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Ohio Administrative Code

Rule 5101:2-5-38 Payment of foster caregiver training stipends; reimbursement of training allowances to recommending agencies.

Effective: October 1, 2017

(A) As used in this rule, a training hour means sixty consecutive minutes of instruction and may include a break of not longer than five minutes per training hour when a training session is longer than one training hour in duration.

(B) Stipend payments for foster caregivers shall be made pursuant to the following:

(1) Stipend payments must be made to the foster caregiver within one hundred twenty calendar days of the completion of the training event for continuing training or within one hundred twenty calendar days after certification for pre-placement training. Stipend payments may not be held or otherwise deferred pending reimbursement by the Ohio department of job and family services (ODJFS). Stipend payments shall be rendered for fractional hours in quarter hour increments. The stipend rate paid by recommending agencies shall be calculated as follows:

(a) For preplacement training a lump sum payment shall be made in the amount of ten dollars per foster caregiver per training hour for all hours completed.

(b) For continuing training, ten dollars per foster caregiver per training hour successfully completed within a training session that is a minimum of one training hour in duration.

(c) Recommending agencies shall make stipend payments according to the following:

(i) For pre-placement training, the agency that certifies the caregiver shall record the preplacement training in the statewide automated child welfare information system (SACWIS) and shall be responsible for paying the stipend to the caregiver upon certification.

(ii) For continuing training, the caregiver's recommending agency shall be responsible for paying all stipends to the caregiver and shall enter all of the training sessions into SACWIS.

(2) A recommending agency is solely responsible for any foster caregiver stipend payment due that exceeds the amount reimbursable to the recommending agency under section 5103.0314 of the Revised Code. A recommending agency shall defer the lump sum stipend payment for preplacement training until the foster caregiver is certified. In these cases, a recommending agency's obligation to remit deferred lump sum stipend payments for preplacement training begins upon the caregiver's date of certification.

(3) A recommending agency may decline to make a stipend payment to a foster caregiver:

(a) If the recommending agency determines that the foster caregiver has not successfully acquired the skills the training was designed to impart and as a result the agency required the foster caregiver to repeat the training in accordance with a corrective action plan.

(b) If the training was beyond the scope or the amount of training specified in the foster caregiver's individualized written needs assessment and continuing training plan.

(c) If the training the foster caregiver received was part of a program of self-directed study or otherwise not delivered in a conventional or traditional setting where the principal transfer of knowledge occurred through the physical presence of a trainer whose responsibility it was to impart instruction to the foster parent.

(C) ODJFS reimbursement of foster caregiver stipend payments to recommending agencies.

(1) ODJFS will reimburse recommending agencies for stipend payments made to foster caregivers pursuant to paragraph (B) of this rule.

(2) For preplacement training, ODJFS will reimburse lump sum stipend payments made by recommending agencies as follows:

(a) The amount of ten dollars per foster caregiver per training hour for hours recorded by an agency in SACWIS. ODJFS will not reimburse more than the minimum required training hours as listed in rule 5101:2-5-33 of the Administrative Code.

(b) For an existing family foster home that is receiving preplacement training to become a specialized foster home, the reimbursement will be made in the form of continuing training as specified in rule 5101:2-5-25 of the Administrative Code.

(3) For continuing training, ODJFS will reimburse stipend payments made by recommending agencies per the following schedule of training hours:

(a) For a pre-adoptive infant home, not more than twenty-four training hours during each two-year certification period for each caregiver that is required to be trained.

(b) For a family foster home, not more than forty training hours during each two-year certification period for each caregiver that is required to be trained.

(c) For a specialized foster home, not more than sixty training hours during each two-year certification period for each caregiver that is required to be trained.

(4) For the purpose of determining if a stipend reimbursement is owed to a recommending agency for continuing training, ODJFS will count only training hours that are received during the two-year period after the foster caregiver's date of certification, and for each two-year period thereafter.

(5) ODJFS will not reimburse a recommending agency for any stipend payment made by a recommending agency when the training the foster caregiver received was part of a program of self-directed study or otherwise not delivered in a conventional or traditional setting where the principal transfer of knowledge occurred through the physical presence of a trainer whose responsibility it was to impart instruction to the foster parent. Subject to restrictions that may otherwise be imposed elsewhere by this chapter, such non-traditional training may be counted by the recommending agency as acceptable training hours in meeting the minimum number of training hours necessary to statutorily qualify the foster caregiver to obtain or maintain such foster caregiver's certification.

(6) ODJFS will not reimburse a recommending agency for any stipend payment made for time consumed by a lunch or dinner break that occurs during a training session.

(7) For the purpose of computing the maximum number of preplacement and continuing training

hours that will qualify for stipend reimbursements, a foster caregiver's training history will always be aggregated over the caregiver's entire service history and will not be reset by the movement of the foster caregiver from the supervision of one recommending agency to another.

(D) ODJFS will pay a training allowance to each private recommending agency to compensate that entity for its costs in providing, securing or procuring training for foster caregivers through a preplacement training program or continuing training program operated under rule 5101:2-5-40 of the Administrative Code. The allowance rate will be fifteen dollars per foster caregiver per training hour successfully completed within a training session.

(1) A private recommending agency may enter a pre-placement training session into SACWIS prior to the certification of a foster caregiver in order to receive a training allowance.

(2) If a private recommending agency enters a continuing training session into SACWIS in order to receive a training allowance, the agency must have paid a stipend to the particpant for the same training session.

(3) ODJFS will consider a private recommending agency to have experienced a cost if any of the following items occur:

(a) The private recommending agency pays a trainer or another agency to conduct the training session.

(b) The private recommending agency uses its own staff to conduct the training session and act as trainer.

(c) The private recommending agency rents space and or equipment for the training session.

(d) The private recommending agency provides a box meal or catered meal for foster caregivers attending the training session. ODJFS will not consider the private recommending agency to have incurred a cost if only break refreshments are provided.

(e) The private recommending agency purchases a curriculum or program of instruction for use in

the training session. ODJFS will not consider the private recommending agency to have experienced a cost for that curriculum or program of instruction when it is used in subsequent training sessions unless the payment of a licensing or royalty fee is required for each such use.

(4) ODJFS will not make an allowance payment for training received or provided at no cost to the private recommending agency. As used in this rule, "at no cost" means that the private recommending agency incurred no out-of-pocket expense for the training session. ODJFS will not consider a private recommending agency to have incurred a cost when the private recommending agency:

(a) Uses its own facilities or equipment to host or conduct the training session.

(b) Makes copies of instructional materials that will be used in a training session.

(c) Mails training announcements to foster caregivers.

(d) Uses an uncompensated trainer.

(e) Enrolls a foster caregiver for training in a training session held under the auspices of a regional training center of the OCWTP where the regional training center does not require a fee from the private recommending agency for the caregiver to attend the training session.

(E) The recommending agency shall register the foster caregiver's training history in SACWIS. ODJFS will pay foster caregiver stipends and private recommending agency allowances only when the recommending agency fully and accurately completes and registers the foster caregiver's training history in SACWIS.

(F) Recommending agencies shall not submit training registrations for training received or rendered under the adoption assessor training component of the OCWTP.

(G) Submission of training registrations that do not accurately reflect the training history of foster caregivers, or that are filed prior to payment of earned stipends to foster caregivers, shall establish a rebuttable presumption that the submitting recommending agency intentionally seeks a training

allowance or stipend payment to which it is not entitled.

(1) If the recommending agency is a private entity, the rebuttable presumption may serve as a basis for licensing enforcement proceedings against that private recommending agency.

(2) If the recommending agency is a public children services agency (PCSA), the rebuttable presumption may serve as a basis for the imposition of any penalty permitted by section 5101.24 of the Revised Code.

(H) Each private recommending agency and PCSA shall register an update to a foster caregiver's training history no later than thirty calendar days from the date on which the private recommending agency or PCSA renders a stipend payment to the foster caregiver. Failure to complete the update in this time frame will result in the forfeiture of any stipend reimbursement or allowance payment owed to the private recommending agency or PCSA for the event.

(I) ODJFS will not issue allowance payments to PCSAs. OCWTP will be responsible for providing foster caregiver training to foster caregivers under the supervision of a PCSA.

(J) All claims for allowance payments and stipend reimbursements must be perfected within eighteen calendar months subsequent to the month in which the training occurred. Claims made after that time frame will not be honored.

(K) Any failure of an agency to pay a stipend to a foster caregiver within the required timeframes of this rule shall result in the forfeiture of any stipend reimbursement owed to the agency for the event.