff on the implementation of the community engagement plan established under division (A) of this section and procedures for responding to incidents involving a child at the facility and neighbors or the police.</u>	111 112 113 114 115
<u>(2) The department shall file initial rules adopted under division (B)(1) of this section within ninety days after the effective date of this section.</u>	116 117 118
Sec. 5153.21. The board of county commissioners may establish a children's home upon the recommendation of the public children services agency and subject to certification by the department of job and family services under section 5103.03 of the Revised Code and the requirements of sections 5103.05 and 5103.051 of the Revised Code.	119 120 121 122 123 124
Sec. 5153.42. District children's homes shall be established, operated, maintained, and managed in the same manner so far as applicable as county children's homes <u>and shall be subject to the requirements of sections 5103.05 and 5103.051 of the Revised Code.</u>	125 126 127 128 129
Section 2. That existing sections 5153.21 and 5153.42 of the Revised Code are hereby repealed.	130 131
Section 3. (A) The Ohio Department of Job and Family Services shall implement and oversee use of a Child Placement Level of Care Tool on a pilot basis. The Department shall implement the pilot program in up to ten counties selected by the Department and shall include the county and at least one private child placing agency	132 133 134 135 136

or private noncustodial agency. The pilot program shall be 137
developed with the participating counties and agencies and must be 138
acceptable to all participants. A selected county or agency must 139
agree to participate in the pilot program. 140

(B) The pilot program shall begin not later than one hundred 141
eighty days after the effective date of this section and end not 142
later than eighteen months after the date the pilot program 143
begins. The length of the pilot program shall not include any time 144
expended in preparation for implementation or any post-pilot 145
program evaluation activity. 146

(C)(1) In accordance with sections 125.01 to 125.11 of the 147
Revised Code, the Ohio Department of Job and Family Services shall 148
provide for an independent evaluation of the pilot program to rate 149
the program's success in the following areas: 150

(a) Placement stability, length of stay, and other outcomes 151
for children; 152

(b) Cost; 153

(c) Worker satisfaction; 154

(d) Any other criteria the Department determines will be 155
useful in the consideration of statewide implementation. 156

(2) The evaluation design shall include: 157

(a) A comparison of data to historical outcomes or control 158
counties; 159

(b) A prospective data evaluation in each of the pilot 160
counties. 161

(D) The Ohio Department of Job and Family Services may adopt 162
rules in accordance with Chapter 119. of the Revised Code as 163
necessary to carry out the purposes of this section. The 164
Department shall seek maximum federal financial participation to 165
support the pilot program and the evaluation. 166

(E) Notwithstanding division (E) of section 5101.141 of the Revised Code, the Department of Job and Family Services shall seek state funding to implement the Child Placement Level of Care Tool pilot program described in this section and to contract for the independent evaluation of the pilot program.

(F) As used in this section, "Child Placement Level of Care Tool" means an assessment tool to be used by participating counties and agencies to assess a child's placement needs when a child must be removed from the child's own home and cannot be placed with a relative or kin not certified as a foster caregiver that includes assessing a child's functioning, needs, strengths, risk behaviors, and exposure to traumatic experiences.