



January 21, 2022

Family, Children, and Adult Services Procedure Letter No. 382

TO: Family, Children, and Adult Services Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Requirements Impacted by Ending State of Emergency and Updated COVID-19 Guidance

BACKGROUND

On March 9, 2020, Governor Mike DeWine declared a State of Emergency by Executive Order 2020-02D due to the COVID-19 pandemic. Following the initial declaration, the Ohio Department of Job and Family Services (ODJFS) issued several Procedure Letters (FCASPL 348, FCASPL 356, and FCASPL 359)] to provide policy and practice guidance related to the pandemic.

On June 18, 2021, Governor DeWine lifted the State of Emergency Order, and ODJFS issued FCASPL 371 on June 21, 2021, which rescinded and replaced the previously issued Procedure Letters (FCASPL 348, FCASPL 356, and FCASPL 359), and provided guidance that ODJFS would continue providing technical assistance through July 31, 2021 as agencies transitioned practices back to requirements prior to the State of Emergency Order. Additionally, FCASPL 374 was issued on July 20, 2021 to provide guidance regarding the policy and practice requirements reinstated upon lifting of the State of Emergency Order.

On January 7, 2022, the Ohio Department of Job and Family Services (ODJFS), Office of Families and Children (OFC) received updated federal guidance regarding virtual visits. The intention of this document is to provide updated guidance and consolidate available guidance resources.

PURPOSE

FCASPL 374 initially announced policy and practice that was reinstated due to the expiration of Ohio's State of Emergency declaration. This Procedure Letter has been updated to replace FCASPL 374 to include additional information under the "Updated Guidance" section, and it serves to consolidate guidance related to COVID-19. As with FCASPL 374, this Procedure Letter outlines certain flexibilities that will remain for a period of time.

RETURN TO PRE-PANDEMIC REQUIREMENTS

The following requirements, which allowed for flexibility during the State of Emergency, reverted back on June 18, 2021 when the State of Emergency was lifted. In addition,

agencies are no longer required to notify the Help Desk of positive COVID-19 cases. Monitoring of the following requirements began August 1, 2021:

- Residential staff-child ratios
- Bridges-visit requirements
- Bridges-signature requirements

CONTINUED ALLOWANCES

Flexibility for the following requirements will be permitted to ensure placement stability, adhere to timeframes previously documented in the ODJFS COVID-19 Response Frequently Asked Questions document, and to maintain federal guidance outlined in the Consolidated Appropriations Act for extended foster care:

Foster Home Capacity

Specific placements that were made during the State of Emergency, which were permitted with licensing staff approval to exceed foster home capacity may be maintained to not disrupt stability of those placements. However, no new placements above capacity limits will be permitted, effective June 18, 2021.

Foster Care Training

All foster care training may continue virtually as it did during the pandemic. Live synchronous training will be eligible for foster parent stipends and reimbursements and agency allowance. Online training is eligible for foster parent stipends and reimbursements but is not eligible for agency allowance. This will remain in effect until the implementation of House Bill 8 Phase 2 rules.

CPR and First Aid Training for Residential Agencies

CPR and First Aid training for childcare staff may no longer be completed online without certification. Certification for existing employees who had online training was required to be completed as of September 16, 2021, ninety days after the end of the State of Emergency. CPR and First Aid training must also be completed prior to working alone with children effective September 16, 2021, ninety days after the end of the State of Emergency.

UPDATED GUIDANCE

ODJFS, OFC has recently received updated guidance from the Federal Children's Bureau regarding allowable Children Services activities in response to the current pandemic. Anticipating infection rates will continue to be a dynamic factor impacting Children Services practice throughout Ohio and not be consistent geographically, ODJFS, OFC, has updated guidance in response to COVID based on the Children's Bureau Guidance. Recognizing that COVID has had a wide range of impacts in Ohio counties at different times throughout the current pandemic, the updated guidance will provide counties with flexibility to respond to local conditions over time.

In general, videoconferencing or any other similar form of technology between the child or parent and caseworker does not meet the monthly requirements for face-to-face visits.

However, in limited situations and timeframes where the public health crisis makes it impossible or unsafe to meet face-to-face, Public Children Services Agencies (PCSAs), Private Agencies, and Title IV-E Courts may utilize virtual visits. These visits must be limited only to the timeframe the parents or children are affected by COVID and the rationale for the decision to utilize virtual visits must be well documented in the case activity logs.

PCSAs and IV-E Courts are no longer required to seek prior approval from their assigned Technical Assistance Specialist (TAS) to utilize virtual visits on a case-by-case basis. Agencies should consult with their internal leadership and/or legal team to identify criteria and document in SACWIS the decision-making rationale. Face-to-face visits remain best practice and should resume when adults or children being served are no longer positive for COVID or following quarantine guidelines.

Virtual visits shall not be utilized during the initial assessment/investigation phase of the case, nor used in cases with active safety plans.

Please reference *Policy and Practice Guidance Document #001, Additional Practice Consideration During COVID-19* for additional guidance regarding practice considerations for the use of virtual visits.

The following federal guidance excerpt from Child Welfare Policy Manual (CWPM) section 7.3, Q/A #8 supports utilizing virtual visits in a very narrow timeframe and emphasizes the critical need for documenting rationale and decisions for utilizing virtual visits in these circumstances.

“If an agency uses videoconferencing under these limited, specified circumstances, caseworkers must conduct the videoconference in accordance with the timeframe established in the [Title IV-B] Act, and must closely assess the child's safety at each conference. Also, we encourage agencies to consider plans of action should a caseworker not be able to reach a child via videoconference, or should the videoconference raise a concern about the child's safety or well-being. The waiver of the requirement would be narrowly limited to the timeframe during which the public or individual health challenge or issue renders it impossible or ill advised to meet the in-person requirement and should be well documented in the child's case...”

QUESTIONS

Please contact your Licensing or Technical Assistance Specialist if you have questions about the information in this Procedure Letter.

INSTRUCTIONS:

The following chart indicates what materials should be removed from the Family, Children and Adult Services Manual (FCASM) and what materials are to be inserted in the FCASM.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
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PROCEDURE LETTERS	FCASPL 374	FCASPL No. 382
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