



September 16, 2021

**Family, Children and Adult Services Manual Transmittal Letter No. 474**

**To:** Family, Children and Adult Services Manual Holders  
**From:** Matt Damschroder, Director  
**Subject:** **New Ohio Administrative Code Rule 5101:2-38-05.1 Public Children Services Agency Family Case Plan for Qualified Residential Treatment Program (QRTP) Placement**

This letter transmits a new Ohio Administrative Code (OAC) rule that is being added due to federal requirements related to the Family First Prevention Services Act. The addition of this rule is necessary to ensure that requirements for implementation of Qualified Residential Treatment Placement (QRTP) are met within rule, and to also secure the ability of agencies to draw Title IV-E reimbursement funds for QRTP placement. These requirements are already being met through functionality in the Statewide Automated Child Welfare Information System (SACWIS), but are being added to rule to meet federal oversight requirements.

The following is a brief explanation of the rule that will be effective October 1, 2021.

**OAC 5101:2-38-05.1 entitled PCSA Requirements for Completing a Family Case Plan and Review When a Child is Placed in a Qualified Residential Treatment Program (QRTP)** identifies the requirements for a PCSA when completing a family case plan and reviews when a child is placed in a QRTP. Language has been included to meet federal requirements related to the Family First Prevention Services Act.

**INSTRUCTIONS:**

The following chart indicates the materials that should be removed from the Family, Children and Adult Services Manual (FCASM) and the materials that should be added.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
SOCIAL SERVICES		5101:2-38-05.1
Transmittal Letters		FCASMTL No. 474

5101:2-38-05.1      **PCSA requirements for completing a family case plan and review when a child is placed in a qualified residential treatment program (ORTP).**

(A) For all children receiving services through a public children services agency (PCSA) who are placed in a qualified residential treatment program (ORTP), the PCSA is to assemble a family and permanency team, and may use an existing team, for the child pursuant to rule 5101:2-42-12 of the Administrative Code.

(1) The family and permanency team is to consist of all appropriate family members, relatives, and kin of the child, as well as appropriate professionals who are a resource to the family of the child, such as teachers, medical or mental health providers who have treated the child, or clergy.

(2) In the case of a child who has attained age fourteen, the family and permanency team is to include the members that are selected by the child pursuant to rules 5101:2-38-05 and 5101:2-38-07 of the Administrative Code.

(B) For all children placed in a qualified residential treatment program (ORTP) pursuant to rule 5101:2-9-42 of the Administrative Code, the following information is to be documented within the family case plan:

(1) The reasonable and good faith effort of the PCSA to identify and include all individuals on the child's family and permanency team pursuant to rule 5101:2-42-12 of the Administrative Code.

(2) All contact information for the members of the family and permanency team, as well as contact information for other family members and fictive kin who are not part of the family and permanency team.

(3) Evidence that the meetings of the family and permanency team, including meetings related to the assessment, are held at a time and place convenient for the family.

(4) If reunification is the goal, evidence demonstrating that the parent from whom the child was removed provided input on the members of the family and permanency team.

(5) Evidence that the required assessment is determined in conjunction with the family and permanency team.

(6) The placement preferences of the family and permanency team relative to the assessment that recognizes children should be placed with their siblings unless

there is a finding by the court that such placement is contrary to their best interest.

- (7) If the placement preferences of the family and the permanency team and child are not the placement setting recommended by the qualified individual pursuant to rule 5101:2-42-12 of the Administrative Code, the reasons why the preferences of the team and child were not recommended.
  - (8) Any determination by a qualified individual pursuant to rule 5101:2-42-12 of the Administrative Code that a child should not be placed in a foster family home, and the reasons why the needs of the child cannot be met by the family of the child or in a foster family home.
  - (9) The approval or disapproval of the placement in a QRTP pursuant to rule 5101:2-42-12 of the Administrative Code.
- (C) The PCSA is to document evidence of the continued need for QRTP placement during each status review and permanency hearing pursuant to rule 5101:2-42-12 of the Administrative Code.

Effective: 10/1/2021  
Five Year Review (FYR) Dates: 10/01/2026

CERTIFIED ELECTRONICALLY

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Certification

09/16/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 2151.416, 5153.166  
Rule Amplifies: 2151.416, 5153.16