



June 10, 2022

Family, Children and Adult Services Procedure Letter No. 390

To: Family, Children and Adult Services Manual Holders

From: Matt Damschroder, Director

Subject: **House Bill 265 Children's Crisis Care Facility, Residential Infant Care Center, and Family Preservation Center**

Background

On March 14, 2022, Governor Mike DeWine signed Amended Substitute House Bill 265 of the 134th General Assembly (HB 265), resulting in the creation of two new certification functions, residential infant care center (RICC) and family preservation center, along with changes to requirements for children's crisis care facilities that will result in revisions to Ohio Administrative Code (OAC) 5101:2-9-36. The following is a summary of the changes that will become effective on June 13, 2022.

Summary

Children's Crisis Care Facilities provide the following services to children from birth to 13 years old:

1. Placement of a pre-teen child in a children's crisis care facility up to ninety consecutive days, or for fourteen days if placed by a PCSA or PCPA.
2. Development of a family engagement plan which includes a visitation plan.
3. Requirement that medical staff or licensed social worker staff ensure the parent or caregiver is competent to provide ongoing care upon the preteen's discharge.

Residential Infant Care Centers (RICC) provide residential services for any infant (under one year old) affected by substance use and provide family preservation services for families through infant diversion practices and programs. Beginning June 13, 2022, current children's crisis care facilities can either remain certified as they currently function, or they can be certified as an RICC. RICCs provide the following services:

1. Care for infants who are either born substance exposed, whose parents or caretakers require additional education or support, or when a public children services agency (PCSA) or private child placing agency (PCPA) requires additional time to determine placement of the infant.
2. Placement of infants may be for up to 90 consecutive days
3. Permit a parent or caretaker (including an adult) to room-in with an infant with accommodations for the parent or caretaker during the stay.
4. Provide wraparound services for the infant's family or caregiver.
5. Provider referrals for parents or caregivers for aftercare services.
6. Develop a plan of safe care in accordance with the "Comprehensive Addition and Recovery Act of 2016".

7. Assist with the health and substance use disorder treatment needs of infant and affected family or caregiver.

Family Preservation Centers are certified children’s crisis cares facility or RICCs with the primary purpose being the preservation of families. Additional requirements included for Family Preservation Centers are as follows:

1. Have an active license as a children’s crisis care facility or RICC.
2. Obtain and maintain accreditation by one of the following:
 - a.) The commission on accreditation of rehabilitation facilities
 - b.) The joint commission on accreditation of healthcare organizations
 - c.) The council on accreditation for children and family services
3. Obtain and maintain certification by the Ohio Department of Mental Health and Addiction Services.
4. Provide family preservation programs informed by evidence-based or promising practices, including:
 - a.) Family case management
 - b.) Service referral and linkage
 - c.) Parent education
 - d.) Trauma screening and healing centered interventions

ODJFS will create new rules and revise the following Ohio Administrative Code (OAC) rules in Chapters 5101:2-1, 5101:2-5 and 5101:2-9 to include language addressing these new requirements resulting from HB 265:

- OAC 5101:2-1-01 (Children services definitions of terms)
- OAC 5101:2-5-02 (Application for an Agency to Perform Specific Functions; Amended Applications)
- OAC 5101:2-5-03 (Certification of an agency to perform specific functions)
- OAC 5101:2-9-36 (Additional requirements for children’s crisis care facilities)
- OAC 5101:2-9-43 (Residential infant care center)
- OAC 5101:2-9-44 (Family preservation center)

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

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
PROCEDURE LETTERS		FCASPL No. 390