



June 3, 2022

**Family, Children and Adult Services Manual Transmittal Letter No. 495**

**TO:** Family, Children and Adult Services Manual Holders

**FROM:** Matt Damschroder, Director

**SUBJECT:** **Substitute Care Rule 5101:2-42-12.1**

This letter transmits one new Ohio Administrative Code (OAC) rule regarding children in substitute care. The rule will be effective June 15, 2022. The following is a brief explanation of the rule:

OAC 5101:2-42-12.1 entitled **Assessment for a Child When a Non-Qualified Residential Treatment Program Meets Qualified Residential Treatment Program Certification Requirements** is a new rule created to comply with provisions of the Family First Prevention Services Act and based upon updated guidance from the Children’s Bureau. The rule outlines requirements to be followed for each IV-E eligible child placed in a non-qualified residential treatment program (non-QRTP) setting on or after October 1, 2021, when the placement setting becomes compliant as a Qualified Residential Treatment Program (QRTP). The requirements outlined in rule 5101:2-42-12 of the Administrative Code are to be followed beginning with the effective date the agency has met the QRTP certification requirements and is considered compliant. The agency’s QRTP effective date is documented in the Ohio Statewide Automated Child Welfare Information System (Ohio SACWIS) immediately upon meeting certification requirements.

**INSTRUCTIONS:**

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

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Social Services		5101:2-42-12.1
Transmittal Letters		FCASMTL No. 495

5101:2-42-12.1

**Assessment for a child when a non-qualified residential treatment program meets qualified residential treatment program certification requirements.**

For each IV-E eligible child placed in a non-qualified residential treatment program (non-ORTP) on or after October 1, 2021, the requirements outlined in rule 5101:2-42-12 of the Administrative Code are to be followed by the IV-E agency beginning with the effective date the non-ORTP has met the qualified residential treatment program (ORTP) certification requirements and is considered compliant.

Effective: 6/15/2022

Five Year Review (FYR) Dates: 06/15/2027

CERTIFIED ELECTRONICALLY

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Certification

05/31/2022

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Date

Promulgated Under: 119.03  
Statutory Authority: 5153.16, 5103.03, 2151.412  
Rule Amplifies: 5153.16, 5103.03, 2151.412