



## Ohio Administrative Code

### Rule 5101:2-38-10 PCSA requirements for completing the semiannual administrative review.

Effective: September 10, 2021

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(A) Each public children services agency (PCSA) required to prepare a "Family Case Plan" for a child pursuant to rule 5101:2-38-01 or 5101:2-38-05 of the Administrative Code shall complete the JFS 01412 "Semiannual Administrative Review (SAR)" for the "Family Case Plan."

(B) The PCSA shall complete the SAR no later than every one hundred eighty days from whichever of the following activities occurs first:

(1) Date the original PCSA court complaint was filed.

(2) Date of placement.

(3) Date of court ordered protective supervision.

(4) Date of parent, guardian, or custodian's signature on the "Family Case Plan" for in-home supportive services only.

(C) The PCSA shall continue to complete the SAR no later than every one hundred eighty days from the date established pursuant to paragraph (B) of this rule.

(D) The PCSA shall complete the SAR no more than thirty days prior to the due date.

(E) The PCSA shall complete the "Case Review" in conjunction with the SAR.

(F) The PCSA is to approve the SAR within five working days from the date of submission in SACWIS.

(G) The PCSA is to provide at least seven days' notice prior to the SAR including date, time, and place convenient to the family to all of the following:



(1) For in-home supportive services cases, all parties to the "Family Case Plan" as outlined in paragraph (C) of rule 5101:2-38-01 of the Administrative Code.

(2) For protective supervision and substitute care cases:

(a) All parties to the "Family Case Plan" as outlined in paragraph (C) of rule 5101:2-38-05 of the Administrative Code.

(b) The substitute caregiver, as defined in rule 5101:2-1-01 of the Administrative Code.

(c) For substitute care cases in which the child is age fourteen and older, two individuals as outlined in paragraph (G)(1)(c) of rule 5101:2-38-05 of the Administrative Code.

(d) The permanency team members for a child placed in an approved qualified residential treatment program (QRTP) pursuant to rule 5101:2-42-12 of the Administrative Code.

(H) The PCSA does not have to include any individual listed in paragraph (G) of this rule if any of the following apply:

(1) Cannot be located after reasonable efforts to do so;

(2) Declines to participate in the SAR after being contacted; or

(3) Fails to appear for the scheduled review.

(I) For a child adjudicated as a deserted child, pursuant to section 2151.3519 of the Revised Code, an invitation and participation of the child and parent in the SAR is not required.

(J) For in-home supportive services cases, a review panel of at least two people is to conduct the SAR. The review panel is to include but not be limited to:

(1) A caseworker with day-to-day responsibility for, or familiarity with, the management of the



"Family Case Plan,"

(2) A supervisor or designee.

(K) For protective supervision and substitute care cases, a review panel of at least three people is to conduct the SAR. The review panel is to include but not be limited to:

(1) A caseworker with day-to-day responsibility for, or familiarity with, the management of the "Family Case Plan."

(2) A person, not responsible for the management of the "Family Case Plan," or the delivery of services to the child, the child's parent, guardian, custodian, pre-finalized adoptive parent, or substitute caregiver.

(3) A supervisor or designee.

(L) A court hearing may take the place of a SAR with the individuals listed in paragraph (K) of this rule if all of the following requirements are met:

(1) The hearing is held in time to comply with paragraph (B) of this rule.

(2) Notification is made to the parties to the "Family Case Plan" as outlined in paragraph (C) of rule 5101:2-38-05 of the Administrative Code.

(3) During the hearing, the court addresses each of the issues stated in paragraph (N) of this rule.

(4) The court hearing documents each issue either on the SAR or by journal entry.

(M) For in-home supportive services cases, the PCSA shall provide a copy of the SAR to all parties outlined in paragraph (G)(1) of this rule no later than seven days after completion of the SAR.

(N) For protective supervision and substitute care cases the PCSA shall:



- (1) File with the court a copy of the SAR no later than seven days after completion of the SAR and shall include a copy of the updated "Family Case Plan" as applicable.
  
- (2) Provide a copy of the SAR to all parties to the "Family Case Plan" in accordance with paragraph (G)(2)(a) of this rule, before the end of the next business day, after filing the SAR with the court.
  
- (3) Indicate, in writing, the parties identified in paragraph (G)(2)(a) of this rule shall have seven days after the date the notice is sent to object to proposed changes made in the "Family Case Plan" as a result of the SAR and request a hearing on the proposed change.
  
- (O) The PCSA shall maintain a copy of the SAR and any resultant updates to the "Family Case Plan" in SACWIS.