



## Ohio Administrative Code

Rule 5101:2-5-36 tAdditional requirements for an agency that acts as a representative of ODJFS in recommending treatment foster homes for certification.

Effective: May 1, 2019

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(A) The recommending agency shall not allow a child who has special or exceptional needs as described in rule 5101:2-47-18 of the Administrative Code to be placed in a foster home unless the foster caregiver has been certified to operate a treatment foster home pursuant to this rule and rule 5101:2-7-16 of the Administrative Code. The recommending agency shall document in the homestudy how a treatment foster caregiver meets the requirements in paragraph (A) of rule 5101:2-7-16 of the Administrative Code.

(B) The agency shall assign a treatment team to each child with special or exceptional needs placed in a treatment foster home.

(C) The treatment team shall develop a service plan in accordance with the following requirements:

(1) An initial service plan shall be completed by the treatment team for each treatment foster child placed in a treatment foster home no later than thirty days after placement.

(2) The service plan shall be reviewed and revised, if necessary, at least once every ninety days thereafter.

(3) Service plan development and any revisions shall be completed by the treatment team leader with approval of the treatment team leader's supervisor who shall be a member of the agency's professional treatment team staff.

(4) The agency shall notify the treatment team members in advance of each treatment team meeting and invite them to participate and document the invitations in the child's record.

(D) The service plan for a child with special or exceptional needs placed in a treatment foster home shall include:



- (1) Treatment goals, clinical and/or rehabilitative services and other necessary interventions for the child and his or her family.
  - (2) The method by which the goals, rehabilitative services, and other necessary interventions will be attained and progress evaluated.
  - (3) The projected length of the child's stay in treatment foster care.
  - (4) The criteria for the child to meet for the child's reunification with his or her parent(s)/family or guardian or the projected post-treatment setting into which the child will be placed upon attainment of the treatment goals.
  - (5) Services to be provided or arranged for the child after discharge from the treatment foster care program.
  - (6) How the child's permanency plan for family reunification, adoption, independent living or a planned permanent living arrangement, as specified in the custodial agency's case plan, will be attained.
- (E) The recommending agency shall develop an individual plan for respite care for each child with special or exceptional needs placed in treatment foster care. The use of respite care shall comply with the agency's respite care policy prepared pursuant to rule 5101:2-5-13 of the Administrative Code. A copy of the individual plan for respite care for each foster child with special or exceptional needs placed in a treatment foster home shall be included in the child's case record.
- (F) The agency shall ensure that a member of the agency's professional staff shall be on-call for treatment foster caregivers and children with special or exceptional needs placed in a treatment foster home on a twenty-four hour, seven day a week basis.
- (G) The agency shall ensure that treatment foster caregivers are provided with a manual containing all policies, procedures and other information related to the treatment foster care program no later than the date the individual becomes certified to operate a treatment foster home. The agency shall



provide treatment foster caregivers copies of any revisions to the manual within thirty days of the revision.

(H) The agency shall coordinate with the agency holding custody of a child in treatment foster care or the child's parent or guardian for the provision of all rehabilitative services and other necessary interventions contained in the child's service plan and any revisions thereto. The agency shall also implement those aspects of the child's service plan that are its responsibility.

(I) The agency shall ensure that a discharge summary is prepared pursuant to rule 5101:2-5-17 of the Administrative Code for each special or exceptional needs child discharged from a treatment foster home. This paragraph does not apply to a child who is receiving respite services other than as a direct placement.

(J) At the time of placement and whenever additional information becomes available, the agency shall disclose to the treatment foster caregiver all information available to the agency about the child and his family pursuant to rule 5101:2-42-90 of the Administrative Code. Documentation of the receipt of this information shall be maintained in the treatment foster caregiver's record and in the child's record.

(K) The agency shall assure that all professional treatment staff required to be licensed shall be appropriately licensed. Professional treatment staff shall demonstrate to the employing or contracting agency that the training required for professional licensure shall be in topics appropriate to treatment foster care. Documentation of the training topics shall be maintained in the child's record.

(L) All professional treatment staff shall annually complete at least fifteen hours of training specific to treatment foster care issues and the mission of the agency.

(M) The agency shall ensure that all professional treatment staff are provided with a manual of all policies and procedures relevant to the treatment foster care program at the beginning of their employment with the agency. If the agency contracts with an individual that is a member of the professional treatment staff, the agency shall provide a manual of all policies and procedures relevant to the treatment foster care program to the individual at the onset of the contractual



agreement.

(N) The agency shall not prohibit treatment foster caregivers from participation in any formal or informal support groups organized for the purpose of supporting foster caregivers.

(O) The agency shall ensure that any certified treatment foster caregiver complies with the following occupancy limits:

(1) With the exception of the provisions of paragraph (O)(1)(b) of this rule, a treatment foster caregiver may provide foster care for not more than five foster children, two of whom may have exceptional needs as described in rule 5101:2-47-18 of the Administrative Code requiring their placement in a treatment foster home.

(a) Any exception to the number of treatment foster children placed in the home shall be only with specific justification in accordance with the agency's policy for matching treatment foster children and caregivers developed pursuant to rule 5101:2-5-13 of the Administrative Code.

(b) The justification as required by paragraph (O)(1)(a) of this rule shall be documented in the child's case record and in the foster home record. The justification may include the following:

(i) The need to place a sibling group.

(ii) The abilities of a particular caregiver in relation to the exceptional needs of a particular child.

(c) If more than two treatment foster children are placed in a medically fragile foster home, all agencies holding custody of any other children placed in the home shall be notified by the agency recommending certification of the home within seventy-two hours of the additional exceptional needs child's placement.

(2) A treatment foster caregiver may provide care for up to five treatment foster children placed in the caregiver's home if either of the following apply:

(a) The caregiver is an appropriately trained and licensed professional. The following shall be



considered an appropriately trained and licensed professional:

(i) A social worker.

(ii) A professional counselor.

(iii) A psychologist.

(iv) A teacher.

(v) A marriage and family therapist.

(vi) A person who has a minimum of a bachelor's degree in a child development or social services field.

(b) The caregiver has five years of child care experience and training related to serving children in foster care.

(3) Children placed in a foster home on or prior to March 31, 2005 shall not be moved to another placement solely to meet the requirements of paragraph (O)(1) or (O)(2) of this rule.

(P) The agency shall ensure that professional treatment staff shall have weekly consultation and face-to-face contact at least every two weeks with at least one member of each treatment foster caregiver couple or co-parents serving a child with special or exceptional needs. At least one of the face-to-face contacts each month shall take place in the treatment foster home.

(Q) The agency shall ensure that professional treatment staff shall have at least weekly contact and face-to-face meetings at least every two weeks with each special or exceptional needs child placed in a treatment foster home. At least one of the face-to-face contacts each month shall take place in the treatment foster home.

(R) The agency shall ensure that treatment foster caregivers keep a written record of the behavior and progress towards achieving treatment goals as identified in the child's service plan for each



foster child placed in a treatment foster home. The written record shall be maintained current and kept in the manner prescribed by the treatment foster care program.

(S) The agency shall assure that treatment foster caregivers are aware of the potential side effects of any prescribed medication for children placed in their home.