

August 29, 2022

Family, Children and Adult Services Procedure Letter No. 395

TO: Family, Children and Adult Services Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: SB 239 Private Agency Professional Treatment Staff

BACKGROUND

Senate Bill 239 of the 134th Ohio General Assembly (SB 239) was signed by Governor DeWine on June 14, 2022 and becomes effective on September 13, 2022. SB 239 enacted new Sections 5103.57, 5103.58 and 5103.59 of the Ohio Revised Code, providing a new definition of “professional treatment staff” as employed by a private child placing agency (PCPA) or private noncustodial agency (PNA) without being subject to licensing requirements, but establishing training requirements. Additionally, SB 239 requires the Ohio Department of Job and Family Services (ODJFS) to establish a training program for professional treatment staff who are not licensed. However, until ODJFS establishes this training program, private agencies may provide training for these professional treatment staff by submission of their training curriculums to ODJFS for approval.

Rule Changes

ODJFS will be revising the definition of “Professional Treatment Staff” to reflect the new statutory definition and requirements.

Submission of Training Curriculum

The following outlines the temporary process for private agencies to submit training curriculums for professional treatment staff to ODJFS. This process will be in effect until ODJFS has established a comprehensive, competency-based professional treatment staff training program for employees of private agencies, after which all training will be provided by the department.

- Training curriculums can be submitted starting September 13, 2022.
- Agencies cannot utilize non-licensed professional treatment staff until after the agency’s training curriculum has been submitted.
- If a non-licensed professional treatment staff member moves from one agency to another with a break in employment of less than one year and has completed an

ODJFS approved training, the staff member is exempt from completing training again.

- Non-licensed professional treatment staff must complete an ODJFS approved training within one year from the date of utilization as a professional treatment staff.
- All training curriculums for non-licensed professional treatment staff must be submitted via email to OFCTraining@jfs.ohio.gov.
- The training curriculum submission should include the “[Private Agency Curriculum Cover Sheet](#)”.
- The training curriculum must include learning objectives from ORC Section 5153.122 (A), (B), (C), (G), (H), (J), and (L).
- ODJFS assigned staff will review and evaluate the training curriculum using the “[Private Agency Curriculum Evaluation Guidelines](#)”.
- Once the training curriculum has been submitted, ODJFS will have 60 days to review and approve/disapprove.
- If disapproved, ODJFS will document the reasoning and ask the agency to revise and resubmit the training curriculum within 30 days.
- Once resubmitted ODJFS will have 30 days to review and approve or, if additional information or revisions are needed, return the submission for additional work.
- The resubmission process will repeat until the training curriculum is approved by ODJFS.

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
PROCEDURE LETTERS		FCASPL 395