



Ohio Administrative Code

Rule 5101:2-40-02 Supportive services for prevention of placement, reunification and life skills.

Effective: April 1, 2021

(A) The primary goals of all supportive services are:

- (1) To respect and support the integrity of the child's family unit.
- (2) To prevent placement of a child away from his or her family or caretaker.
- (3) To enable a child's return home or to an alternative permanent placement.
- (4) To assist a child who has attained the age of fourteen to prepare for transition from substitute care to independent living and self sufficiency.

(B) Supportive services shall be made available by the public children services agency (PCSA) to the child, his or her parent, guardian, or custodian through one or more of the following:

- (1) Information and referral services to community resources.
- (2) Prevention services from the PCSA or Title IV-E agency in collaboration with community service providers pursuant to rule 5101:2-40-05 of the Administrative Code.
- (3) Direct services from the PCSA.
- (4) Contract services from community service providers.
- (5) Compact services from community service providers.
- (6) Direct and indirect services from child abuse and neglect multidisciplinary teams.
- (7) Direct and indirect services through the county family and children first council or the county



"Help Me Grow" provider.

(C) Supportive services shall be based upon the PCSA's assessment of safety and risk to the child and shall be available during all of the following:

- (1) The safety planning process.
- (2) The assessment/investigation process.
- (3) The supervision of a child in his or her own home without court order.
- (4) The protective supervision of a child as ordered by the court.
- (5) The child's substitute care placement.
- (6) The period immediately following reunification of the child, as appropriate.

(D) Supportive services shall be available if one or more of the following exists:

- (1) The child, his or her parent, guardian, or custodian requests services, and the PCSA determines the services are necessary.
- (2) The case decision or other information obtained during the assessment/investigation indicates the need for the services.
- (3) The PCSA receives an order of protective supervision.
- (4) The child is placed in substitute care.

(E) If one or more of the conditions listed in paragraph (D) of this rule exist, the service plan, shall be prepared in accordance with rule 5101:2-38-01, 5101:2-38-05, 5101:2-40-05, or 5101:2-38-20 of the Administrative Code.



(F) The PCSA shall establish procedures for referring a child who is the subject of a report and is not at risk of imminent harm, to a community organization or voluntary preventive services.

(G) The PCSA may provide any of the mandated services identified in this paragraph directly, or may arrange service delivery with a community service provider:

(1) Case management services. "Case management services" are activities performed by the PCSA, private child placing agency (PCPA), private non-custodial agency (PNA) or Title IV-E agency for the purpose of providing, recording and supervising services to a child and his or her parent, guardian, custodian, caretaker or substitute caregiver.

(2) Counseling services. "Counseling services" may include one or both of the following:

(a) General counseling services performed by a PCSA or shelter for victims of domestic violence to assist a child, a child's parents, and a child's sibling in alleviating identified problems causing or may cause the child to be an abused, neglected, or dependent child.

(b) Psychiatric or psychological therapeutic counseling services provided to correct or alleviate any mental or emotional illness or disorder and performed by a licensed psychiatrist, licensed psychologist, or person licensed under Chapter 4757. of the Revised Code to engage in social work or professional counseling.

(3) Diagnostic services. "Diagnostic services" are medical, psychiatric, or psychological services performed by a licensed physician, psychiatrist, psychologist, licensed professional counselor with clinical endorsement, or a licensed independent social worker for the purpose of evaluating an individual's current physical, emotional, or mental condition.

(4) "Help Me Grow" early intervention services. "Help Me Grow" early intervention services means developmental services selected in collaboration with the parents of a child, birth through age two, who is eligible for services under part C of the Individuals with Disabilities Education Act, and designed to meet the developmental needs of the child and the needs of the child's family to assist appropriately in the child's development as identified in the individualized family service plan.



(5) Emergency shelter. "Emergency shelter" is the short-term crisis placement of any child threatened or alleged to be abused, neglected, or dependent to an extent there is imminent risk to the child's life, physical or mental health, or safety.

(6) Home health aide services. "Home health aide services" are the personal care and maintenance activities provided to individuals for the purpose of promoting normal standards of health and hygiene.

(7) Homemaker services. "Homemaker services" are the professionally directed or supervised simple household maintenance or management services provided by trained homemakers or individuals to families in their own homes.

(8) Protective child care services. "Protective child care services" are services provided for a portion of the twenty-four hour day for the direct care and protection of children who have been harmed or threatened with harm, or at risk of abuse, neglect, or exploitation due to a psychological or social problem, or physical or mental handicap of a caretaker parent, or whose health or welfare is otherwise jeopardized by their home environment.

(9) Substitute care. "Substitute care" is the care provided for a child apart from his or her parent or guardian, while the child's custody is held by a PCSA or PCPA.

(10) Therapeutic services. "Therapeutic services" are medical, psychiatric or psychological services performed by licensed or certified physicians, psychiatrists, psychologists, professional counselors or independent social workers for the purpose of correcting or alleviating physical, mental, or emotional illnesses, or disorders.

(H) If the PCSA determines an emergency exists and supportive services are necessary, the PCSA shall immediately, but no later than the next business day after making this determination, make available any appropriate mandated services listed in paragraph (G) of this rule by providing or arranging the services in order to:

(1) Prevent child abuse or neglect.



(2) Prevent or eliminate the need for removal of the child from his or her home.

(3) Prevent placement of a child away from his or her kinship care family.

(4) Safely return a child to his or her parent, guardian, or custodian.

(I) The PCSA shall make available such mandated services listed in paragraph (G) of this rule by providing or arranging the services, no later than fourteen days from the earliest date of either of the following:

(1) The case plan has been signed and agreed upon by the parent, guardian, or custodian.

(2) The case plan has been journalized by the court.

(J) The PCSA shall no later than thirty days from the date the case plan is signed by the parent, guardian, or custodian or the court journalizes the case plan, if applicable, make available the mandatory services listed in this paragraph:

(1) Adoption. "Adoption" is the creation, by a court of competent jurisdiction, of parental rights and responsibilities between a child and an adult, along with the termination of all parental rights and responsibilities to the child held by any other persons, not previously surrendered or terminated by court order.

(2) Information and referral services. "Information and referral services" are services assisting any person in locating and/or using available and appropriate resources.

(3) Life skill services. "Life skill services" are a series of developmentally appropriate services or activities providing an opportunity for a child to gain the skills needed to live a self-sufficient adult life pursuant to rule 5101:2-42-19 of the Administrative Code.

(4) Unmarried parent services, as specified in rule 5101:2-42-70 of the Administrative Code.

(K) If there are barriers to the provision or arrangement of needed services, the PCSA caseworker



shall identify them and have the immediate supervisor or the director review the information.

(L) The results of the supervisory review shall be documented in the case record showing the services needed, and the barriers causing the PCSA's inability to provide them directly, or arrange for their provision.

(M) The PCSA shall make available a minimum of three of the following supportive services within the county:

(1) Community education services. "Community education services" are a range of public information activities designed to increase the public awareness of child abuse or neglect and to promote appropriate utilization of services.

(2) Crisis services. "Crisis services" are services provided to families in crisis situations for the purpose of providing an immediate or temporary solution to the presenting problem.

(3) Emergency caretaker services. "Emergency caretaker services" are services provided by a person placed within a child's own home to act as a temporary caretaker if the child's own caretaker is unable or unwilling to fulfill the responsibility.

(4) Employment and training services. "Employment and training services" are services designed to assist individuals in obtaining paid employment. Such services include but are not limited to, the use of social, psychological, and vocational diagnostic assessment, training, and placement.

(5) Environmental management services. "Environmental management services" are services offered to the child and his or her family or caretaker to improve physical living conditions and provide emergency funds. Such services may be provided, arranged, or ensured and include, but are not limited to, housing repair, housing location, exterminating rodents or insects, lead abatement or making available financial assistance for outstanding utility bills.

(6) Parent aide services. "Parent aide services" are supportive services provided by a person assigned to families as a role model, and providing family support for a portion of the twenty-four hour day.



(7) Parent education services. "Parent education services" is a teaching process to assist a parent, guardian, or custodian in developing the basic skills necessary to provide adequate care and support to a child in his or her own home.

(8) Day treatment services. "Day treatment services" are services provided for a portion of the day for a child living at home or in substitute care, who is at risk, or is or has been abused or neglected, and manifests emotional, psychological, behavioral, or social problems which cannot be resolved in nonspecialized educational or developmental settings, or in specialized settings such as learning behavioral disabilities classes.

(9) Volunteer services. "Volunteer services" are services performed by a person of his or her own free will and without monetary gain or compensation.

(N) The PCSA may consider contacting the county department of job and family services (CDJFS) to determine if any services or assistance can be provided to families coming to the PCSA's attention including but not limited to prevention, retention or contingency (PRC) services.

(O) Each PCSA participating in the regionalization of supportive services shall identify regionalized services, and the other counties involved in the regionalization of services.

(P) If the PCSA identifies, through completion of an assessment of safety, a child is in immediate danger of serious harm because the parent, guardian, or custodian of the child has a chemical dependency problem or a chemical dependency problem is the basis for a court's determination the child is an abused, neglected or dependent child, the agency shall:

(1) Develop and implement a safety plan pursuant to rule 5101:2-37-02 of the Administrative Code in order to protect and keep the child safe.

(2) Refer the parent, guardian, or custodian to an alcohol or drug addiction program certified by the Ohio department of mental health and addiction services for initial screening, assessment, treatment or testing.

(3) Notify the CDJFS of the referral if the parent, guardian, or custodian is an Ohio works first



(OWF) participant in order to determine if the self-sufficiency contract needs to be amended.

(Q) The PCSA may require the parent, guardian, or custodian to reimburse the agency for the costs incurred for alcohol or drug testing if the parent, guardian, or custodian is not a recipient of medicaid.

(R) At the conclusion of a diagnostic service, the PCSA shall request a written report from the service provider. Reports involving treatment shall contain information indicating the progress the parent, guardian, or custodian and child have made to resolve areas identified in the provider's service or treatment plan. Upon receipt of the report, it shall be maintained in the case record.

(S) At a minimum of once every three months and at the conclusion of any services or treatment, the PCSA shall request written or verbal reports from all service providers. Reports shall contain information indicating the progress the parent, guardian, or custodian and child have made to resolve areas identified in the provider's service or treatment plan. Upon receipt of the report, it shall be maintained in the case record. If the report is not written, the service provider's identity, the date of the verbal report, and the content of the verbal report shall be documented in the statewide automated child welfare information system (SACWIS).

(T) The PCSA shall document the following in SACWIS:

(1) Supportive services offered or provided.

(2) Supportive services planned, but not provided, and the reason the services were not provided.

(U) Services made available by the PCSA can be paid for through utilization of the following funding sources, if appropriate:

(1) Title IV-B funds.

(2) Title IV-E funds.

(3) Title XX funds, through the CDJFS.



(4) State child protection allocation.

(5) Temporary assistance for needy families (TANF) funds, through the CDJFS.

(6) Local funds.

(V) Utilization of the funding sources outlined in paragraph (U) of this rule shall be governed by the respective guidelines of each funding source.

(W) The director of the PCSA shall be responsible for submitting a letter to the appropriate Ohio department of job and family services (ODJFS) field office by January first of every year containing the following assurances:

(1) All supportive services mandated in paragraphs (G) and (J) of this rule are available to all children and families in need of services without regard to income, race, color, national origin, religion, social status, handicap, or sex.

(2) There is a commitment to maintaining and improving the quality of services for the support of families and the protection of children.

(3) There is a commitment to meeting staff resource requirements of the state and/or county civil service system.

(4) There are written policies and procedures for reviewing and resolving complaints concerning the provision of supportive services pursuant to rule 5101:2-33-20 of the Administrative Code.

(X) At the same time the director submits the letter, he or she may submit a request to obtain ODJFS approval to waive the requirement for the provision of homemaker or home health aide and/or protective child care services listed in paragraph (G) of this rule. A waiver for either or both of these services may be granted on an annual basis. In order for the waiver to be granted by ODJFS, the PCSA shall provide the following information in the request for a waiver:



- (1) The number of requests for the provision of protective child care services or homemaker/home health aide services received during the last year.

- (2) The number of times the agency provided protective child care services or homemaker/home health aide services during the last year.

- (3) Whether or not protective child care services and/or homemaker/home health aide services are available within the county, and if not, where protective child care services or homemaker/home health aide services are available in proximity to the county.

- (4) The projected unit cost (per hour) for provision of protective child care services or homemaker/home health aide services.

- (5) The projected total cost for county/agency provision of protective child care services or homemaker/home health aide services.

- (6) The PCSA shall also certify the service(s) are:
 - (a) Not needed by a significant number of people within the county.

 - (b) Not available from the PCSA or other community resources within the county.

 - (c) An undue or excessive cost if compared to the benefits to be derived from the service(s).