



Ohio Revised Code

Section 5104.041 Type A and B family child care home requirements.

Effective: January 1, 2025

Legislation: House Bill 33 - 135th General Assembly

(A) All type A family child care homes and licensed type B family child care homes shall procure and maintain one of the following:

(1) Liability insurance issued by an insurer authorized to do business in this state under Chapter 3905. of the Revised Code insuring the type A or type B family child care home against liability arising out of, or in connection with, the operation of the family child care home. The insurance procured shall cover any cause for which the type A or type B family child care home would be liable, in the amount of at least one hundred thousand dollars per occurrence and three hundred thousand dollars in the aggregate.

(2) A written statement signed by the parent, guardian, or custodian of each child receiving child care from the type A or type B family child care home that states all of the following:

(a) The family child care home does not carry liability insurance described in division (A)(1) of this section;

(b) If the licensee of a type A family child care home or a type B family child care home is not the owner of the real property where the family child care home is located, the liability insurance, if any, of the owner of the real property may not provide for coverage of any liability arising out of, or in connection with, the operation of the family child care home.

(B) If the licensee of a type A family child care home or a type B family child care home is not the owner of the real property where the family child care home is located and the family child care home procures liability insurance described in division (A)(1) of this section, that licensee shall name the owner of the real property as an additional insured party on the liability insurance policy if all of the following apply:

(1) The owner of the real property requests the licensee or provider, in writing, to add the owner of



the real property to the liability insurance policy as an additional insured party.

(2) The addition of the owner of the real property does not result in cancellation or nonrenewal of the insurance policy procured by the type A or type B family child care home.

(3) The owner of the real property pays any additional premium assessed for coverage of the owner of the real property.

(C) Proof of insurance or written statement required under division (A) of this section shall be maintained at the type A or type B family child care home and made available for review during inspection or investigation as required under this chapter.

(D) The director of children and youth shall adopt rules for the enforcement of this section.