



Ohio Administrative Code

Rule 5180:2-5-07 Denial, revocation or suspension of an agency's certificate or certification to perform specific functions; administrative closures.

Effective: March 5, 2026

(A) Under what conditions may an application for an agency certificate or certification to perform specific functions be denied or revoked?

An application may be denied or an existing certificate revoked for the following reasons:

- (1) Failure to comply with applicable requirements of Chapter 5180:2-5 or other relevant chapters of the Administrative Code.
- (2) Failure to comply with an approved corrective action plan for previously cited noncompliance.
- (3) Providing misleading or false statements or false reports to the department.
- (4) Refusing to admit onto its premises any person performing duties described in Chapter 5180:2-5 of the Administrative Code or other applicable chapters of the Administrative Code relevant to the intended or certified functions of the agency, state or federal law or regulations or municipal ordinance.

(B) What due process must occur before the Ohio department of children and youth (DCY) denies or revokes a certification?

All actions of denial or revocation must occur by prior administrative hearing in accordance with Chapter 119. of the Revised Code.

(C) Can an agency's failure related to child safety lead to revocation or denial of certification?

Any act or omission resulting in death, injury, illness, abuse, neglect, or exploitation of a child may be grounds for denial or revocation. This includes failure to inform employees of their mandatory reporting duties under section 2151.421 of the Revised Code to report any knowledge or suspicion of



any physical or mental abuse, sexual abuse or exploitation or neglect or threatened abuse or neglect of a child by any person, including another child, to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect has occurred or is occurring.

(D) Who does DCY notify when it proceeds with denial or revocation of an agency's certification?

(1) Title IV-E courts.

(2) Public children services agencies (PCSAs).

(3) Private child placing agencies (PCPAs).

(4) Any other persons or entities deemed necessary.

(E) What happens if a denial or revocation order is not upheld or is overturned on appeal?

DCY notifies all previously informed entities of the decision to overturn or not uphold the denial or revocation.

(F) What are the consequences for principals of an agency when its certificate is denied or revoked?

The agency and its principals become ineligible for any DCY certification for five years from the effective date of the denial or revocation or the exhaustion of all appeals, whichever is later.

(G) What constitutes a "principal" of an agency?

A principal includes the agency's administrator(s) or designee, director(s), owners, partners, or governing body members.

(H) Under what circumstances may DCY administratively close an agency's application?

DCY may close an application for the following reasons:



- (1) Failure to provide an address change.
- (2) Loss of contact after 30 days.
- (3) Ineligibility under the five-year ban.
- (4) Failure or refusal to submit policy statements, application materials, plans or reports requested by DCY within the necessary time frames.

(I) Is administrative closure subject to a hearing under Chapter 119. of the Revised Code?

Administrative closures are not subject to administrative hearing rights.

(J) When can DCY suspend an agency's certificate?

DCY may suspend a certificate if DCY determines that any of the following have occurred:

(1) A child dies or suffers a serious injury while placed or residing with the agency, including a foster home.

(2) A PCSA receives a report pursuant to section 2151.421 of the Revised Code and no additional review or appropriate action is taken by the agency to ensure safety of the children, and the person alleged to have inflicted abuse or neglect on the child who is the subject of the report is any of the following:

(a) A principal of the agency.

(b) An employee or volunteer of the agency who has not immediately been placed on administrative leave or released from employment.

(3) One of the following is charged by an indictment, information, or complaint with an offense relating to the death, injury, abuse, or neglect of a child and no additional review or appropriate



action is taken by the agency to ensure the safety of the children:

(a) A principal of the agency.

(b) An employee or volunteer of the agency who has not immediately been placed on administrative leave or released from employment.

(4) DCY, the recommending agency, a PCSA, or a county department of job and family services determines that a principal, employee, or volunteer of the agency, created a serious risk to the health or safety of a child placed therein that resulted in or could have resulted in a child's death or injury.

(5) DCY determines that the owner of the agency does not meet the requirements of section 2151.86, 5103.0310, or 5103.053 of the Revised Code.

(6) For the purpose of this rule, serious risk means any situation that poses a significant threat of serious harm to a child's health or well-being, including but not limited to:

(a) Circumstances that could cause physical injury requiring professional medical attention.

(b) Circumstances that could result in long-term impairment.

(c) Circumstances that indicate the possibility of non-accidental trauma or neglect.

(7) For the purpose of this rule, serious injury means any physical injury to a child that substantially impairs the child's health or physical well-being and requires professional medical attention. Serious injury includes but is not limited to:

(a) Injuries likely to result in long-term impairment.

(b) Injuries that indicate non-accidental trauma or neglect.

(K) What happens if an agency's certificate is suspended?



(1) An agency is not to have children placed while a suspension remains in effect. Upon the issuance of the order of suspension, DCY will place a hold on the certificate or indicate that the certificate is suspended in the Ohio comprehensive child welfare information system (Ohio CCWIS).

(2) Upon receipt of a written suspension order from DCY, delivered either by signature required service or in person, the suspension is in effect immediately and any children placed at the address currently under suspension are to be removed within forty-eight hours. The custodian of a child placed at the agency is to ensure a suitable placement for the child is made by, or in coordination with, the certified agency. Refusal of delivery by personal service or by mail is not failure of delivery and service shall be deemed to be complete.

(L) Can the agency request a review of the decision to suspend the license?

The agency may request an adjudicatory hearing before DCY pursuant to sections 119.06 to 119.12 of the Revised Code.

(M) How long will the certificate be suspended?

The suspension will remain in effect until any of the following occurs:

(1) The PCSA completes its investigation pursuant to section 2151.421 of the Revised Code and determines that all of the allegations are unsubstantiated.

(2) All criminal charges are disposed of through dismissal or a finding of not guilty.

(3) Pursuant to Chapter 119. of the Revised Code, DCY issues a final order terminating the suspension.