

# Child Care In-Home Aide Manual Table of Contents

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**Child Care In-Home Aide Manual Transmittal Letters**

# CCIMTL 3 (Background Check Rule Revisions for In-Home Aides)

## Child Care In-Home Aide Manual Transmittal Letter No. 3

October 17, 2017

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Background Check Rule Revisions for In-Home Aides

### Background:

The Office of Family Assistance is amending child care center rules pertaining to background checks as a result of the Child Care Development Block Grant Act (CCDBG) of 2014. Federal law requires the following five background checks be completed for each individual who owns, works or applies to work in a child care program:

- Bureau of Criminal Investigation (BCI)
- Federal Bureau of Investigation (FBI)
- National Sex Offender Registry
- State Sex Offender Registry
- Statewide Automated Child Welfare Information System (SACWIS).

Law requires that all background check results be reviewed by the Ohio Department of Job and Family Services (ODJFS). In addition, individuals will no longer be required to complete new background checks if they change employers within a specified timeframe.

The following rules and forms will be effective October 29, 2017.

### New rule:

5101:2-14-03 "Qualifications for certification as an in-home aide" has been replaced as a new rule due to the number of revisions and rearrangement of the paragraphs and to update the appendix to include language regarding sealed records. This rule outlines the qualification, training and new background check requirements that must be completed before being certified as an in-home aide.

### Amended rules:

5101:2-14-01 "Definitions for certified in-home aides" defines the terms used throughout the chapter of in-home aide certification rules. This rule has been amended to add language to the definition of child care.

5101:2-14-02 "Application and approval for certification as an in-home aide" sets forth the application process to become certified as an in-home aide. This rule has been amended to update the background check requirements.

5101:2-14-04 "In-home aide responsibilities and assurances" sets forth the responsibilities and assurances for the in-home aide and the parent. This rule has been amended to update the revision date for the JFS 01642.

5101:2-14-06 "County agency responsibilities for the issuance and renewal for in-home aide certification" sets forth the procedure for the county agency for the issuance and renewal of in-home aide certifications. This rule has been amended to update the background check process by removing the county agency responsibility and to update the revision date for the JFS 01533.

5101:2-14-07 "County agency responsibility for compliance and complaint investigation for an in-home aide" sets forth the procedures for the county agency for compliance and complaint investigations for in-home aides. This rule has been amended to update the revision dates for the JFS 01533 and JFS 01642.

### New forms:

JFS 01175 "Request for a Background Check for Child Care" is a new form that will be used by individuals to request a background check to work in child care.

JFS 01176 "Program Notification of Background Check Review for Child Care" is a new form that will be used to inform the county agency of background check results for IHAs.

JFS 01177 "Individual Notification of Background Check Review for Child Care" is a new form that will be used to inform individuals if the results of their background check allow them to be an IHA.

JFS 01178 "Request for Review of Background Check Decision for Child Care" is a new form that will be completed by an individual to appeal the results of their background check.

**Amended forms:**

JFS 01533 "In-Home Aide Inspection" is being amended to reflect the new requirements for background checks under rule 5101:2-14-03.

JFS 01642 "In-Home Aide Assurances" is being amended to reflect the new requirements for background checks under Section V.

**Obsolete forms:**

JFS 01302 "Request for Child Abuse and Neglect Report Information for Child Care"

JFS 01328 "Statement of Nonconviction for Child Care"

**Implementation:**

New IHA

Any in-home aide that applies for certification after the effective date of this rule shall follow the new background check process.

Current IHA

All current IHAs, as of the effective date of the rules, will be phased-in to the new process.

Each IHA shall send the JFS 01175 to [CCBackgroundCheck@jfs.ohio.gov](mailto:CCBackgroundCheck@jfs.ohio.gov) by January 1, 2018.

Each county agency shall send copies of the current BCI and FBI results on file for the IHA.

If an IHA's BCI or FBI checks expire prior to January 1, 2018, that individual will follow the entire new process for background checks by the expiration date of the checks.

ODJFS will use these results along with the results from new child abuse and neglect checks and state and national sex offender registry checks to determine if the individual is eligible for continued certification as an IHA.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCIMTL 2 (In-Home Aide Rule Revisions)

## Child Care In-Home Aide Manual Transmittal Letter No. 2

December 22, 2016

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: In-Home Aide Rule Revisions

### Background:

The Office of Family Assistance has completed a review of all in-home aide rules to ensure that the Ohio Department of Job and Family Services (ODJFS) is only mandating essential health and safety requirements. With the exception of the definitions rule (5101:2-14-01), all in-home aide rules are also being renumbered.

The following rules and forms will be effective December 31, 2016.

### New Rules:

[5101:2-14-02](#) "Application and approval for certification as an in-home aide" is a new rule that sets forth the procedures for the application process and approval for certification as an in-home aide. This rule is replacing rescinded rule 5101:2-14-30 of the Administrative Code.

[5101:2-14-03](#) "Qualifications for certification as an in-home aide" is a new rule that sets forth the qualifications and requirements for certification as an in-home aide. This rule is replacing rescinded rule 5101:2-14-31 of the Administrative Code.

[5101:2-14-04](#) "In-home aide responsibilities and assurances" is a new rule that sets forth the responsibilities and assurances for the in-home aide and the parent. This rule is replacing rescinded rule 5101:2-14-32 of the Administrative Code.

[5101:2-14-05](#) "Safe and sanitary requirements for in-home aides" is a new rule that sets forth the safety and sanitary requirements and procedures for in-home aides. This rule is replacing rescinded rule 5101:2-14-33 of the Administrative Code.

[5101:2-14-06](#) "County agency responsibilities for the issuance and renewal for in-home aide certification" is a new rule that sets forth the procedure for the county agency for the issuance and renewal of in-home aide certifications. This rule is replacing rescinded rule 5101:2-14-34 of the Administrative Code.

[5101:2-14-07](#) "County agency responsibility for compliance and complaint investigation for an in-home aide" is a new rule that sets forth the procedures for the county agency for compliance and complaint investigations for in-home aides. This rule is replacing rescinded rule 5101:2-14-35 of the Administrative Code.

### Amended Rule:

[5101:2-14-01](#) "Definitions for certified in-home aides" defines the terms used throughout the new in-home aide rules. The title of this rule is being changed to reflect its content. This rule is being amended to remove terms that are no longer relevant to this chapter, to include the definition of "in-home aide" and to remove references to "caretaker" and "school/school child" and replace with "parent" and "school-age."

### Amended Forms:

[JFS 01533](#) "In-Home Aide Inspection" is being revised to reflect current rule language.

[JFS 01642](#) "In-Home Aide Assurances" is being revised to reflect current rule language.

### Rescinded Rules:

[5101:2-14-02](#) "Application and issuance for a type B home provider license."

[5101:2-14-03](#) "Compliance inspection and complaint investigation of a licensed type B home provider."

[5101:2-14-04](#) "Denial and revocation of a licensed type B home provider."

[5101:2-14-04.1](#) "Suspension of a type B home license."

[5101:2-14-05](#) "Procedures for a licensed type B home provider operating under a provisional license."

[5101:2-14-06](#) "Provider qualifications for a licensed type B home provider."

[5101:2-14-07](#) "Licensed type B home requirements for criminal records checks."

[5101:2-14-30](#) "Application and approval for certification as an in-home aide."

[5101:2-14-31](#) "Qualifications for certification as an in-home aide."

[5101:2-14-32](#) "In-home aide responsibilities and assurances."

[5101:2-14-33](#) "Safety requirements for in-home aides."

[5101:2-14-34](#) "County department of job and family services (CDJFS) responsibilities for the issuance and renewal for in-home aide (IHA) certification."

[5101:2-14-35](#) "County department of job and family services (CDJFS) responsibility for compliance and complaint investigation for an in-home aide (IHA)."

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCIMTL 1 (Revisions to Criminal Records Checks Rule for In-Home Aides)

## Child Care In-Home Aide Manual Transmittal Letter No. 1

November 5, 2015

TO: Child Care In-home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Revisions to Criminal Records Checks Rule for In-Home Aides

### **Background:**

The Office of Family Assistance has amended the following child care in-home aide rule as a result of Amended Substitute House Bill 64 of the 131st General Assembly.

### **Policy updates:**

The following rule will become effective November 1, 2015:

[5101:2-14-31](#) "Qualifications for Certification as an In-Home Aide" is being amended to change the revision date of the JFS 01329 "Statement of Nonconviction for Type B Homes and In-Home Aides" and to change the revised code citation for criminal records checks.

# **Child Care In-Home Aide Manual Procedure Letters**



# **CCIMPL 4 (In-home Aide Training in the Ohio Professional Registry)**

## **Child Care In-Home Aide Manual Procedure Letter No. 4**

January 2, 2019

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: In-home Aide Training in the Ohio Professional Registry

### **Background:**

Rules 5101:2-14-02 and 5101:2-14-03 of the Ohio Administrative Code set forth the requirements for the pre-certification training.

The updated information in this procedure letter replaces CCCMPL numbers 13, 14 and 19.

### **Updated Process:**

The following training is now available and must be completed through the Ohio Professional Registry (OPR). This training is no longer available on the Ohio Department of Job and Family Services (ODJFS) website.

#### Pre-certification Orientation

"Child Care Pre-certification Orientation for In-Home Aides." This ODJFS created orientation training shall have been taken within the two years prior to the application to become an in-home aide (IHA).

### **Questions:**

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# **CCIMPL 3 (Background Checks in the Ohio Professional Registry)**

## **Child Care In-Home Aide Manual Procedure Letter No. 3**

January 2, 2019

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Background Checks in the Ohio Professional Registry

### **Background:**

Background check requirements for in-homes aides are outlined in rule 5101:2-14-03 of the Administrative Code. These individuals are required to submit a JFS 01175 "Request for a Background Check for Child Care." Additionally, they must complete the Ohio Bureau of Criminal Investigation (BCI) and Federal Bureau of Investigation (FBI) fingerprints and have the results sent electronically to the Ohio Department of Job and Family Services (ODJFS) from the Webcheck agency.

### **Updated Process:**

#### Background Checks

There is now enhanced functionality in the Ohio Professional Registry (OPR) which allows the JFS 01175 to be submitted electronically. Individuals may now use the OPR to send the JFS 01175 to the ODJFS. For those sent electronically, the JFS 01176 "Program Notification of Background Check Review for Child Care" will be available to the program electronically in the OPR.

Beginning September 2019, all JFS 01175s shall be submitted via the OPR. In-home aides should begin this process now to ensure compliance by next fall.

### **Questions:**

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# CCIMPL 2 (Updated Process for In-Home Aides and County Agencies)

## Child Care In-Home Aide Manual Procedure Letter No. 2

February 8, 2017

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Updated Process for In-Home Aides and County Agencies

### Background:

Chapter 5101:2-14 rules and forms were effective December 31, 2016, however, the Ohio Child Licensing and Quality System (OCLQS) was not available for use at that time. Child Care In-Home Aide Manual Procedure Letter (CCIMPL) 1 and Family Child Care Manual Procedure Letter (FCCMPL) 2 were issued to describe temporary procedures until the system was live.

### Updated Process:

OCLQS went live on January 30, 2017. This system shall be used in accordance with rule unless otherwise noted below. The updated information in this procedure letter replaces CCIMPL 1 and FCCMPL 2.

### In-Home Aide Pre-Certification Training

Because of an issue with the tool that feeds the training to the Ohio Professional Registry (OPR), the pre-certification training is not yet available in the OPR. This, paired with provider feedback, has led ODJFS to review the issue and create an alternative process for the pre-certification training requirement to be met. Beginning February 24, 2017, the pre-certification training will be available on the ODJFS website at: <http://ifs.ohio.gov/cdc/openingachildcareprogram.stm>. Full instructions for the training will also be available there. Once the training is complete, applicants will follow the directions on the website, and at the end of the training, to print and submit documentation of completion to [prelicensing@ifs.ohio.gov](mailto:prelicensing@ifs.ohio.gov) along with the OPIN number associated with their OPR profile. ODJFS will then document completion of the pre-certification training in the OPR so that the applicant is able to begin the application process in OCLQS. This process will continue until the training tool issues are resolved and the pre-certification training is available in the OPR.

### In-Home Aide Application and Renewal Process

If an In-Home Aide submitted a paper application during the OCLQS transition process, the In-Home Aide now has until Friday, March 3, 2017 to enter the information into OCLQS. If an application is not submitted in OCLQS by the deadline, the ODJFS will notify the county agency to close the application and stop processing for certification.

In-Home Aides, please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

County Agencies, please contact [CHILD\\_CARE\\_COUNTY\\_TECHNICAL\\_ASSISTANCE@ifs.ohio.gov](mailto:CHILD_CARE_COUNTY_TECHNICAL_ASSISTANCE@ifs.ohio.gov) if you have questions.

# CCIMPL 1 (Temporary Procedures for In-Home Aides)

## Child Care In-Home Aide Manual Procedure Letter No. 1

December 23, 2016

TO: All Child Care In-Home Aide Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Temporary Procedures for In-Home Aides

### **Background:**

The Office of Family Assistance completed a review of all in-home aide rules to ensure that the Ohio Department of Job and Family Services (ODJFS) is mandating only essential health, safety and administration requirements. With the exception of the definitions rule (5101:2-14-01), all in-home aide rules have also been renumbered and updated to require the use of the Ohio Child Licensing and Quality System (OCLQS) currently in development.

### **Temporary Process:**

Chapter 5101:2-14 rules and forms are effective December 31, 2016, however, OCLQS will not be available for use at that time. The requirements listed below in this procedure letter will be effective until OCLQS is operating.

#### Pre-certification Training

The pre-certification training will be offered by each county agency as needed. The applicant should contact the county agency to schedule.

#### Application and Renewal Process

A paper application may be used to begin the certification process. To obtain a fillable paper application, the applicant shall call the Child Care Policy Helpdesk at 1-877-302-2347, option 4. The applicant will then return the completed application (no attachments or supporting documentation) to [CentralOffice\\_CCPackets@jfs.ohio.gov](mailto:CentralOffice_CCPackets@jfs.ohio.gov). The appropriate county agency will be notified of the applicant's paper application submission and can begin the certification process. Once OCLQS is operating, any applicant who submitted a paper application shall submit a new electronic application in the system within thirty days of the go-live date.

Please contact the Child Care Policy Helpdesk at 1-877-302-2347, option 4, if you have any questions.

# **Child Care In-Home Aide Rules**

**CCIMTL 3**

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

- (A) "Advanced practice registered nurse (APRN)" means a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife or certified nurse practitioner under Chapter 4723. of the Revised Code. This was previously called advanced practice nurse (APN).
- (B) "Certified nurse practitioner (CNP)" means a registered nurse who holds a valid certification of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a CNP in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (C) "Child care" per section 5104.01 of the Revised Code means all of the following:
  - (1) Administering to the needs of infants, toddlers, preschool-age children and school-age children outside of school hours;
  - (2) By persons other than their parents, guardians, or custodians;
  - (3) For any part of the twenty-four-hour day; and
  - (4) In a place other than a child's own home, except that an in-home aide provides child care in the child's own home.
  - (5) For the purposes and requirements of this chapter, "child care" is limited to a program licensed or required to be licensed by the department pursuant to this chapter or a program with a contract to provide publicly funded child care pursuant to section 5104.32 of the Revised Code.
- (D) "Field trips" means infrequent or irregularly scheduled excursions from the child's own home with an in-home aide.
- (E) "Food supplement" means a vitamin, mineral, or combination of one or more vitamins, minerals and/or energy-producing nutrients (carbohydrate, protein or fat) used in addition to meals or snacks.
- (F) "Infant" means a child who is under eighteen months of age.
- (G) "In-Home Aide" (IHA) means a person who does not reside with the child but provides child care to a child in the child's own home. The child's home will be inspected by the parent, IHA and the county agency.
- (H) "Medication" means any substance or preparation which is used to prevent or treat a wound, injury, infection, infirmity, or disease. This includes medication that is over the counter, or prescribed or recommended by a physician or advance practice nurse certified to prescribe medication, and permitted by the parent for administration or application.
- (I) "Parent" means the father or mother of a child, an adult who has legal custody of a child, an adult who is the guardian of a child, or an adult who stands in loco parentis with respect to a child, and whose presence in the home is needed as the caretaker of the child. Parent has the same meaning as "caretaker parent" as defined in section 5104.01 of the Revised Code.
- (J) "Physician" means a person issued a certificate to practice in accordance with Chapter 4731. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (K) "Physician assistant (PA)" means a person who has obtained a valid certificate to practice in accordance with Chapter 4730. of the Revised Code and rules adopted by the state medical board or a comparable body in another state.
- (L) "Preschool child" means a child who is three years old or older but is not a school-age child.

- (M) "Publicly funded child care" is the care of infants, toddlers, preschool children, and school-age children under age thirteen by an eligible provider, as defined in rule 5101:2-16-01 of the Administrative Code. Publicly funded child care is paid, wholly or in part, with federal or state funds.
- (N) "Routine trips" means frequent or regularly scheduled excursions from the home in which in-home aide services are being provided. Routine trips include, but are not limited to, taking a child to school or picking up a child from school.
- (O) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but who is less than fifteen years old, or who is less than eighteen years old and eligible for special needs or protective child care benefits.
- (P) "Special needs" means providing child care services to a child who is under eighteen years old who does not function according to age appropriate expectations in one or more of the following areas of development: social/emotional, cognitive, communication, perceptual-motor, physical, or behavioral development, or the child has chronic health issues. The child's delays/condition(s) affect development to the extent that the child requires special adaptations, modified facilities, program adjustments or related services on a regular basis in order to function in an adaptive manner.
- (Q) "Specialized foster home" means a medically fragile foster home or a treatment foster home.
- (R) "Toddler" means a child who is at least eighteen months of age but less than three years of age.

Effective: 10/29/2017

Five Year Review (FYR) Dates: 1/1/2019

Certification: CERTIFIED ELECTRONICALLY

Date: 10/12/2017

Promulgated Under: 119.03

Statutory Authority: 5104.019

Rule Amplifies: 5104.01

Prior Effective Dates: 4/1/82, 5/20/83, 9/1/86, 2/15/88, 5/1/89, 11/1/91

(Emer.), 1/20/92, 7/1/95, 3/15/96, 10/1/97 (Emer.), 12/30/97, 4/1/03, 7/1/05 (Emer.), 10/1/05, 1/01/2007, 8/14/2008, 1/1/2014, 9/28/15, 12/31/16

**CCIMTL 3**

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

**Appendix A - Required Documents for an Application for Certification as an In-Home Aide**

(A) What is the application process to become a certified in-home aide (IHA)?

A resident of Ohio who wishes to become an IHA in order to provide publicly funded child care shall:

- (1) Complete a professional registry profile for the in-home aide applicant through the Ohio professional registry (OPR) at <https://www.occra.org/opr>.
- (2) Register online through the OPR and complete the required orientation training. The orientation training shall have been taken within the two years prior to the application to become an IHA.
- (3) Complete and submit an application online in the Ohio child licensing and quality system (OCLQS) at <http://oclqs.force.com>.
  - (a) An application is considered to be complete when the applicant has uploaded all documentation outlined in appendix A to this rule. ~~Applications that are not complete within ninety days shall be denied.~~
  - (b) Any application submitted without complete and accurate information will need to be amended with complete and accurate information before being certified.
  - (c) The application will be deleted if the in-home aide is not ready to be certified after twelve months.
  - ~~(b)~~ ~~An application that is missing only the results of the bureau of criminal investigation (BCI) and/or federal bureau of investigation (FBI) criminal records check is exempt from the ninety day timeline. All other information shall be complete and on file with the county agency to qualify for this exemption.~~
  - ~~(e)~~(d) The IHA shall comply with a pre-certification visit.

(B) What is a valid IHA certificate?

- (1) A certificate is valid only for the IHA, child's home and maximum number of children designated on the certificate.
- (2) The certificate is valid for two years, unless one of the following occurs:
  - (a) The parent moves to a new address.
  - (b) The IHA notifies the county agency either verbally or in writing of his or her voluntary withdrawal from certification.
  - (c) The certificate is revoked pursuant to rule 5101:2-14-06 of the Administrative Code.

(C) What are the requirements once a certificate has been issued?

- (1) At the time the county agency issues the certificate, the certified IHA shall complete and submit a provider agreement and all information required in the provider portal at <http://jfs.ohio.gov/cdc/CCIDS.stm>. This information shall be submitted before the first day publicly funded child care services are provided.
- (2) The IHA shall have the certificate on file in the child's home at all times.
- (3) The IHA shall comply with at least one unannounced inspection each fiscal year.

(D) What are the requirements if the parent and child move to a new address?

- (1) The certified IHA or the parent shall notify the county agency at least ten days prior to the parent moving to a new address.



- (2) Upon completion of a new inspection, the county agency shall issue a new certificate for the new address and the original certification period shall be maintained.
- (E) What are the requirements to renew an IHA certificate?
- (1) Prior to the expiration of the certification period, the IHA shall:
- (a) Complete and submit the application in OCLQS.
- (b) Complete the required orientation training (at each renewal).
- (2) If the IHA does not submit the application by the end of the certification period, the certificate will be closed.
- (F) Is an IHA an employee of the county agency or the Ohio department of job and family services?
- An individual certified by the county agency as an IHA to provide publicly funded child care services is an independent contractor and is not an employee of the county agency that issued the certificate or ~~the Ohio department of job and family services (ODJFS)~~ODJFS.

Effective: 10/29/2017

Five Year Review (FYR) Dates: 12/31/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 10/12/2017

Promulgated Under: 119.03

Statutory Authority: 5104.019

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### CCIMTL 3

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

**Appendix A - Verification of High School Education**

**Appendix B - Health Training Courses**

**Appendix C - Medical Statement Requirements for In-Home Aides**

**Appendix D - Professional Development Training Topics**

**(A) What are the qualifications to be certified as an in-home aide (IHA)?**

The in-home aide (IHA) shall complete all application requirements in accordance with appendix A to rule 5101:2-14-02 of the Administrative Code and shall meet the following qualifications:

- (1) Be at least eighteen years old.
- (2) Have completed a high school education as verified by appendix A to this rule, for those individuals certified after April 1, 2003.
- (3) Be physically, intellectually and emotionally capable of complying with Chapter 5101:2-14 of the Administrative Code and performing activities normally related to child care. These include, but are not limited to, providing meals, dealing with emergencies in a calm manner, carrying out methods of child guidance and discipline in a courteous, respectful and patient manner and keeping accurate records as required by this chapter.
- (4) Be currently certified in first aid and cardiopulmonary resuscitation (CPR) as described in appendix B to this rule.
- (5) Maintain current training in management of communicable disease as described in appendix B to this rule.
- (6) Maintain a current training in six-hour child abuse recognition and prevention as described in appendix B to this rule.
- (7) Maintain a copy of the certificate in his or her files.
- (8) Not be involved in any other employment during the hours in which care is provided.
- (9) Not use or disclose any information concerning the family receiving publicly funded child care to anyone other than the county agency or the Ohio department of job and family services (ODJFS), except upon written consent of the parent.
- (10) Submit verification that he or she meets the medical statement requirements detailed in appendix C to this rule.

**(B) What are the on-going professional development requirements for IHA?**

Complete a minimum of six clock hours of training annually in any of the categories listed in appendix D to this rule each fiscal year. The fiscal year is defined July first through June thirtieth.

**(C) What records are included in a background check?**

- (1) Bureau of criminal investigation (BCI) records pursuant to section 5104.013 of the Revised Code.
- (2) Federal bureau of investigation (FBI) records pursuant to section 5104.013 of the Revised Code.
- (3) National sex offender registry.
- (4) State sex offender registry.
- (5) Statewide automated child welfare information system (SACWIS) records.

(D) When is a background check required?

(1) At application.

(2) Every five years from the date of the most recent background check.

(E) How is a background check obtained?

The in-home aide shall:

(1) Complete and submit the JFS 01175 "Request for a Background Check for Child Care" (10/2017) to the Ohio department of job and family services (ODJFS) or the Ohio professional development registry (OPR) system generated equivalent,

(2) Submit fingerprints electronically according to the process established by BCI and have the BCI and FBI results sent directly to ODJFS. Information on how to obtain a background check can be found at <http://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck>.

(3) Create a profile in the OPR.

(4) An in-home aide certified prior to the effective date of this rule shall submit to ODJFS the JFS 01175 and create a profile in the OPR by January 1, 2018.

(F) What if an IHA previously resided in a state other than Ohio?

(1) ODJFS will contact any states in which the individual resided in the previous five years to request the information required in paragraph (C) of this rule.

(2) Any information received from other states will be reviewed and considered by ODJFS as part of the background check review pursuant to paragraph (G) of this rule.

(G) What makes an IHA ineligible for certification?

(1) A conviction or guilty plea to an offense listed in division (A)(5) of section 109.572 of the Revised Code, unless the individual meets the rehabilitation criteria in appendix E to this rule.

(a) Section 109.572 of the Revised Code requires that this rule applies to records of convictions that have been sealed pursuant to section 2953.32 of the Revised Code.

(b) A conviction of or a plea of guilty to an offense listed in division (A)(5) of section 109.572 of the Revised Code is not prohibitive if the individual has been granted an unconditional pardon for the offense pursuant to Chapter 2967. of the Revised Code or the conviction or guilty plea has been set aside pursuant to law. For purposes of this rule, "unconditional pardon" includes a conditional pardon with respect to which all conditions have been performed or have transpired.

(2) Being registered or required to be registered on the national or state sex offender registry or repository.

(3) The IHA is identified in SACWIS as the perpetrator for a substantiated finding of child abuse or neglect in the previous ten years from the date on the JFS 01175 or the IHA has had a child removed from their home in the previous ten years pursuant to section 2151.353 of the Revised Code due to a court determination of abuse or neglect caused by the IHA.

(H) What happens after ODJFS completes the background check on an IHA?

(1) The county agency will receive the JFS 01176 "Program Notification of Background Check Review for Child Care" (10/2017) from ODJFS.

(a) For an IHA eligible for employment, the county agency shall keep the JFS 01176 on file if the individual is certified.

(b) For an IHA not eligible for employment, the county agency shall deny the certification pursuant to rule 5101:2-14-06 of the Administrative Code immediately upon receipt of the JFS 01176.

(2) The IHA will receive the JFS 01177 "Individual Notification of Background Check Review for Child Care" (10/2017) from the ODJFS.

(a) If the IHA believes the information received is not accurate, the IHA may directly contact the agency that contributed the questioned information.

(b) If the IHA disagrees with the decision made by ODJFS, a JFS 01178 "Request for Review of Background Check Decision for Child Care" (10/2017) shall be completed to request a review of the decision.

(I) What happens after an IHA submits a JFS 01178 to ODJFS?

If an IHA requests a review of a background check decision pursuant to paragraph (H)(2)(b) to this rule:

(1) An IHA who is certified shall not serve children during the review.

(2) Once a determination is made, ODJFS will send an updated JFS 01176 to the county agency and an updated JFS 01177 to the IHA.

(3) If the IHA is determined to be eligible for employment, the county agency may allow the IHA to be certified and shall keep the updated JFS 01176 on file pursuant to paragraph (H)(1)(a) to this rule.

(J) What are the background check requirements when an IHA adds a family or changes the family associated with the certification?

(1) Only the JFS 01175 is required if the IHA meets all of the following:

(a) The IHA has a current background check determination by ODJFS completed in the previous five years pursuant to this rule.

(b) The IHA has been employed by a child care center, type A home, type B home, approved day camp, a preschool or school-age program approved to provide publicly funded child care or certified as an in-home aide in the previous one hundred eighty consecutive days.

(2) Upon receipt of the updated JFS 01175, ODJFS will send the JFS 01177 based on the existing background check determination to the county agency.

Replaces: 5101:2-14-03

Effective: 10/29/2017

Five Year Review (FYR) Dates: 10/29/2022

Certification: CERTIFIED ELECTRONICALLY

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### CCIMTL 3

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

#### **Appendix A - Allowable Discipline Techniques**

#### **Appendix B - Diseases for Immunizations**

(A) What policies and procedures shall be followed by the in-home aide (IHA)?

The IHA shall:

- (1) Not smoke in the home where child care is being provided.
- (2) Not be under the influence of any substance that impairs the IHA's ability to perform duties.
- (3) Have immediate access at all times to a working telephone on the premises that is capable of receiving incoming calls and making outgoing calls.
- (4) Have children nap/sleep in their own beds or cribs.
- (5) Have infants placed on their backs to sleep.
- (6) Provide daily outdoor play, weather permitting.
- (7) Not prop bottles.
- (8) Store formula/breast milk in accordance with the JFS 01642 "In-Home Aide Assurances" (~~rev. 12/2016~~)(rev. 10/2017).
- (9) Base toilet training on the child's readiness, and in consultation with the parent.
- (10) Not leave children unattended when transporting children in a vehicle and shall have signed permission forms to transport children on a routine basis or for field trips. The permission form will include.
  - (a) Child's name.
  - (b) Destination.
  - (c) Date of trip(s).
  - (d) Time and duration of the field trip.
  - (e) Parent's signature and date.
- (11) Provide nutritious, varied and appropriately timed meals and snacks for all children in accordance with the parent's wishes.
- (12) Immediately notify the public children services agency (PCSA) if the IHA suspects that a child has been abused or neglected.
- (13) Contact the county agency by the next business day if the IHA discontinues caring for children.
- (14) Conduct an annual fire drill. Written documentation of this drill shall be kept on-site.

(B) What child guidance techniques shall be used by the IHA?

The IHA shall follow appendix A to this rule regarding guidance techniques to be used with children.

(C) What records shall be kept by the IHA?

- (1) The IHA shall have the JFS 01234 "Child Enrollment and Health Information for Child Care" (rev. 12/2016) on file for all of the children in care by the first day of care, including any child of the IHA. This record shall be reviewed and updated annually by the parent. Each IHA will set a policy regarding whether to provide child care services to children whose parents refuse to grant consent for transportation to the source of emergency treatment.

- (2) The IHA shall have verification of a medical exam on file for each child in care, including any child of the IHA. Children who attend a grade of kindergarten and above in an elementary school are exempt from this requirement.
  - (a) The medical statement shall be on file at the home within thirty days of the child's first day of care and shall be updated every thirteen months thereafter from the date of the examination.
  - (b) The medical statement shall contain the following information:
    - (i) The child's name and birth date.
    - (ii) The date of the medical examination.
    - (iii) The signature, business address and telephone number of the physician, physician's assistant (PA), advanced practice registered nurse (APRN) or certified nurse practitioner (CNP) who examined the child.
    - (iv) A record of the immunizations that the child has had, specifying the month, day and year of each immunization. This record may be an attachment to the medical statement.
    - (v) A statement from the physician, PA, APRN, or CNP that the child has been immunized or is in the process of being immunized against the diseases required by division 5104.014 of the Revised Code and found in appendix B to this rule. A child is not required to be immunized against a disease specified in appendix B to this rule if the medical statement includes any of the following:
      - (a) A statement from a physician, PA, APRN, or CNP that an immunization against the disease is medically contraindicated for the child.
      - (b) A statement from a physician, PA, APRN, or CNP that an immunization against the disease is not medically appropriate for the child's age.
      - (c) A statement from the child's parent or guardian that he or she has declined to have the child immunized against the disease for reasons of conscience, including religious convictions.
- (3) If a special need or health condition is known or suspected, the IHA shall require the parent to complete the JFS 01236 "Medical/Physical Care Plan for Child Care" (rev. 12/2016). The IHA shall review the information, assure that he or she understands the plan, receive training if required, have the form signed as needed and maintain a copy in the child's file.
  - (a) The JFS 01236 shall be used for children with a condition or diagnosis that require the following:
    - (i) Monitoring the child for symptoms which require the IHA to take action.
    - (ii) Administering procedures which require the IHA to be trained on those procedures.
    - (iii) Avoiding specific food(s), environmental conditions or activities.
    - (iv) A school-age child to carry and administer their own emergency medication.
  - (b) The IHA shall:
    - (i) Complete with the parent a JFS 01236 for each condition per child.
    - (ii) Keep the completed JFS 01236 on file for at least one year.
    - (iii) Maintain a current JFS 01236 for any child who requires one, in a location that can be easily and quickly accessed and removed from the home if there is an emergency that requires the children to be moved to another location.
  - (c) The plan shall be reviewed by the parent at least annually and updated as needed.

- (4) The IHA shall maintain daily written attendance records, indicating the hours of care provided for each child.
- (5) Prior to administering any nonprescription or prescription medication, the IHA shall have written permission of the parent and physician as required, using the JFS 01217 "Request for Administration of Medication for Child Care" (rev. 12/2016).

- (a) When giving prescription medicine, the IHA shall ensure the bottle has the child's name on it, the dosage and the name of the doctor who prescribed the medicine.
- (b) The IHA shall ensure that when dispensing prescription medications to a child that the instructions of the physician who prescribed the medication are followed.

(D) What are the disaster plan requirements for a licensed family child care provider?

The IHA shall develop a written disaster plan.

- (1) The plan shall include procedures that will be used to prepare for and respond to the following types of emergency or disaster situations:
  - (a) Weather emergencies and natural disasters which include severe thunderstorms, tornadoes, flash flooding, major snowfall, blizzards, ice storms or earthquakes.
  - (b) Emergency outdoor or indoor lockdown or evacuation due to threats of violence which includes active shooter, bioterrorism or terrorism.
  - (c) Emergency or disaster evacuations due to hazardous materials and spills, gas leaks or bomb threats.
  - (d) Outbreaks, epidemics or other infectious disease emergencies.
  - (e) Loss of power, water or heat.
  - (f) Other threatening situations that may pose a health or safety hazard to the children in the home.
- (2) The disaster plan shall include details for:
  - (a) Shelter in place or evacuation, how the IHA will care for and account for the children until they can be reunited with the parent.
  - (b) Assisting infants and children with special needs and/or health conditions.
  - (c) Reunification with parents.
    - (i) Emergency contact information for the parents and the IHA.
    - (ii) Procedures for notifying and communicating with parents regarding the location of the children if evacuated.
    - (iii) Procedures for communicating with parents during loss of communications, no phone or internet service available.
  - (d) The location of supplies and procedures for gathering necessary supplies for children if required to shelter in place.
  - (e) What to do if a disaster occurs during the transport of children or when on a field trip or routine trip.
  - (f) Training of staff or reassignment of staff duties as appropriate.
  - (g) Updating the plan on a yearly basis.
  - (h) Contact with local emergency management officials.

(E) The IHA may submit a written request for a county appeal review to the county agency, pursuant to rule 5101:2-14-07 of the Administrative Code, no later than fifteen calendar days after the mailing date of a county agency notification of a proposed adverse action for any of the following adverse actions proposed by the county agency:

- (1) Denial of an application for certification.
- (2) A decision made on an inspection or complaint investigation.
- (3) Proposal to revoke a certificate.
- (4) Notice that a certificate will not be renewed.
- (5) Notification of action to recover an overpayment.

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**CCIMTL2**

**Effective Date: December 31, 2016**

**Most Current Prior Effective Date: January 1, 2014**

- (A) What are the safe equipment and environment requirements for an in-home aide (IHA)?
- (1) The in-home aide (IHA) shall provide a safe and healthy environment when children are present.
  - (2) The IHA shall always be within sight or hearing of a child.
  - (3) The IHA shall prepare a report to be given to the child's parent on the day of the incident/injury/illness and kept on file in the home using the JFS 01299 "Incident/Injury Report for Child Care" (rev. 12/2016).
  - (4) If any of the following incidents occur, the IHA shall give the county agency verbal notification by the next business day. The JFS 01299 shall be completed and faxed or mailed to the county agency to arrive no later than three business days from the occurrence. This notification does not replace reporting to the county children's protective services agency if there are concerns of child abuse or neglect as required by rule 5101:2-14-04 of the Administrative Code.
    - (a) Death of a child while in the care of the IHA.
    - (b) Serious incident, injury, or illness to a child. A serious incident, injury or illness includes any situation that requires a child to be removed from the home for medical treatment, professional consultation or transported for emergency treatment.
  - (5) Weapons, firearms and ammunition materials shall be kept out of sight of children in locked storage areas. Firearms and ammunition materials shall be stored separately from each other.
  - (6) Toys or other materials small enough to be swallowed shall be kept out of the reach of infants and toddlers.
  - (7) Electrical outlets, including surge protectors, within the reach of children shall have child proof receptacle covers when not in use.
  - (8) There shall be at least one underwriters laboratories (UL) or factory mutual laboratories (FM) smoke detector located in the basement and on each level of the home. The smoke detectors shall be placed, installed, tested and maintained in accordance with manufacturer's recommendations.
  - (9) There shall be at least one UL or FM portable fire extinguisher in the home. which shall have a minimum rating of 1A:10BC. At least one fire extinguisher shall be located in the kitchen of the home.
  - (10) An unlocked, closed first-aid container shall be on the premises and readily available to the IHA but shall be kept out of reach of children. The first-aid container shall contain all of the items listed on the JFS 01533 "In-Home Aide Inspection" (rev. 12/2016).
- (B) What are the requirements to provide and maintain a clean environment by the IHA?
- (1) Cleaning and sanitizing equipment and supplies shall be stored in a space that is inaccessible to children.
  - (2) Accumulated trash and garbage shall be stored outside of the indoor or outdoor play area and shall not be accessible to the children.

Replaces: 5101:2-14-33

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Five Year Review (FYR) Dates: 12/31/2021

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### CCIMTL 3

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

#### Appendix A - Standards for Rehabilitation

- (A) What are the county agency responsibilities for certifying an in-home aide (IHA)?
- (1) The county agency shall accept and approve or deny all applications for certification as an IHA within one hundred twenty days from the date the application is submitted in the Ohio child licensing and quality system (OCLQS).
  - (2) If the parent and IHA applicant need help in completing the forms, the county agency shall provide assistance.
  - (3) The county agency shall conduct an inspection at the home of the parent to verify compliance using the JFS 01533 "In-Home Aide Inspection" ~~(rev. 12/2016)~~(rev. 10/2017). This inspection shall be conducted prior to the issuance of a certificate and annually each fiscal year thereafter.
  - (4) The county agency shall provide a copy of the certificate to the parent of a child receiving in-home aide services.
  - ~~(5) The county agency shall review the bureau of criminal investigation (BCI) criminal records checks, JFS 01302 "Request for Child Abuse and Neglect Report Information for Child Care" (rev. 12/2016) and the JFS 01328 "Statement of Nonconviction for Child Care" (rev. 12/2016) pursuant to rule 5101:2-14-04 of the Administrative Code.~~
  - ~~(6) The county agency may charge a fee for the costs incurred in obtaining a criminal records check. A fee charged by the county agency shall not exceed the fee paid by the county agency to BCI or to the agency submitting the criminal records check request to BCI.~~
- (B) When shall a county agency issue a certificate?

The county agency shall issue a certificate when all of the following are met:

- (1) The county agency has determined the IHA is in compliance with Chapter 5101:2-14 of the Administrative Code.
- (2) The county agency has received the JFS 01176 "Program Notification of Background Check Review for Child Care" (10/2017) and the IHA is eligible for employment.
- ~~(2) The county agency has reviewed the BCI and federal bureau of identification (FBI) criminal records checks and the JFS 01328 and determined that the IHA applicant has not been convicted of or pleaded guilty to an offense listed in division (A)(5) of section 109.572 of the Revised Code, and has not had a child removed from his or her home due to abuse or neglect cause by the IHA pursuant to section 2151.353 of the Revised Code~~
  - ~~(a) An IHA may be certified or continue to be certified if the county agency determines the applicant who has been convicted of or pleaded guilty to an offense listed in division (A)(5) of section 109.572 of the Revised Code, meets the rehabilitation standards detailed in appendix A to this rule.~~
  - ~~(b) Section 109.572 of the Revised Code requires that this rule applies to records of convictions that have been sealed pursuant to section 2953.32 of the Revised Code.~~
- (3) The county agency has received verification of completion of all trainings required pursuant to rule 5101:2-14-03 of the Administrative Code.

- (C) When shall a county agency renew a certificate?

The county agency shall renew a certificate when all of the following are met:

- (1) The IHA has submitted a recertification application in the OCLQS.

(2) The parent and IHA complete a new JFS 01642 "In-Home Aide Assurances" (~~rev. 12/2016~~)(rev. 10/2017).

~~(3) The county agency has obtained current information from the public children services agency (PCSA) about the IHA by the completion of the JFS 01302.~~

~~(4)~~(3) The county agency conducts a recertification home inspection.

~~(5)~~(4) It is determined the IHA remains in compliance with the certification requirements contained in Chapter 5101:2-14 of the Administrative Code.

(D) What does the county agency do if it is determined the IHA is not in compliance?

(1) If the county agency determines the IHA is not in compliance with this chapter or Chapter 5104. of the Revised Code the county agency shall forward to the IHA written notification which includes:

(a) A statement of the specific rule violations.

(b) A statement of what must be done to correct the rule violations.

(c) The date, not to exceed thirty business days, by which the correction shall be completed.

(d) A statement of the consequences if the IHA fails to correct violations within the specified time frame.

(e) A statement that the IHA has the right to appeal the actions of the county agency and request a county appeal review in accordance with the procedures outlined in paragraph (E) of this rule.

(2) If the county agency determines that the IHA is not in compliance with Chapter 5101:2-14 of the Administrative Code or Chapter 5104. of the Revised Code, the county agency may revoke the certificate.

(3) Upon revocation of a certificate, the county agency shall notify the IHA of its right to appeal the decision to revoke the certificate and request a county appeal review in accordance with procedures outlined in paragraph (E) of this rule.

(4) The voluntary surrender of a certificate to the county agency shall not prohibit the county agency from revoking a certificate pursuant to this paragraph of this rule.

(5) If the parent whose child is receiving IHA services fails to cooperate with the county agency or to comply with this chapter and Chapter 5104. of the Revised Code, the county agency shall deny or terminate the IHA arrangement, revoke the IHA certificate and inform the parent of alternative child care options.

(E) What is the process if an IHA requests a county appeal?

(1) If the IHA requests an appeal review, the following steps shall be followed:

(a) The county agency shall schedule a county appeal review within fifteen business days of receipt of a written county appeal review request and notify the IHA in writing of the time, date and place of the review.

(b) The individual responsible for conducting the county appeal review shall not be someone who was a party to the decision that is the subject of the review.

(c) The IHA shall have the opportunity to present his or her case and examine the contents of the case file that are relevant to the county agency decision to revoke or deny the certification.

(d) The county agency is responsible for preparing and issuing a written decision to the IHA within ten business days from the date of the county appeal review. The decision shall include the following information:

(i) The action which was appealed.

- (ii) Finding of facts.
- (iii) Citation and summarization of relevant Administrative Code rules which support the facts established.
- (iv) Outcome of the appeal on each issue addressed.

(2) The county appeal review decision is final in regard to the appeal procedures contained in rule.

(F) What information can a county agency publicly share regarding an IHA?

(1) Except as provided in ~~paragraph~~paragraphs (F)(2) ~~to~~and (F)(3) of this rule, the county agency shall not disseminate confidential information which includes, but is not limited to, the following:

- (a) Child abuse and neglect investigative records, pursuant to section 2151.421 of the Revised Code and rule 5101:2-33-21 of the Administrative Code.
- (b) The identity of an information source or witness to whom confidentiality has been reasonably promised.
- (c) Any information, when such information would reasonably tend to disclose the identity of one to whom such confidentiality has been reasonably promised.
- ~~(d) Results of any criminal records check conducted by the bureau of criminal investigation (BCI) on an applicant, except that these records are available to the person who is the subject of the criminal records check, his or her representative, and any court hearing officer, or other necessary individual involved in a case dealing with denial or revocation of certification related to the criminal records check.~~
- ~~(e) The disposition of any investigation requested by a county agency from the PCSA concerning reports of child abuse or neglect on an applicant. The county agency shall not provide to the person who is the subject of the records check any information that identifies the person who made the report, statements of witnesses, or police or other investigative reports.~~
- ~~(f)~~(d) IHA medical records pertaining to the medical history, diagnosis, prognosis, or medical condition of the provider, which are generated and maintained in the process of medical treatment, except as authorized by section 1347.08 of the Revised Code, if requested by the subject of the report.

(2) The county agency is responsible for sharing all IHA, client, and fiscal information with~~the~~ ODJFS during the course of a monitoring review of its certification program or when~~the~~ ODJFS is investigating a complaint involving the county agency.

(3) As needed, the county agency shall share information with the PCSA or a law enforcement agency concerning an investigation of alleged child abuse or neglect.

(4) When information is disseminated, the following shall be documented in the IHA's record:

- (a) Date information was disseminated.
- (b) Agency, organizations, or individual to whom information was disseminated.
- (c) Reason for dissemination.
- (d) Specific information disseminated.

(G) May the county have additional requirements that exceed the in-home aide certification standards in Chapter 5101:2-14 of the Administrative Code?

The county agency shall not have additional requirements for certifying in-home aides.

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**CCIMTL 3**

**Effective Date: October 29, 2017**

**Most Current Prior Effective Date: December 31, 2016**

- (A) What are the county agency requirements for compliance inspection and complaint investigation of an in-home aide (IHA)?
- (1) The county agency shall investigate any complaints against an IHA. The county agency may inspect the IHA home as part of the complaint investigation.
  - (2) Investigations of all complaints shall begin within five business days of receipt of a complaint by the county agency, unless the complaint falls under paragraph (B) of this rule.
  - (3) For each investigation, the county agency shall complete the JFS 01533 "In-Home Aide Inspection" (~~rev. 12/2016~~)(rev. 10/2017) and furnish one copy to the IHA before the county agency staff leaves the home. If additional information is added to the report or it is revised in any way, the county agency shall send a copy of the report to the ~~provider~~IHA within five business days of the date of the addition or revision.
  - (4) If a JFS 01533 is completed as part of an investigation conducted by telephone, the county agency shall send a copy of the report to the IHA within five business days of the initial telephone contact. If additional information is added to the report or it is revised in any way, the county agency shall send a copy of the report to the IHA within five business days of the date of the addition or revision.
  - (5) The county agency shall submit electronic copies of each inspection to the Ohio child care licensing and quality system (OCLQS) within seven business days of completion.
- (B) What are additional county agency requirements for complaint investigations?
- (1) If the complaint alleges immediate risk to children, the county agency shall begin the investigation within one business day of receipt of the complaint.
  - (2) If the complaint alleges child abuse or neglect, the county agency shall immediately report the complaint to the public children services agency (PCSA). The oral report shall be followed with a written report to the PCSA, if requested by the PCSA. The written report shall contain the following:
    - (a) A summary of the allegations.
    - (b) The name of the reporter, unless anonymity is requested.
    - (c) A summary of the actions taken by the county agency or plans to initiate an investigation of noncompliance with the regulations contained in Chapter 5101:2-14 of the Administrative Code.
    - (d) A request of clarification of joint or parallel investigatory roles.
  - (3) A PCSA investigation does not relieve the county agency of its responsibility to investigate IHA noncompliance with regulations contained in Chapter 5101:2-14 of the Administrative Code unless the PCSA indicates that the county agency complaint investigation would interfere with the PCSA's investigation of the case.
  - (4) The county agency, after removal of confidential information, shall provide a copy of the JFS 01642 "In-Home Aide Assurances" (~~rev. 12/2016~~)(rev. 10/2017) to anyone who submits a request to the county agency. Inspection reports shall be kept on file at the county agency.

Effective: 10/29/2017

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# **Child Care Manual Appendix**

All forms are maintained in the Child Care Manual.

[Child Care Forms](#)

Appendix A to Rule: 5101:2-14-02

**Required Documents for an Application for Certification as an In-Home Aide**

The following documents shall be submitted at the time of application for certification as an in-home aide:

- JFS 01642 “In-Home Aide Assurances” (rev. 10/2017) to be completed by parent and applicant.
- A medical statement for the applicant meeting the requirements as detailed in rule 5101:2-14-03 of the Administrative Code.
- Verification of completion of a high school education, a high school diploma or general educational development (GED), as required in 5101:2-14-03 of the Administrative Code.
- Verification of the applicant’s current certification in first aid and cardiopulmonary resuscitation (CPR), and training in management of communicable disease and child abuse and neglect as required by rule 5101:2-14-03 of the Administrative Code.

Note: The JFS 01175 "Request for a Background Check for Child Care" (10/2017) or the OPR system generated equivalent shall be submitted pursuant to rule 5101:2-14-03 of the Administrative Code.

### **Verification of High School Education**

Verification of a high school education shall be one of the following:

1. A copy of a high school diploma recognized by the state board of education or the appropriate agency of another state or country as equivalent to the completion of a high school education.
2. A copy of other written documentation verifying high school completion or equivalency, such as the Ohio general education development high school equivalence diploma (GED).
3. A copy of the degree or transcript verifying completion of an associate's degree or higher from an accredited college, university or technical college.
4. For the home schooled student, a letter from the state or local board of education stating that the curriculum for the course of home study taken by the provider meets the required standards for high school completion.
5. If the person does not have a copy of his or her high school diploma because of being a refugee, he or she may submit both of the following instead:
  - a. Documentation from the federal government that the person was admitted to the United States of America as a refugee.
  - b. A notarized statement that the person received a high school diploma (or equivalent) in his or her home country prior to being admitted to the United States as a refugee.

## **Health Training Courses**

### Course Content for First Aid

1. Follows guidelines, including length of training time, and curriculum designed for child care staff by an Ohio Department of Job and Family Services (ODJFS) approved health organization.
2. May include cardiopulmonary resuscitation (CPR) training.
3. Is valid for the number of years indicated on a card or form provided by the approved health organization.
4. May be updated by completion of a three-hour review course covering the same topics or completion of the full course.

### Course Content for CPR

1. Follows guidelines, including length of training time, and curriculum designed by an ODJFS approved health organization.
2. Is appropriate for all age groups the provider is currently serving.
3. Is valid for the number of years as indicated on a card or form provided by the approved health organization.

### Course Content for Management of Communicable Disease

1. Follows guidelines and curriculum designed for child care staff by an ODJFS approved health organization or is at least six hours in length and follows the ODJFS/ODH curriculum.
2. Is valid for three years.
3. May be updated by completing a three-hour review course covering the same topics to meet annual training requirements.

### Course Content for the Six-Hour Child Abuse Recognition and Prevention

1. Is valid for three years.
2. May be updated by completing the three-hour review course.
3. Covers all of the following topics:
  - Ohio law and rules pertaining to child abuse and neglect, including definitions, reporting and confidentiality requirements and the requirement to report suspected abuse or neglect by child care staff members if observed or suspected.
  - Physical and behavioral indicators of child abuse and neglect.
  - Details on reporting, including penalty, immunity and how and to whom to report.
  - The investigatory role of the children's protective services agency.
  - The sharing of information and the role of law enforcement, licensing and the courts in reports of child abuse and neglect.
  - Helping families who have occurrences of abuse or neglect.
  - Prevention of child abuse and neglect in the center, including: staff supervision and training, policies and procedures and appropriate discipline.

## **Health Training Approved Trainers**

### First Aid Trainers

1. Authorized first aid trainer for an approved health organization.
2. Licensed physician or registered nurse.
3. Emergency medical service instructor.

### CPR Trainers

1. Authorized CPR trainer for an approved health organization.

### Management of Communicable Disease Trainers

1. Authorized communicable disease trainer for an ODJFS approved health organization.
2. Licensed physician or registered nurse.

### Child Abuse Recognition and Prevention Trainers

1. Authorized trainer for a public children services agency (PCSA).
2. Person with at least an associate's degree in social work, child development or related field from accredited college and two years of experience professionally assessing child abuse and neglect for a PCSA or an agency contracted by a PCSA or providing counseling to abused children or training others in child abuse prevention or the combination of experience and training.
3. Licensed physician or registered nurse with two years of experience professionally assessing child abuse and neglect or providing counseling to abused children or training others in child abuse prevention or the combination of experience and training.

### **Medical Statement Requirements for In-Home Aides**

The following shall be contained in a medical statement:

- The date of the examination (must be within the previous twelve months).
- The signature, business address, telephone number of the licensed physician, physician's assistant, advanced practice registered nurse, certified nurse midwife or certified nurse practitioner who completed the examination.
- A statement that verifies that the person is:
  - Physically fit for employment in a family child care home caring for children.
  - Immunized against measles, mumps and rubella (MMR), except that for persons born on or before December 31, 1956, a history of measles or mumps disease may be substituted for the vaccine. A history of rubella disease shall not be substituted for rubella vaccine. Only a laboratory test demonstrating detectable rubella antibodies shall be accepted in lieu of rubella vaccine.
  - Immunized against tetanus and diphtheria. At the time the next booster for tetanus and diphtheria is due, the employee shall also be immunized against pertussis (Tdap). As of January 1, 2018, everyone shall have on file written verification of being immunized against pertussis from a licensed physician, physician's assistant, advanced practice registered nurse, certified nurse midwife or certified nurse practitioner.
  - The person may be exempt from the immunization requirement for religious reasons upon filing a written request with the provider, and for medical reasons upon filing a written request signed by a licensed physician.
- An additional report or examination by a licensed physician or mental health professional may be required when there is a concern about a person's ability to perform required duties.

## **Professional Development Training Topics**

### Child Growth and Development

- Child nutrition.
- Children with special needs.
- National child care standards as published by the American academy of pediatrics and American public health association and state licensing requirements.
- Brain development.
- Benefits of outdoor play and gross motor activities.
- Social/emotional development.
- Challenging behaviors.
- Cognitive development.
- Health and wellness.

### Family/Community Relations

- Working with parents and families.
- Community health, pediatrics or social services resources for children and families.
- Transitioning.
- Cultural diversity/awareness.
- Disaster planning and preparedness.
- Community needs assessment.

### Daily Planning, Child Observation & Assessments

- Planning and administering child care, recreational or educational programs and activities for children birth to fourteen.
- Curriculum.
- Approaches to learning.
- Physical education.
- Language and literacy.
- After-school programming.
- Assessment, screening and referrals.

### Career Development

- Ethics and professionalism in child care.
- Stress management.
- Assessment and observation of teachers.
- Using child care tools.
  - Ohio/SUTQ approved.
  - Systems training.
    - Provider portal/provider agreement/OCLQS/e-manuals/child care websites.
- Individualized education plan/individualized family service plan.



- Strategic leadership and planning.
- Financial planning.
- Marketing.
- Business practices.
- Publicly funded child care misuse.
- Confidentiality/ Health insurance portability and accountability act.

#### Learning Environment and Experiences

- Developmentally appropriate equipment and classroom arrangement.
- Guiding children's behavior/ developmentally appropriate child guidance and classroom management.

#### Any "Ohio Approved" Training

### **Professional Development Approved Trainers**

#### Approved Professional Development Trainers

1. Has two years' experience in the specific subject matter and meets one of the following:
  - a. Completed ninety quarter credit hours or sixty semester credit hours from an accredited college, university, or technical college. The coursework shall include at least thirty-six quarter credit hours or twenty-four semester credit hours in courses in child development or courses related to the subject of the training.
  - b. Has a currently valid CDA.
  - c. Preprimary credential from the Association Montessori Internationale or the American Montessori Society.
  - d. Licensed physician or registered nurse.

### **Allowable Discipline Techniques**

The following techniques or practices may be used by in-home aides as a means to guide or discipline children. Any technique or practice used shall be developmentally appropriate, consistent and shall occur at the time of the incident.

1. Setting clear limits.
2. Redirecting to an appropriate activity.
3. Showing positive alternatives.
4. Modeling the desired behavior.
5. Reinforcing appropriate behavior.
6. Encouraging children to control their own behavior, cooperate with others and solve problems by talking.
7. Separation from the situation, if used, shall last no more than one minute per each year of age of the child and shall not be used with infants. Upon the child's return to the activity, the provider shall review the reason for the separation and discuss the expected behavior with the child.
8. Holding a child for a short period of time, such as in a protective hug, so that the child may regain self-control.

### **Prohibited Discipline Techniques**

The following techniques or practices shall not be used by in-home aides as a means to control or discipline children:

1. Abuse, endanger or neglect children, including shaking a baby.
2. Utilize cruel, harsh, unusual, or extreme techniques.
3. Utilize any form of corporal punishment.
4. Delegate children to manage or discipline other children.
5. Use physical restraints on a child.
6. Restrain a child by any means other than holding children for a short period of time, such as in a protective hug, so that the children may regain control.
  - o Prone restraint of a child is prohibited. Prone restraint is defined as all items or measures used to limit or control the movement or normal functioning of any portion, or all, of a child's body while the child is in a face-down position.
  - o Prone restraint includes physical or mechanical restraint.
7. Place children in a locked room or confine children in any enclosed area.
8. Confine children to equipment such as cribs or high chairs.
9. Humiliate, threaten or frighten children.
10. Subject children to profane language or verbal abuse.
11. Make derogatory or sarcastic remarks about children or their families including but not limited to cultures, nationalities, race, religion, or beliefs.
12. Punish children for failure to eat or sleep or for toileting accidents.
13. Withhold any food (including snacks and treats), beverages or water, rest or toilet use.
14. Punish an entire group of children due to the unacceptable behavior of one or a few.
15. Isolate and restrict children from any or all activities for an extended period of time.

### **Diseases for Immunizations**

1. Chicken pox.
2. Diphtheria.
3. Haemophilus influenzae type b.
4. Hepatitis A.
5. Hepatitis B.
6. Influenza (if seasonal vaccine is available).
7. Measles.
8. Mumps.
9. Pertussis.
10. Pneumococcal disease.
11. Poliomyelitis.
12. Rotavirus.
13. Rubella.
14. Tetanus.

**Standards for Rehabilitation**

Any in-home aide applicant who has a prohibited offense shall meet the following standards for rehabilitation:

1. If the offense was a misdemeanor:
  - a. At least three years have elapsed from the date the individual was fully discharged for imprisonment, probation or parole.
  - b. All fines imposed by the court as part of the sentence have been paid in full.
  
2. If the offense was a felony:
  - a. At least 10 years have elapsed since the individual was fully discharged from imprisonment, probation or parole.
  - b. All fines imposed by the court as part of the sentence have been paid in full.
  - c. The felony was not one of the following:
    - R.C. 2903.01 – Aggravated Murder
    - R.C. 2903.02 – Murder
    - R.C. 2903.11 – Felonious Assault
    - R.C. 2903.12 – Aggravated Assault
    - R.C. 2903.13 – Assault
    - R.C. 2905.01 – Kidnapping
    - R.C. 2907.02 – Rape
    - R.C. 2907.03 – Sexual Battery
    - R.C. 2907.12 – Felonious Sexual Penetration (as this former section of law existed)
    - R.C. 2907.321 – Pandering Obscenity Involving a Minor
    - R.C. 2907.322 – Pandering Sexually Oriented Matter Involving a Minor
    - R.C. 2907.323 – Illegal Use of a Minor in Nudity-Oriented Material of Performance
    - R.C. 2909.02 – Aggravated Arson
    - R.C. 2909.03 – Arson
    - R.C. 2919.22 – Endangering Children
    - R.C. 2919.25 – Domestic Violence

Or an existing or former offense of any municipal corporation, this state, or any other state, or the United States that is substantially equivalent to any of these offenses.
  
3. The victim of the offense (misdemeanor or felony) was not one of the following:
  - a. Under 18 years of age.
  - b. Functionally impaired as defined in section 2903.10 of the Revised Code.
  - c. Intellectually disabled or developmentally disabled as defined in section 5123.01 of the Revised Code.
  - d. Mentally ill as defined in section 5122.01 of the Revised Code.
  - e. 60 years of age or older.
  
4. The following factors shall also be considered:
  - a. The age of the person at the time of the offense.
  - b. The nature and seriousness of the offense.
  - c. The time elapsed since discharge from imprisonment, probation or parole.
  - d. Whether the person is a repeat offender.

