



October 29, 2021

Child Care In-Home Aide Manual Transmittal Letter No. 12

TO: All Child Care In-Home Aide Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Five Year Rule Review for In-Home Aides

Background: The Office of Family Assistance has completed a five-year review of In-Home Aide (IHA) rules contained in Chapter 5101:2-14 of the Ohio Administrative Code. The certification rules below have been reviewed to ensure that ODJFS is only mandating essential health and safety requirements and not including requirements that could inhibit small business in Ohio. Rules were revised in compliance with Section 121.95 of the Ohio Revised Code requiring the department to remove at least two regulatory restrictions for each new regulatory restriction added in the rules and to meet federal requirements. Additionally, the rules were revised to meet federal requirements, remove duplicative requirements and revision dates from form citations, and to provide clarification for IHA's.

These rules will be effective on October 29, 2021.

Amended Rules:

5101:2-14-02 "Application and approval for certification as an in-home aide" outlines the requirements for application and approval for an in-home aide. This rule has been amended to make the following changes:

- Clarified general language and corrected grammatical errors throughout the rule
- Corrected the link for the Ohio Child Licensing and Quality System (OCLQS)
- Clarified that an IHA is the sole provider of care in a child's home
- Added language that an IHA can care for no more than two of his or her own children in the child's home as currently noted on the JFS 01642 "In-Home Aide Assurances"
- Added language that the total group size in a child's home cannot exceed six children at any one time and that no more than three of the children can be under two years of age to meet federal requirements
- Clarified that the provider agreement is entered into OCLQS
- Clarified that documents listed in appendix A of the rule are uploaded with the application

Appendix A has been amended as follows:

- Removed revision date from the JFS 01642 "In-Home Aide Assurances"

- Replaced "JFS 01175 "Request for Background Check for Child Care" form with "request for a background check"

5101:2-14-03 "Qualifications for certification as an in-home aide" outlines the certification requirements for an in-home aide. This rule has been amended to make the following changes:

- Clarified general language throughout the rule
- Added that an IHA who meets the health trainer requirements in appendix B also meets the health training requirements outlined in rule
- Added that audiovisual or electronic media training is not to be used to meet cardiopulmonary resuscitation (CPR) training unless there is an in-person component
- Added that audiovisual or electronic media training may be used to meet the required six hours of annual professional development training
- Added language to mirror appendix A to this rule which states that an IHA has written documentation on file of current immunization against tetanus, diphtheria and pertussis (Tdap)
- Restructured and clarified the steps for obtaining a background check to mirror the current process
- Added new paragraph (F) to explain what happens when an individual does not complete the full background check determination process
- Replaced "employment" with "certification"
- Added that the JFS 01178 "Request for Review of Background Check Decision for Child Care" is submitted within fourteen business days from the date on the JFS 01177 "Individual Notification of Background Check Review for Child Care"
- Clarified when an IHA must complete an updated background check
- Corrected the reference to the "JFS 01177" with "JFS 01176"
- No changes were made to Appendix A to rule 2-14-03

Appendix B has been amended as follows:

- Clarified general language and corrected punctuation throughout the appendix
- Clarified the course content for health trainings and who can conduct health trainings
- Clarified that the CPR curriculum is to be appropriate for the age and developmental levels of the children in care
- Changed "approved health organization" to "training organization"
- Clarified that ODJFS prescribes the course content for communicable disease
- Removed annual three-hour course review for updating management of communicable disease
- Removed six-hour requirement for child abuse recognition and prevention
- Added the topic of race, equity, and diversity including how implicit biases may impact reporting to the course content for child abuse recognition and prevention training
- Removed three-hour course review for updating child abuse recognition and prevention
- Added licensed athletic trainer to the list of FA trainers
- Replaced "authorized first aid trainer for an approved health organization" with "currently certified first aid trainer"
- Removed "authorized communicable disease trainer for an ODJFS approved health organization" from approved management of communicable disease trainers
- Added new types of communicable disease trainers: PA, APRN, CNP, emergency medical services instructor, and current trainer employed by local health department

Appendix C has been amended as follows:

- Added Chapter 4731. of the Revised Code
- Changed "family child care home" to "in-home aide"
- Clarified requirements for the Tdap booster to match this rule
- Clarified that a licensed physician, physician's assistant (PA), advanced practice registered nurse (APRN), certified nurse midwife, certified nurse practitioner (CNP) or licensed pharmacist administers the tetanus, diphtheria, and pertussis (Tdap) immunization
- Clarified immunization exemptions

Appendix D has been amended as follows:

- Clarified appendix language and correct typographical errors throughout the appendix
- Added to the list of approved professional development trainers: an individual that currently serves in a professional capacity, for at least two years, that directly relates to the subject of the training as it pertains to his or her professional role and shall only train within the jurisdiction of his or her job to mirror other rule chapters

Appendix E has been amended as follows:

- Replaced "applicant, employee, owner or administrator of a licensed child care center" with "an applicant or in-home aide"

5101:2-14-04 "In-home aide responsibilities and assurances" outlines the responsibilities and assurances for in-home aides. This rule has been amended to make the following changes:

- Clarified general language and correct typos throughout the rule
- Clarified that smoking is not permitted in any areas of the home
- Changed "perform duties" to "supervise children who are present"
- Added that to meet federal requirements, an IHA is to identify and protect children from vehicular traffic
- Added language that an IHA provides information on formal screenings and assessments conducted on children served
- Clarified that cooperation with other government agencies is a requirement of Chapter 5101:2-14
- Added that the child's parent should review the JFS 01234 "Child Enrollment and Health Information for Child Care" at least annually and update it as needed when information changes
- Clarified that the date of a child's medical examination is to be no more than 12 months prior to the date the form is signed
- Added language for immunization records to meet federal requirements
- Clarified that the child's parent should sign the JFS 01236 "Child Medical/Physical Care Plan for Child Care"
- Added that the JFS 01236 can be removed from the home when a child is transported on a routine basis or for field trips
- Added that to meet federal requirements, the written disaster plan is to be dated and reviewed annually with the parent
- Changed "annual" fire drills to "monthly" fire drills
- Added that monthly weather emergency drills are to be conducted to meet federal requirements
- Clarified language for requesting a county review for adverse actions

- No changes were made to Appendix A or Appendix B to rule 2-14-04

5101:2-14-05 "Safe and sanitary requirements for in-home aides" outlines the safe and sanitary requirements for in-home aides. This rule has been amended to make the following changes:

- Clarified general language throughout the rule
- Clarified that incidents are to be reported in the Ohio Child Licensing Quality System (OCLQS)
- Clarified conditions for reporting serious incidents, injuries, or illnesses to mirror other rule chapters
- Clarified that weapons are to be inaccessible to children and defined types of weapons
- Clarified that safety guards are not required on electrical outlets if the child's home serves school-age children only
- Added a new appendix A that contains the handwashing requirements for the IHA and children in care

5101:2-14-06 "County agency responsibilities for the issuance and renewal for in-home aide certification" outlines the requirements of the county agency for the issuance and renewal for in-home aide certification. This rule has been amended to make the following changes:

- Clarified general language and corrected typos throughout the rule
- Added a reference to the rehabilitation standards in Appendix E to rule 5101:2-14-03

Appendix A has been obsoleted:

- The rehabilitation standards are duplicative to Appendix E in 5101:2-14-03

Revised Forms:

JFS 01217 "Request for Administration of Medication For Child Care" has been revised to clarify when it needs to be completed, allow more space for writing in each field, and to revise signature boxes.

JFS 01234 "Child Enrollment and Health Information For Child Care" has been revised to improve formatting, add a checkbox for use if information is the same as the child's, and create more space for answering additional information questions.

JFS 01236 "Child Medical/Physical Care Plan for Child Care" has been revised to allow more space for writing in each field, to separate all the questions on the form into their own fields, and to provide a space for parent and certified personal trainer signatures.

JFS 01276 "Health Training Documentation for Child Care" has been revised to clarify language and improve formatting, require training-exempt individuals to show proof of certification that verifies trainer requirements have been met, clarify documentation of trainer requirements, update contact information fields for the trainer, and to add rule 5101:2-18-08 to the form.

JFS 01533 "In-Home Aide Inspection" has been revised to clarify general language and to add compliance items to rules: *Application and Approval Requirements, Provider Qualifications and Responsibilities, Training Requirements, Outdoor Play, Care of Child with Special Needs or Health Conditions, Safety and*

Supervision of Children, and Safe and Sanitary Equipment. The additional compliance items and revisions provide consistency with the rules of this chapter and **includes:**

- Changed "Annual Compliance" to "First Year Inspection" for clarification
- Changed "Recertification" to "Second Year/Recertification Inspection" for clarification
- Added "Change of Address (same family)" for clarification
- Added "Child's Home Address (location of child care)" in Section I for clarification
- Added requirement for immunization record if child not enrolled in public or nonpublic school
- Added ratio and maximum group size requirements in Section II to meet federal requirements
- Added H.S. education to Section II for consistency
- Added items for administration of medication procedures, handwashing, meals and snacks, transportation, communication method, and fire and weather emergency drills for consistency

JFS 01642 "In-Home Aide Assurances" has been revised to clarify general language, correct typographical errors, improve formatting, and for consistency with the rules of this chapter and **includes:**

- Added "Change of Address (same family)" for clarification
- Added that IHA's own children should be listed Section II for days and hours of care
- Added ratio and maximum group size requirements in Section II to meet federal requirements
- Removed the reference to the JFS 01175 "Request for a Background Check for Child Care" to mirror the current process
- Added a statement that it is unlawful for an IHA to discriminate in the enrollment of children upon the basis of race, color, religion, sex or national origin or disability and includes information on how to file a discrimination complaint in Section VI and complaint contact information to meet federal requirements

Implementation:

The most recent version of all ODJFS forms referenced in these rules can be accessed through [Forms Central](#). Revised forms are to be utilized beginning on October 29, 2021. The following JFS forms that are completed and on file at the program do not need to be converted to the new forms until they expire or require an update, whichever comes first. This includes: JFS 01217, JFS 01234, and the JFS 01236. Previously dated versions of the JFS 01276 will not be accepted for training completed on or after May 1, 2022.

Questions:

Please contact the Child Care Policy Helpdesk at childcarepolicy@jfs.ohio.gov or 1-877-302-2347, option 4, if you have any questions.

5101:2-14-02

Application and approval 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 (PFCC) 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 pre-certification orientation training for an IHA. The pre-certification 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 <https://ocls.force.com> ~~http://ocls.force.com~~.
 - (a) An application is considered to be complete when the applicant has uploaded all documentation outlined in appendix A to this rule.
 - (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.
 - (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 for staff/child ratios and maximum group size for a certified IHA provider?

- (1) The IHA is to care for no more than six children at any one time. No more than three of those children may be under two years of age.
- (2) The IHA is not to exceed the maximum capacity at any given time.
- (3) The IHA is to be the sole provider of care in the child's home.
- (4) The IHA can care for no more than two of his or her own children in the child's home. These children are counted in the maximum group size of children as designated on the certificate.

~~(C)~~(D) 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/ede/CCIDS.stm>~~ OCLQS. This information shall be submitted before the first day ~~publicly funded child care~~ PFCC 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)~~(E) 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)~~(F) 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 including all uploaded documents outlined in appendix A to this rule.
 - (b) Complete the required pre-certification 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)~~(G) Is an IHA an employee of the county agency or the Ohio department of job and family services (ODJFS)?

An individual certified by the county agency as an IHA to provide ~~publicly funded child care~~ PFCC services is an independent contractor and is not an employee of the county agency that issued the certificate or ODJFS.

Effective: 10/29/2021
Five Year Review (FYR) Dates: 7/28/2021 and 10/29/2026

CERTIFIED ELECTRONICALLY

Certification

10/05/2021

Date

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Statutory Authority: 5104.019
Rule Amplifies: 5104.019
Prior Effective Dates: 04/01/1982, 05/20/1983, 09/01/1986, 02/15/1988,
05/01/1989, 11/01/1991 (Emer.), 01/20/1992,
07/01/1995, 10/15/1996, 10/01/1997 (Emer.),
12/30/1997, 04/01/2003, 01/01/2007, 08/14/2008,
12/01/2009, 11/15/2010, 07/01/2011, 08/03/2013,
01/01/2014, 12/31/2016, 10/29/2017

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 and renewal of certification as an in-home aide:

- JFS 01642 "In-Home Aide Assurances" 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: A request for a background check for child care shall be completed and submitted in the OPR at <https://www.occrra.org/opr> pursuant to rule 5101:2-14-03 of the Administrative Code.

5101:2-14-03

Qualifications for certification as an in-home aide.

(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~~ is to 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~~ Maintain documentation of current certification in first aid and cardiopulmonary resuscitation (CPR) as described in appendix B to this rule.
- (5) Maintain documentation of current training in management of communicable disease as described in appendix B to this rule.
- (6) Maintain ~~a~~ documentation of 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.~~
- (7) If an IHA meets the trainer requirements in appendix B to this rule for a health training, that person is considered to meet the health training requirement for that health training pursuant to paragraphs (A)(4) and (A)(5) of this rule.
- (8) Audiovisual or electronic media training is to not be used to meet the CPR training requirement pursuant to paragraph (A)(4) of this rule unless there is also an in-person component.
- ~~(8)~~(9) Not be involved in any other employment during the hours in which care is provided.
- ~~(9)~~(10) Not use or disclose any information concerning the family receiving publicly funded child care (PFCC) 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)~~(11) Submit verification that he or she meets the medical statement requirements detailed in appendix C to this rule.

(12) The IHA is to have written documentation on file of current immunization against tetanus, diphtheria, and pertussis (Tdap) from a licensed physician as defined in Chapter 4731. of the Revised Code, physician's assistant, advanced practice registered nurse, certified nurse midwife, certified nurse practitioner or licensed pharmacist. The IHA may be exempt from the immunization requirement for religious reasons with written documentation signed by the IHA, and for medical reasons with written documentation signed by a licensed physician.

(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.~~

(1) Maintain documentation of completion of 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 as July first through June thirtieth.

(2) Health trainings taken pursuant to paragraph (A) of this rule are not to be used to meet the professional development training requirements.

(3) Audiovisual or electronic media training may be used to meet the required six hours of annual training.

(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~~ BCI records check.

(E) How is a background check obtained?

The in-home aide ~~shall~~ is to:

- (1) Create a profile in the Ohio professional registry (OPR) at <https://www.occrra.org/opr>.
- (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 <https://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck>.
- ~~(1)(3) Complete and submit the request for a background check for child care in the OPR, 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.ohioattomeygeneral.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 happens if an individual does not complete the full background check determination process?

- (1) If the individual does not complete both requirements in paragraphs (E)(2) and (E)(3) of this rule within forty-five days, the background check process is to end and a determination is not made.
- (2) ODJFS will notify the individual and the county agency that the background check determination process has ended.

(3) The individual is to complete the requirements of paragraphs (E)(2) and (E)(3) of this rule to restart the background check determination process.

~~(F)~~(G) 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)~~ (H) of this rule.

~~(G)~~(H) 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 of the background check 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)~~(I) What happens after ~~ODJFS completes the background check on an the~~ IHA requests the background check and submits fingerprints through a webcheck location?

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

- (a) For an IHA eligible for employment certification, the county agency shall keep the JFS 01176 on file if ~~the individual is certified~~ not available in the OPR.
 - (b) For an IHA not eligible for employment certification, 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. The JFS 01178 is to be submitted within fourteen business days from the date on the JFS 01177.

~~(H)~~(J) 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)~~(I)(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~~ provide 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)~~ (I)(1)(a) to this rule.

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

- (1) Only the request for a background check for child care in the OPR ~~JFS 01175~~ is required if the IHA meets all of the following:
 - (a) The ~~IHA~~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 licensed child care center, licensed type A home, licensed type B home, approved day camp, a preschool or school-age program approved to provide ~~publicly funded child care~~ PFCC or certified as an ~~in-home aide~~ IHA or was a resident of a licensed type A home or licensed type B home in the previous one hundred eighty consecutive days.
- (2) Upon receipt of the ~~updated JFS 01175~~ request, ODJFS will ~~send~~ provide the ~~JFS 01177~~ 01176 based on the existing background check determination to the county agency.

Effective: 10/29/2021
Five Year Review (FYR) Dates: 7/28/2021 and 10/29/2026

CERTIFIED ELECTRONICALLY

Certification

10/05/2021

Date

Promulgated Under: 119.03
Statutory Authority: 5104.013, 5104.019
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Prior Effective Dates: 04/01/1982, 05/20/1983, 10/01/1983, 09/01/1986,
02/15/1988, 05/01/1989, 07/01/1995, 03/15/1996,
10/15/1996, 10/01/1997 (Emer.), 12/30/1997,
01/01/2001, 04/01/2003, 08/14/2008, 08/03/2013,
01/01/2014, 11/01/2015, 12/31/2016, 10/29/2017

Appendix A to Rule 5101:2-14-03

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. May include cardiopulmonary resuscitation (CPR) training
2. Is valid for the number of years indicated on the JFS 01276 "Health Training Documentation for Child Care", card or certificate provided by the training organization
3. Covers the following topics:
 - Abrasions, lacerations and bleeding, including nosebleed
 - Burns
 - Fainting
 - Poisoning, including swallowed, skin or eye contact, and inhaled
 - Puncture wounds, including splinters
 - Injuries, including insect, animal, and human bites
 - Poison control
 - Shock
 - Seizure care
 - Musculoskeletal injury (such as sprains, fractures)
 - Dental and mouth injuries/trauma
 - Head injuries, including shaken baby syndrome/abusive head trauma
 - Allergic reactions
 - Asthmatic reactions
 - Eye injuries
 - Loss of consciousness
 - Electric shock
 - Drowning
 - Heat-related injuries, including heat exhaustion/heat stroke
 - Cold related injuries, including frostbite
 - Moving and positioning injured/ill persons
 - Illness-related emergencies (such as stiff neck, inexplicable confusion, sudden onset of blood-red or purple rash, severe pain, temperature and looking/acting severely ill)
 - Standard Precautions

Course Content for CPR

1. Follows a curriculum that is appropriate for the age and developmental levels of the children in care
2. Is valid for the number of years as indicated on the JFS 01276 "Health Training Documentation for Child Care", card or certificate provided by the training organization

Course Content for Management of Communicable Disease

1. Follows the curriculum prescribed by the Ohio Department of Job and Family Services (ODJFS)
2. Is valid for three years

Course Content for Child Abuse and Neglect Recognition and Prevention

1. The Ohio department of job and family services child abuse and neglect training which is valid for two years, OR
2. Course created that covers all of the following topics which is valid for three years:
 - 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 IHA 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.
 - Race, equity, and diversity including how implicit biases may impact reporting
 - 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 child's home, including: IHA supervision and training, policies and procedures and appropriate discipline

Health Training Approved Trainers

First Aid Trainers

1. Currently certified first aid trainer
2. Licensed physician, physician's assistant (PA), advanced practice registered nurse (APRN), certified nurse practitioner (CNP), or registered nurse (RN)
3. Emergency medical services instructor
4. Licensed athletic trainer

CPR Trainers

1. Currently certified CPR instructor
2. Emergency medical service instructor

Management of Communicable Disease Trainers

1. Licensed physician, PA, APRN, CNP, or RN
2. Emergency medical services instructor
3. Current trainer employed by local health department

Child Abuse and Neglect 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

Appendix B to Rule 5101:2-14-03

3. Licensed physician, PA, APRN, CNP, or RN 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

Appendix C to Rule 5101:2-14-03

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 12 months for initial certification and within the past five years for renewal of certification).
- The signature, business address, telephone number of the licensed physician, as defined in Chapter 4731. of the Revised Code, physician's assistant, advanced practice registered nurse, certified nurse midwife or certified nurse practitioner who completed the examination.
- A statement that verifies that the individual is:
 - Physically fit for employment as an in-home aide caring for children.
 - Immunized against measles, mumps and rubella (MMR), except that for people 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, diphtheria and pertussis (Tdap) from a licensed physician as defined in Chapter 4731. of the Revised Code, physician's assistant, advanced practice registered nurse, certified nurse midwife, certified nurse practitioner or licensed pharmacist.
 - The person may be exempt from the immunization requirement for religious reasons with written documentation signed by the individual, and for medical reasons with written documentation 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 the individual's ability to perform required duties.

Appendix D to Rule 5101:2-14-03

Professional Development Training TopicsChild 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 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
 - e. Currently serves in a professional capacity, for at least two years, that directly relates to the subject of the training as it pertains to his or her professional role and shall only train within the jurisdiction of his or her job

An applicant or in-home aide 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, unless the records were sealed.
 - 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, unless the records were sealed.
 - 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 additional 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.

5101:2-14-04

In-home aide responsibilities and assurances.

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

The IHA ~~shall~~ is to:

- (1) Not smoke in any areas of the home ~~where~~ when child care is being provided.
- (2) Not be under the influence of any substance that impairs the IHA's ability to ~~perform duties~~ supervise children who are present.
- (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) Identify and protect children from vehicular traffic.
- ~~(7)~~(8) Not prop bottles.
- ~~(8)~~(9) Store formula/breast milk in accordance with the JFS 01642 "In-Home Aide Assurances" ~~(rev. 10/2017)~~.
- ~~(9)~~(10) Base toilet training on the child's readiness, and in consultation with the parent.
- ~~(10)~~(11) 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)~~(12) Provide nutritious, varied and appropriately timed meals and snacks for all children in accordance with the parent's wishes.

~~(12)~~(13) Immediately notify the public children services agency (PCSA) if the IHA suspects that a child has been abused or neglected.

~~(13)~~(14) Contact the county agency by the next business day if the IHA discontinues caring for children.

~~(14)~~(15) Conduct monthly ~~an annual~~ fire ~~drill~~drills. Written documentation of this drill shall be kept on-site.

(16) Provide information on formal screenings and assessments completed by the IHA.

(17) Cooperate with other government agencies as necessary to maintain compliance with Chapter 5101:2-14 of the Administrative Code.

(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 at least and updated annually by the parent and updated as needed when information changes. 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 is to be no more than thirteen months prior to the date the form is signed.

- (iii) The signature, business address and telephone number of the licensed physician, as defined in Chapter 4731. of the Revised Code, physician's assistant (PA), advanced practice registered nurse (APRN) or certified nurse practitioner (CNP) who examined the child.
- (iv) A record of ~~the~~ immunizations on file within thirty days of the child's first day of attendance, if a child is not enrolled in a public or nonpublic school. This record may be an attachment to the medical statement and is to contain the following information: that the child has had, specifying the month, day and year of each immunization. This record may be an attachment to the medical statement.
- (a) The child's name and birth date.
- (b) Each immunization the child has had, specifying the month, day and year of the immunization, or that the child is in the process of being immunized against the diseases listed in appendix B to this rule.
- (v) If a child has not received an immunization(s) to prevent a disease on the appendix of this rule, then one or both of the following is to be on file:
- (a) A statement from the physician, PA, APRN, or CNP that an immunization against the disease is medically contraindicated for the child or is not medically appropriate for the child's age.
- (b) A statement from the child's parent that they have declined to have the child immunized against the disease for reasons of conscience, including religious convictions.
- ~~(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.~~ Ensure the parent completes and signs 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,~~ Keep each JFS 01236 in a location that can be easily and quickly accessed, including being and removed from the home if there is an emergency that requires the child or children to be moved to another location or transported on a routine basis or for field trips.

(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~~medication, the IHA shall ensure the bottle has the child's full name on it, the dosage and the name of the ~~doctor~~physician who prescribed the ~~medicine~~medication.
- (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~~ certified IHA provider?

The IHA ~~shall~~ is to develop a written disaster plan that is dated and reviewed with the parent at least annually:-

- (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) Conduct monthly weather emergency drills in the months of March through September. Written documentation of these drills is to be kept on-site.
- ~~(b)~~(c) Emergency outdoor or indoor lockdown or evacuation due to threats of violence which includes active shooter, bioterrorism or terrorism.
- ~~(e)~~(d) Emergency or disaster evacuations due to hazardous materials and spills, gas leaks or bomb threats.
- ~~(d)~~(e) Outbreaks, epidemics or other infectious disease emergencies.
- ~~(e)~~(f) Loss of power, water or heat.
- ~~(f)~~(g) 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, including 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.~~ If a county agency proposes any of the following adverse actions pursuant to Chapter 5101:2-14 or rule 5101:2-16-11 of the Administrative Code, the IHA may submit a written request for a county review to the county agency no later than fifteen calendar days after the mailing date of the county agency's notification:

- (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.

Effective: 10/29/2021

Five Year Review (FYR) Dates: 7/28/2021 and 10/29/2026

CERTIFIED ELECTRONICALLY

Certification

10/05/2021

Date

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07/01/2011, 01/01/2014, 12/31/2016, 10/29/2017

Appendix A to Rule 5101:2-14-04

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.
 - 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.
 - 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.

5101:2-14-05

Safe and sanitary requirements for in-home aides.

(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 in the home when children are present.
- (2) The IHA shall always be within sight or hearing of ~~a~~ each child in care.
- (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 IHA is to log into https://ocqls.force.com by the next business day to report the incident. 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~~ An incident, injury or illness that requires includes any situation that requires a child to be removed from the home for professional medical consultation or treatment for a child, professional consultation or transported for emergency treatment.
 - (c) An unusual or unexpected incident which jeopardizes the safety of a child or IHA.
- (5) Weapons, firearms and ammunition materials shall be kept inaccessible to children, out of sight of children in locked storage areas. ~~Firearms and ammunition materials shall be stored separately from each other. Weapons and firearms include air rifles, hunting slingshots and any other projectile weapon.~~
- (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 unless designed with safety guards. This requirement does not apply if the child's home serves only school-age children.

- (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 handwashing requirements for a certified IHA and children in care?

- (1) Handwashing is to occur in a handwashing sink.
- (2) Handwashing requirements for the IHA and children are detailed in appendix A to this rule.

~~(B)~~(C) 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.

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01/01/2001, 04/01/2003, 08/14/2008, 08/03/2013,
01/01/2014, 12/31/2016

Appendix A to Rule 5101:2-14-05

Handwashing

The in-home aide shall wash his or her hands with soap and water or hand-sanitizer at the following times:

- Upon arrival for the day, after breaks and upon returning from outside, and prior to leaving for the day.
- After toileting or assisting a child with toileting.
- After each diaper change or pull-up change.
- After contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids.
- After cleaning or sanitizing or using any chemical products.
- After handling pets, pet cages or other pet objects that have come in contact with the pet.
- Before eating, serving or preparing food or bottles or feeding a child.
- Before and after completing a medical procedure or administering medication.
- When visibly soiled (must use soap and water).

Children in care shall wash their hands with soap and water or hand-sanitizer (if twenty-four months or older) at the following times:

- After toileting/diaper change.
- After contact with bodily fluids.
- After returning inside after outdoor play.
- After handling pets, pet cages or other pet objects that have come in contact with the pet before moving on to another activity.
- Before eating or assisting with food preparation.
- After water activities.
- When visibly soiled (must use soap and water).

5101:2-14-06

County agency responsibilities for the issuance and renewal for in-home aide certification.

(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. 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.

(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, which includes meeting the rehabilitation criteria in appendix E to rule 5101:2-14-03 of the Administrative Code, if applicable.
- (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.
- (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~~ recertification application in the OCLQS.
- (2) The parent and IHA complete a new JFS 01642 "In-Home Aide Assurances" (~~rev. 10/2017~~).

- (3) The county agency conducts a recertification home inspection.
 - (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 address ~~correct~~ the rule violations.
 - (c) The date, not to exceed thirty business days, by which the ~~correction~~ corrective action plan is to be completed and submitted to the county agency shall be completed.
 - (d) A statement of the consequences if the IHA fails to ~~correct~~ address 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~~ their 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~~ review of a non-compliance finding?

(1) If the IHA requests ~~an appeal~~ a 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 to review a non-compliance finding 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 and no further action can be taken by the IHA 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 paragraphs (F)(2) 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) 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 ODJFS during the course of a monitoring review of its certification program or when 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.

Effective: 10/29/2021
Five Year Review (FYR) Dates: 7/28/2021 and 10/29/2026

CERTIFIED ELECTRONICALLY

Certification

10/05/2021

Date

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