



Ohio Administrative Code

Rule 5101:2-9-36 Additional requirements for children's crisis care facilities.

Effective: January 1, 2023

(A) As used in Chapters 5101:2-5 and 5101:2-9 of the Administrative Code, a "children's crisis care facility" means a facility that has as its primary purpose the provision of residential and other care to the children described in paragraph (A)(1) or (A)(2) of this rule:

(1) One or more pre-teens voluntarily placed in the facility by the pre-teen's parent or other caretaker who is facing a crisis that causes the parent or other caretaker to seek temporary care for the pre-teen and referral for support services;

(2) One or more pre-teens placed in the facility by a public children services agency (PCSA) or private child placing agency (PCPA) that has legal custody or permanent custody of the pre-teen and determines that an emergency situation exists necessitating the pre-teen's placement in the facility rather than an institution certified under section 5103.03 of the Revised Code or elsewhere.

(3) "Children's crisis care facility" does not include either of the following:

(a) Any organization, society, association, school, agency, child guidance center, detention or rehabilitation facility, residential infant care center, or children's clinic licensed, regulated, approved, operated under the direction of, or otherwise certified by the department of education, a local board of education, the department of youth services, the department of mental health and addiction services, or the department of developmental disabilities;

(b) Any individual who provides care for only a single-family group, placed there by their parents or other relative having custody.

(B) "Pre-teen" means an individual under thirteen years of age.

(C) No certified children's crisis care facility shall do any of the following:



- (1) Provide residential care to a pre-teen for more than one hundred twenty days in a calendar year;
- (2) Subject to paragraph (C)(3) of this rule and except as provided in paragraph (D) of this rule, provide residential care to a pre-teen for more than ninety consecutive days, which includes transfer of a pre-teen in a different location of the same agency;
- (3) Provide residential care to a pre-teen for more than fourteen consecutive days if a PCSA or PCPA placed the pre-teen in the facility;
- (4) Fail to comply with section 2151.86 of the Revised Code.

(D) The director of job and family services may suspend or revoke a children's crisis care facility's certificate pursuant to Chapter 119. of the Revised Code and in accordance with rule 5101:2-5-07 of the Administrative Code if the facility ceases to meet any provision of this rule or the facility's operator ceases to comply with any of the rules governing the certification of children's crisis care facilities. A PCSA, PCPA or PNA operating a children's crisis care facility shall comply with all the requirements of Chapter 5101:2-5 of the Administrative Code as applicable to the type of the agency, depending on whether the agency is a PCSA, a PCPA, or a PNA. An agency operating a children's crisis care facility shall comply with all applicable requirements of the rules in Chapter 5101:2-9 of the Administrative Code for residential facilities, depending on whether the facility is a group home or a children's residential center, including those rules specified for a residential parenting facility. If there is a conflict between a requirement of any provision in this rule or any provision of Chapter 5101:2-5 of the Administrative Code or Chapter 5101:2-9 of the Administrative Code, the provisions of this rule shall take precedence.

(E) An agency operating a children's crisis care facility shall reasonably ensure that child care staff persons are assigned to care for the same group of children each day and shall adhere to the following child care staff to children ratios:

- (1) For children under the age of six years, including the children of child care staff, there shall be at least one child care staff person on duty during awake hours for every five children or fraction thereof.



(2) For children over the age of six years, including children of child care staff, there shall be at least one child care staff person on duty during awake hours for every six children or fraction thereof.

(3) For children ages zero to twelve, including the children of child care staff, there shall be at least one awake child care staff person on duty during sleeping hours for every eight children or fraction thereof.

(4) When a group of children includes children from more than one of the age groups listed in paragraph (E)(1), (E)(2) or (E)(3) of this rule, the staff to child ratio shall be determined according to the age of the youngest child within any group of children.

(5) There shall be at least two staff members on duty at all times when children are present in a crisis care facility.

(6) In case of an emergency, the children's crisis care facility may include administrative staff, interns and volunteers toward the required staff ratio for a period of no more than three hours if the administrative staff, interns, or volunteers meet the following requirements:

(a) Completed training in the mission of the children's crisis care facility.

(b) Completed training pursuant to rule 5101:2-9-03 of the Administrative Code.

(c) Are supervised by facility staff.

(d) Have completed a background check pursuant to rule 5101:2-5-09.1 of the Administrative Code.

(F) An agency may use contracted transportation providers on whom a background check and driving record check has been conducted and is on file with the contracted company or agency, if such use is necessary for the facility to maintain the required child care staff to child ratio, while children are being transported.

(G) In place of a service plan and a case plan, an engagement plan is to be developed and completed no later than five business days for any child placed for more than five business days. A children's



crisis care facility is to develop an engagement plan with the individual or agency that placed the child and provide a copy at that time. The engagement plan is to address at a minimum:

- (1) Steps that will be taken to resolve the issues that necessitated the placement.
- (2) Obligations and expectations of the individual or agency that placed the child while their child is placed at the facility.
- (3) Identification of any special care needs of the child that will need to be addressed while in placement.
- (4) Projected timeline for discharge.
- (5) Develop a visitation plan for the pre-teen's parent or caretaker, which may include:
 - (a) On-site visitation, which will not include overnight visits.
 - (b) Off-site, overnight visitation with parent or caretaker and other approved relatives.
- (H) If a certified crisis care agency has multiple facilities, a preteen may be transferred between facilities one time during their stay. A transfer summary is to be completed and is to include:
 - (1) Reason for transfer.
 - (2) Originating location and location of transfer.
 - (3) Parent or caretaker contact information.
 - (4) Upcoming appointments.
 - (5) Dietary restrictions.
 - (6) Medical services provided and medications.



(7) School.

(8) Adjustment summary.

(9) Projected discharge and discharge caregiver.

(I) Comprehensive health care for a child admitted to a children's crisis care facility shall be in accordance with rules 5101:2-42-66.1 and 5101:2-42-66.2 of the Administrative Code. If there is a conflict between a requirement of any provision in this rule or any provision of rule 5101:2-42-66.1 or rule 5101:2-42-66.2 of the Administrative Code, the provisions of this rule shall take precedence.

(J) An agency is to employ a licensed social worker, a licensed independent social worker, a licensed professional counselor or a licensed professional clinical counselor.

(K) Upon admission to an agency, there is to be a dedicated and private enclosed space for completing admission paperwork and medical forms.

(L) If pediatric medical services are provided at the facility, the following is to be provided:

(1) Medical service is to be provided by a qualified licensed and insured medical professional.

(2) Ensure all staff, volunteers and interns comply with the privacy requirements of the Health Insurance Portability and Accountability Act of 1996.

(3) An examining room which contains:

(a) A sink or tub.

(b) Medical exam table,

(c) Pediatric medical equipment.



(d) Medical record system.

(M) Upon discharge, if a pre-teen is admitted by the parent or caretaker and the pre-teen requires on-going medical care following discharge from the facility, a medical professional or licensed social worker is to ensure the parent or caretaker is competent to provide the on-going care. If the medical professional or licensed social worker determines the parent or caretaker is not able to provide the on-going care, a referral to the PCSA will be completed.

(N) For the purpose of the management and prevention of communicable diseases, a children's crisis care facility shall adhere to the following procedures:

(1) A child with any of the following signs or symptoms of illness shall be immediately isolated from other children. The child, while isolated shall be carefully watched for symptoms listed in paragraph (N)(2) of this rule.

(a) Unusual spots or rashes;

(b) Sore throat or difficulty in swallowing;

(c) Elevated temperature of one hundred degrees or above;

(d) Vomiting;

(e) Evidence of lice, scabies or other parasitic infection.

(2) A child with any of the following signs or symptoms of illness is to be immediately isolated and medically assessed by a licensed physician or registered nurse.

(a) Diarrhea (more than one abnormally loose stool within a twenty-four hour period);

(b) Severe coughing, causing the child to become red or blue in the face or to make a whooping sound;



- (c) Difficult or rapid breathing ;
 - (d) Yellowish skin or eyes;
 - (e) Vomiting more than one time or in combination with any other sign or symptom of illness;
 - (f) Temperature of one hundred degrees Fahrenheit taken by the auxiliary method when in combination with any other sign of illness;
 - (g) Untreated infected skin patches, unusual spots or rashes;
 - (h) Unusually dark urine and/or grey or white stool;
 - (i) Stiff neck with elevated temperature.
 - (j) Redness of the eye or eyelid, with eye discharge, matted eyelashes, burning, itching or eye pain.
- (3) A child isolated due to suspected communicable disease shall be:
- (a) Cared for in a room or portion of a room not being used for other types of child care, within sight and hearing at all times by the child care staff.
 - (b) Checked on every fifteen minutes and a notation made on an isolation log regarding the observation made.
 - (c) Made comfortable and provided with a bed. All linens and blankets used by the ill child shall be laundered before being used by another child. After use, the bed shall be disinfected with an appropriate germicidal agent, or, if soiled with blood, feces, vomit or other body fluids, the bed shall be cleaned with soap and water and then disinfected with an appropriate germicidal agent.
 - (d) Observed carefully for worsening condition. If the condition has worsened, a physician shall be contacted.



(4) The universal blood and body fluid precautions according to the United States department of health and human services' centers for disease control and prevention (CDC).

(5) A procedure for immediate notification of the person or agency holding custody of a child when the child is exhibiting signs or symptoms of illness or has been exposed to a communicable disease.

(6) The children's crisis care facility's procedures regarding the care of a mildly ill child. A "mildly ill child" is defined as one of the following:

(a) A child who is experiencing minor common cold symptoms, but who is not exhibiting any of the symptoms specified in paragraph (N)(1) or (N)(2) of this rule, or

(b) A child who does not feel well enough to participate in activities, but who is not exhibiting any of the symptoms specified in paragraph (N)(1) or (N)(2) of this rule.

(O) The children's crisis care facility shall keep the person who placed a child informed of health care provided to the child while residing in the facility on a weekly basis and at discharge.

(P) The children's crisis care facility is to adhere to the following handwashing procedures:

(1) All staff and volunteers shall wash their hands with soap and running water upon entering and when leaving the children's crisis care facility, after each diaper change, after assisting a child with toileting, after cleaning, after toileting, before preparing or eating food, before feeding any child, before and after administering medication, and after handling animals.

(2) Handwashing facilities shall be available within the area where children receive diaper or bathroom care.

(3) A handwashing facility is defined as a permanent-type fixture with running water.

(4) Children are to wash hands after toileting.

(5) Children shall wash hands before and after eating.



(6) Children are to wash hands after going outside to a play area.

(7) Children are to wash hands after handling animals.

(8) Disposable towels shall be available at the handwashing site at all times and shall be used to dry hands and turn off the water after handwashing.

(Q) In addition to the diaper care procedures specified in rule 5101:2-9-05 of the Administrative Code, the following procedures shall be followed:

(1) No child's diaper shall be changed in the child's bed or crib;

(2) Each diaper changing area shall be disinfected after each diaper change with an appropriate germicidal agent. If the diaper changing area is soiled after the diaper change, it shall be cleaned with soap and water and then disinfected with an appropriate germicidal and virus killing agent.

(3) Disposable separation materials at a central diaper changing station are recommended for diaper changing, and if used, shall be used once and discarded. If washcloths or other washable materials are used, they shall be used once and stored in an appropriate germicidal and virus killing solution until laundered.

(R) Each child admitted to a children's crisis care facility shall be provided with an opportunity to safely and comfortably sit, crawl, toddle, or walk and play according to the child's stage of development, under supervision and in a designated space apart from sleeping quarters each day in order to enhance development.

(1) Children of both genders and under twenty-four months in age who are not siblings may share the same bedroom.

(2) No children over twenty-four months of age and of different genders may share the same bedroom unless they are from the same sibling group.



(3) Siblings of differing genders are, at the discretion of the agency, allowed to share the same bedroom.

(4) All sleeping children shall be observed at least once per hour by agency staff.

(S) Each infant in care in a children's crisis care facility shall be removed from his/her crib for all feedings and removed from the crib at other intervals during each day for individual attention. For the purpose of feeding, all infants without the ability to sit up shall either be placed in an infant seat, or held by a child care worker, other adult over twenty-one years of age, or the child's parent, as appropriate to the child's age. No child shall be placed in a crib or bassinet for feeding and no bottle shall be propped to feed an infant. Infants with the ability to sit up may be placed in a high chair for feeding.

(T) A video monitor may be used to observe napping or sleeping children under the age of two. The video monitor is to:

(1) Be positioned out of reach of the child.

(2) Have only one child in an individual crib in its view.

(3) Monitor and not have recording capabilities.

(U) Infant food shall be prepared and served in a manner appropriate to the developmental needs of each child according to the child's stage of development and in sufficient quantities to promote healthy growth and development.

(V) There shall be at least one bathroom designated for use by children in a children's crisis care facility and it shall have at least one wash basin and one toilet accessible for small sized children.

(W) Each dining area in a children's crisis care facility shall be equipped with tables, chairs and eating utensils appropriate to the age, physical condition, and developmental stage of the children who will eat in the area.



(X) A children's crisis care facility shall plan and provide, for each child twelve months and older, an opportunity for an on-site safely accessible, supervised and developmentally appropriate outdoor activity each day in suitable weather unless the child's medical condition does not allow the child to participate.

(1) All children shall be provided with appropriate outerwear and/or sunscreen as applicable to the weather conditions.

(2) The supervision of children by staff shall adhere to the required child/staff ratios specified in paragraph (E) of this rule when the children are using the outdoor play area including going to and coming from the play area. No child shall be left unsupervised in the outdoor play area.

(3) When a group of children is outdoors, the child care staff person(s) responsible for the group shall be able to summon another adult without leaving the group alone or unsupervised.

(4) The play area shall be supervised so that all children are within the sight and hearing of the supervising child care staff person(s) at all times.

(5) The surface of the outdoor play area shall be drained well enough so that standing water does not prohibit the use of the play area on a daily basis.

(6) The play area shall be free of hazards such as, but not limited to, broken glass, potholes, garbage, flammable materials, and other debris.

(7) The play area shall be well defined by a fence, hedge, natural or other barrier to protect the area from traffic, animals, or other hazards.

(8) The outdoor play area shall provide at least sixty square feet of usable space per child using the play area at any one time, regardless of the number of children the children's crisis care facility is certified to serve.

(Y) A children's crisis care facility shall be compliant with section 5103.132 of the Revised Code.