

## PROVISIONS OF AMENDED SUBSTITUTE HOUSE BILL 117

Effective September 3, 2004

- Requires that a prospective family foster caregiver successfully complete at least 24 hours of preplacement training to be eligible for an initial family foster home certificate, rather than at least 12 hours before certification and at least 12 additional hours before children may be placed in the home.
- Changes continuing training requirements for foster caregivers to require that training be completed over the two-year certification period, rather than annually.
- Eliminates the list of topics that must be included in a continuing training program for foster caregivers, and instead requires that ODJFS adopt rules governing continuing training. Makes it clear that continuing training will be based on the written needs assessment and continuing training plan completed for each caregiver.
- Requires that foster caregivers who operate a specialized foster home complete courses concerning the use of appropriate behavioral intervention techniques, such as de-escalation, self-defense, and physical restraints.
- Eliminates the requirements that all specialized foster caregivers have training in physical restraint techniques and the appropriate use of physical restraints and special education surrogate parent training.
- Clarifies current law that permits a public children services agency, private child placing agency, or private noncustodial agency to waive up to eight hours of the continuing training foster caregivers must complete during each certification period. Extends the waiver to both specialized homes and family foster homes, not just to family foster homes as is the case with current law.
- Requires ODJFS to establish in rules additional time for persons on active duty with the United States armed forces or the Ohio National Guard to obtain continuing training.
- Creates new exceptions to the limit of five children in a foster home to accommodate sibling groups, the infant child of a teenager in foster care, foster children who are relatives of a foster caregiver or who have previously been placed in the caregiver's home.
- Allows ODJFS to seek injunctive relief against institutions or associations that care for children without a certificate (not just residential facilities) and permits ODJFS to seek an order preventing an institution or association that holds a certificate from receiving additional children into its care or an order removing children from its care if both of the following are the case:
  - (1) ODJFS has evidence that the life, health, or safety of one or more children in the care of the institution or association is at imminent risk; and
  - (2) ODJFS has issued a proposed adjudication order under the Administrative Procedure Act to deny renewal of or revoke the certificate of the institution or association.

- Adds arson and aggravated arson to the list of prohibited crimes for a person seeking to be an adoptive parent or an agency employee, which makes the criminal records check provisions for these persons the same as for a prospective foster caregiver.
- Extends the criminal records check law to other adult residents of a prospective adoptive home (current law requires the criminal records check to cover other adult residents of a prospective foster home).
- Gives ODJFS authority to waive the fingerprinting requirements for some criminal records checks when a prospective adoptive parent or foster caregiver has a severely handicapped adult child or parent residing with them. The law would still require a criminal records check to be done using the individual's name and social security number.
- Removes CPR and first aid training from preplacement training requirements for a family foster home and the pre-adoptive infant foster homes, but keeps it for specialized foster homes.
- Clarifies current law to make it clear that ODJFS has authority to certify foster homes. The existing language did not make it clear that foster homes are covered in the definition of an "association or institution." This new language makes it clear that the requirement for certification also applies to foster homes.
- Clarifies that ODJFS has authority to delegate certification activities for all foster homes to local agencies.