



January 11, 2023

Family, Children and Adult Services Manual Transmittal Letter No. 515

TO: All Family, Children and Adult Services Manual Users

FROM: Matt Damschroder, Director

SUBJECT: Residential Infant Care Center Admissions

This letter transmits one amended Ohio Administrative Code (OAC) rule related to Admission requirements for Residential Infant Care Centers. The rule has been amended in accordance with new requirements resulting from Substitute House Bill 265 of the 134th General Assembly (HB 265). The following is a brief explanation of the rule that will be effective on 2/1/2023.

OAC 5101:2-9-11 entitled **Admissions and Admissions Log** sets forth guidance for residential facilities to have a written admissions policy. The amendment to this rule adds Residential Infant Care Center as a facility type allowed to admit children under the age of six years.

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

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
FOSTER CARE LICENSING	5101:2-9-11	5101:2-9-11
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5101:2-9-11

Admissions and admissions log.

- (A) A residential facility shall develop a written admissions policy specifying the type of child who will be accepted into the facility and the conditions under which a child would not be accepted. A residential facility shall not accept into care any child who does not meet the facility's policy or the facility's certified capacity, age and gender criteria. No residential facility shall admit adults as residents into the facility.
- (B) A facility may admit a specific child who does not meet the agency's age limitation policy if the facility, in conjunction with a court, determines it will be able to meet the child's needs and the placement will not have a detrimental effect on the current population of children specified in the agency's policy.
- (C) If a current resident of the facility reaches age eighteen and is expected to graduate by his or her nineteenth birthday, the facility may allow the resident to remain as a resident until graduation.
- (D) A residential facility ~~shall~~will not admit any child under the age of six years except:
- (1) If the child is at least four years of age and is part of a sibling group being admitted to the residential facility where at least one of the members of the sibling group is six years of age or older. Placement of such child under the age of six years shall not exceed fourteen days.
 - (2) If the child is the child of a teenage mother being admitted with the child's parent to a residential parenting facility.
 - (3) If the child is admitted into a children's crisis care facility in accordance with rule 5101:2-9-36 of the Administrative Code.
 - (4) If the child is admitted into a residential infant care center in accordance with rule 5101:2-9-43 of the Administrative Code.
- (E) A residential facility shall have a written individual child care agreement for each child, as required by rule 5101:2-42-90 of the Administrative Code, with the person or agency holding custody of the child. A written individual child care agreement shall also be executed for each child of a teenage mother placed in a residential parenting facility with the person or agency holding custody of the child.
- (F) A residential facility shall, in the child's record, maintain documentation that the agency requested a copy of each child's individual child care agreement executed between the custodial agency and the residential facility. If the custodial agency provided a child's individual child care agreement, the residential facility shall maintain a copy of the agreement in the child's file.

- (G) No residential facility shall exceed its certified capacity.
- (H) Each residential facility shall maintain a separate admissions log which shall include the name of each child admitted, the date of admission, the child's date of birth, and the date of discharge. Such information shall also be recorded on the admissions log for a child of a teenage mother admitted to a residential parenting facility.
- (I) A residential facility shall document prior to or at the time of admission, a physical description of each child, any available medical information, the name, phone number and address of the custodial agency or custodian placing the child, the reason for placement, the name of the person who transported the child to the residential facility and the name of the agency with which the person transporting the child is affiliated, if any. The facility's record for the child shall also indicate, when applicable, the name of the placing agency contact person for the child.

Effective: 2/1/2023

Five Year Review (FYR) Dates: 2/1/2025

CERTIFIED ELECTRONICALLY

Certification

01/06/2023

Date

Promulgated Under: 119.03

Statutory Authority: 5103.03

Rule Amplifies: 5103.03, 5103.02

Prior Effective Dates: 01/01/1991, 09/18/1996, 07/01/2000, 09/01/2002,
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