



Mike DeWine, Governor  
Kimberly Henderson, Director

February 26, 2021

**Family, Children and Adult Services Manual Transmittal Letter No. 451**

**TO:** All Family, Children and Adult Services Manual Users

**FROM:** Kimberly Henderson, Director

**SUBJECT:** **Five Year Review of Residential Facility Rules**

This letter transmits Ohio Administrative Code rules governing Foster Care Licensing that have been amended as a result of the five-year rule review process. The following is a brief explanation of the amendments which will be effective March 4, 2021.

**OAC 5101:2-9-02** entitled **Staffing requirements** sets forth the staffing requirements for a residential facility. This rule guides the minimum staffing allowed for a facility to supervise children, based on age, staff work schedule, relief staff and guidance on newly hired staff. The reference to OAC rule 5101:2-5-09.1 providing guidance pertaining to criminal record checks has been removed from this rule. Background check requirements are addressed in rule 5101:2-5-09.1.

**OAC 5101:2-9-03** entitled **Staff development and evaluation** sets forth the requirements of initial and ongoing training for staff working in a residential facility. The inclusion of a rule reference to align with a new rule addressing qualified residential treatment programs.

**OAC 5101:2-9-06** entitled **General safety** sets forth the requirements of permitted and prohibited items within a residential facility. The inclusion of guidance regarding potential lead hazard in paint and the process to address such matters within the facility.

**OAC 5101:2-9-37** entitled **Information to be provided by residential facilities** sets forth the requirements of a residential facility to provide information to the county, municipal or township law enforcement, emergency management agencies and fire departments with the jurisdiction over the facility. The guidance pertaining sharing information by a residential facility within a required timeframe is being stricken as this information no longer applies.

**OAC 5101:2-9-38** entitled **Community engagement plan for residential facilities** sets forth the requirements for a residential facility to have a written community engagement plan and protocols of engaging the community and training staff on the community engagement plan and response to the community and police. The guidance pertaining sharing information by a residential facility within a required timeframe is being stricken as this information no longer applies.

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INSTRUCTIONS: The following chart identifies the material that needs to be removed from and inserted into the Family Children and Adult Service Manual (FCASM).

<b>LOCATION</b>	<b>REMOVE AND FILE AS OBSOLETE</b>	<b>INSERT/REPLACE</b>
FOSTER CARE	5101:2-9-02	5101:2-9-02
LICENSING	5101:2-9-03	5101:2-9-03
	5101:2-9-06	5101:2-9-06
	5101:2-9-37	5101:2-9-37
	5101:2-9-38	5101:2-9-38
TRANSMITTALS		FCASMTL No. 451