



## Ohio Administrative Code

### Rule 5101:2-13-02 Application and amendments for a family child care provider license.

Effective: October 29, 2021

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(A) What is the application process to establish or operate a licensed family child care home?

A resident of Ohio who wishes to become a licensed family child care provider is to:

- (1) Complete a professional registry profile for the family child care applicant through the Ohio professional registry (OPR) at <https://ocerra.org/opr>.
- (2) Register online through the OPR and complete the required family child care prelicensing training. The prelicensing training shall have been taken within the five years prior to application for a license.
- (3) Complete an application online in the Ohio child licensing and quality system (OCLQS) at <https://oclqs.force.com> and submit the fee of twenty-five dollars to the Ohio department of job and family services (ODJFS).
  - (a) The application fee submitted with an application is nonrefundable and shall not be credited or transferred to any other application.
  - (b) The application is considered filed with the ODJFS as of the date it is received electronically and the payment has cleared.
  - (c) The application will be deleted from the system after one hundred twenty days if the fee payment is not received.
  - (d) Any application submitted without complete and accurate information will need to be amended with complete and accurate information before being licensed.
  - (e) The application will be deleted and the fee forfeited if the home is not ready to be licensed after



twelve months.

(4) Notify in OCLQS if the provider wants to voluntarily withdraw the application. This results in a forfeiture of the application fee.

(B) What additional items shall be submitted during the application process?

The items listed in appendix A and appendix B to this rule are required and shall be completed and submitted for licensure.

(C) Does the family child care provider license need to be visible?

The license is to be visible to parents at all times.

(D) Can a family child care license be issued to an address that is currently licensed ?

(1) Only one family child care provider license shall be issued for each address.

(2) A family child care provider license shall not be issued to any address that is currently licensed as a child care center.

(E) Can someone be both a licensed family child care provider and be certified to provide foster care pursuant to Chapter 5103. of the Revised Code?

(1) A licensed type A provider shall not be certified to provide foster care.

(2) A licensed type B provider may be certified for foster care but shall be not certified as a specialized or treatment foster care home pursuant to Chapter 5103. of the Revised Code. A licensed type B provider who was initially certified as a type B provider prior to August 14, 2008 with no break in certification or licensure is exempt from this requirement.

(F) Will the license be a continuous license?



The license shall be a continuous license unless:

- (1) The family child care provider is in the provisional period pursuant to rule 5101:2-13-06 of the Administrative Code.
  - (2) The family child care provider moves to a new address and does not propose a change of location amendment pursuant to paragraph (G) of this rule.
  - (3) The owner of the type A home program, which can be a corporation or partnership, changes. This includes if the corporation or partnership no longer exists.
  - (4) The family child care provider voluntarily surrenders the license by notifying the county agency in OCLQS.
  - (5) It is revoked pursuant to rule 5101:2-13-05 of the Administrative Code.
- (G) What is the process to change or amend a license?
- (1) The provider shall submit a request and all applicable documents in OCLQS.
  - (2) What information can be amended on an existing license?
    - (a) License capacity.
    - (b) Change of location of the program.
  - (3) What is the timeline for requesting an amendment?
    - (a) For a change in capacity, the provider shall request and be approved for the amendment prior to serving additional children. This includes submitting all corrective action plans required pursuant to rule 5101:2-13-03 of the Administrative Code.
    - (b) For a change in location, the provider shall request the amendment at least thirty days prior to the



last day at the current location. Failure to request within thirty days may result in a gap of care. Care shall not begin until the license has been transferred to the new location.

(4) Can a family child care home request a change in administrator?

Only a type A home provider may change an administrator if all of the following are met:

(a) If the owner of the type A home program is a corporation, the agent(s) of the corporation is to include the provider.

(b) The proposed administrator is a resident of the home and agent of the corporation and meets the requirements of a provider pursuant to rule 5101:2-13-07 of the Administrative Code.

(c) The provider submits a request and all applicable documents to the county agency in OCLQS.

(5) What are the requirements if a family child care provider wants to permanently move to a different location?

The provider is to:

(a) Comply with paragraph (G)(3)(b) of this rule.

(b) Submit all required documents listed in appendix C to this rule prior to licensure at the new location.

(c) Submit a fee of twenty-five dollars in OCLQS thirty days prior to the proposed move.

(d) Comply with an inspection at the new location and any applicable determinations of license capacity for the new location.

(e) Cease child care operation at the original location at the time the license is issued for the new address.



(f) If care ceases at the old location before the new location is ready to be licensed, the program may be temporarily closed pursuant to paragraph (I) of this rule.

(g) If the new location is unable to be licensed within ninety days after the request, the request for amendment will be closed which results in forfeiture of the application fee.

(6) What are the requirements if a family child care provider needs to temporarily provide care in a different location?

(a) If the family child care provider is temporarily unable to provide care in the licensed location because the physical location has been deemed unsafe for care of children by the building department, fire department, local health department or local law enforcement, the provider may request to temporarily provide care in a new location.

(i) The family child care provider shall send a written request to the county agency and comply with an inspection of the temporary location prior to providing care at the temporary location.

(ii) The written request shall include written documentation from the government agency that deemed the location to be unsafe for care of children and shall include the plan and timeline for addressing the needs of the licensed location.

(iii) Prior to resuming care at the licensed location, the family child care provider shall provide written approval to the county agency from the government agency that has deemed the location safe to resume care of children.

(b) If the family child care provider is unable to return to the licensed location within one hundred eighty days, the provider shall follow the process for a permanent change of location pursuant to paragraph (G)(5) of this rule. There are no extensions for a temporary change of location.

(H) When shall an initial application and fee be required from a type A home provider?

An initial application and fee are required for any change in ownership which is defined as a sale of a child care program in its entirety or a transfer of control and administration by the owner(s) of a



child care program to a new controlling entity.

(I) How shall a family child care provider request a voluntary temporary closure status for a licensed family child care home?

(1) The provider shall request the temporary closure status in OCLQS.

(2) The temporary closure status shall not exceed twelve months.

(3) The provider shall not serve any children during the temporary closure status.

(4) The provider shall comply with an inspection prior to the end of the temporary closure status and serving children again.

(5) If at the end of the twelve months, the family child care provider has not requested in OCLQS to reinstate the license or is not able to be re-opened, the ODJFS may close the license without hearing rights in accordance with the requirements of Chapter 119. of the Revised Code.

(J) What information will the provider keep current in OCLQS?

(1) Mailing address.

(2) Telephone number.

(3) Email address.

(4) Days and hours of operation.

(5) Services offered.

(6) Name of program, if applicable.

(7) Ohio secretary of state entity number, if applicable.



(8) Private pay rates.

(K) What if an individual listed in OCLQS as a legal business owner (as defined in section 5104.03 of the Revised Code) changes?

The provider shall log into OCLQS to complete and submit the information within thirty days of the change, for type A homes only.

(L) What is the county agency's responsibility for the application and issuance of a license for a family child care provider?

The county agency is to:

(1) Begin to review documents submitted as part of the application within ten business days of receiving the documents in OCLQS.

(2) Recommend the application for approval or denial to the ODJFS within ninety days of receiving a completed application. The completed application includes all of the requirements in appendix A to this rule with the exception of the completed background check pursuant to rule 5101:2-13-09 of the Administrative Code. The completed application also indicates that the provider is ready for the prelicensing inspection.

(3) Complete the prelicensing inspection within ten business days after the application is complete and all documents have been approved.

(4) Recommend the approval or denial of the request for change of location, move to a temporary location or a voluntary temporary closure status to ODJFS within five business days of receiving the request and all required written documentation.

(5) Provide the applicant with the JFS 08087 "Ohio Communicable Disease Chart" when a recommendation is made to ODJFS to license the applicant.



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(6) Request from the current county agency any documentation not captured in OCLQS within ten business days if a provider proposes a change of location into the county.

(7) Provide the new county agency with any documentation not captured in OCLQS within ten business days if a provider proposes a change of location to another county.