



## Ohio Administrative Code

### Rule 5101:2-5-26 Procedures for revocation, denial of initial certification or denial of recertification of a foster home certificate.

Effective: March 1, 2017

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(A) At the time of an agency decision to recommend denial of initial certification, denial of recertification or revocation of a foster home certificate, the agency may contact the Ohio department of job and family services (ODJFS) children services licensing enforcement coordinator for consultation regarding required evidence, procedures and advice prior to notifying the applicant or foster caregiver of the agency's intent.

(B) If the agency decides to recommend denial of initial certification, denial of recertification or revocation, pursuant to paragraph (C) of this rule it shall provide written notification by certified mail, return receipt requested, to the applicant or foster caregiver of the following:

(1) The reason for the decision to recommend denial of initial certification, denial of recertification or revocation.

(2) The specific law or rule(s) with which the applicant or foster caregiver allegedly is not in compliance.

(3) The method of and time limits for requesting a local agency grievance meeting.

(4) That the final decision to deny the initial certification or recertification or to revoke certification will be made by ODJFS at which time the applicant or caregiver shall be afforded the opportunity to request a hearing pursuant to Chapter 119. of the Revised Code.

(C) Notification required by paragraph (B) of this rule shall be on the JFS 01315 "Notification of Denial of Initial Certification, Recertification or Revocation of a Foster Home Certificate" (rev. 1/2003).

(D) Following the completion of the requirements of paragraph (B) of this rule, and subject to paragraph (F) of this rule, the agency shall notify ODJFS of its recommendation to deny initial



certification, deny recertification or revoke the certificate on a JFS 01317 "Recommendation for Certification/Recertification of a Foster Home" (rev. 1/2003) and shall submit documentation of:

- (1) A summary of the grievance meeting, if one was held.
- (2) Identification of rules with which the applicant or foster caregiver is allegedly not in compliance.
- (3) Specific documentation and evidence supporting the recommendation.
- (4) A copy of the JFS 01315 and the certified mail return receipt sent to the applicant or foster caregiver.

(E) Upon receipt of the JFS 01317 required in paragraph (D) of this rule or notification of the recommendation submitted in paragraph (F) of this rule, ODJFS shall evaluate the evidence and documentation submitted by the agency and take one of the following actions:

- (1) Return the recommendation and evidence to the agency due to insufficient or inappropriate evidence and documentation with a written explanation of the deficiency.
- (2) Reject the agency recommendation in writing specifying the reasons for rejection.
- (3) Proceed with the denial or revocation process.

(F) If an agency has access to the statewide automated child welfare information system (SACWIS), the agency shall recommend the denial of initial certification, denial of recertification or revocation of the certificate through SACWIS. A JFS 01317 shall not be completed.

(G) At the time ODJFS proceeds with an agency recommendation to deny or revoke a foster home certificate ODJFS shall notify the applicant or foster caregiver pursuant to Chapter 5101:6-50 of the Administrative Code. A copy of the notice shall be sent to the recommending agency which shall immediately notify any other agency which may have a foster child placed in the foster home.

(H) The decision to proceed or not proceed with a recommendation for denial or revocation rests



solely with ODJFS in its exercise of discretion.

(I) Any action by ODJFS to deny or revoke a foster home certificate shall be subject to the requirements of Chapter 119. of the Revised Code and Chapter 5101:6-50 of the Administrative Code.

(J) If a foster home application or certificate has been denied or revoked pursuant to Chapter 119. of the Revised Code, the applicant or person to whom the certificate was issued shall not be eligible for any ODJFS children services license or certification for five years from the date of denial or revocation or the exhaustion of all appeals, whichever is later.