



## Ohio Administrative Code

### Rule 5101:2-38-01 Requirements for PCSA case plan for in-home supportive services without court order.

Effective: February 1, 2022

---

(A) The public children services agency (PCSA) shall develop and complete the family case plan if in-home supportive services for the child and the child's custodial parent, non-custodial parent, guardian, or custodian are agreed upon and there is no court order.

(B) The family case plan shall be based on the completion of the "Family Assessment."

(C) The following are considered parties to the family case plan:

(1) The child's custodial parent, non-custodial parent, guardian, and custodian as applicable.

(2) The child age fourteen and older.

(3) The child under age fourteen if developmentally appropriate.

(4) The Indian custodian if any, and child's Indian tribe and extended relatives as defined in rule 5101:2-53-01 of the Administrative Code, if applicable.

(D) When initiating the family case planning process, the PCSA shall:

(1) Unless the family agrees to waive the right to the seven days' notice, the PCSA is to provide at least seven days' notice to the parties in paragraph (C) of this rule of the responsibility to work with the agency to jointly develop the family case plan.

(2) Document the date and method of notification to all parties to the family case plan.

(E) Completion of the "Family Assessment" is not required in order to complete a family case plan resulting from the following family in need of service reports:



(1) Deserted child.

(2) Emancipated youth.

(3) Permanent surrender.

(4) Interstate compact on the placement of children.

(F) The PCSA shall obtain agreement on the contents of the family case plan; obtain signatures from the child's custodial parent, non-custodial parent, guardian, or custodian; and provide each with a copy of the family case plan no later than fourteen days from the child's custodial parent, non-custodial parent, guardian, or custodian's signature, not including the date of signature.

(G) The PCSA shall develop and complete the family case plan no later than thirty days after whichever of the following occurs first:

(1) The case decision indicates the need for services and the child's custodial parent, non-custodial parent, guardian, or custodian agrees to the provision of supportive services.

(2) The child's custodial parent, non-custodial parent, guardian, or custodian voluntarily requests services and the PCSA determines that the requested services can be provided.

(H) The family case plan shall be considered complete once the child's custodial parent, non-custodial parent, guardian, or custodian signs the family case plan indicating their agreement to participate in services.

(I) If sufficient information is not available to complete any element contained on the family case plan, the PCSA shall:

(1) Specify in the family case plan the additional information needed in order to complete all parts of the family case plan and the steps to take to obtain the missing information.

(2) Obtain the missing information and complete the missing elements of the family case plan no



later than thirty days after the date the incomplete family case plan was signed.

(J) The PCSA shall develop one family case plan per case.

(K) The PCSA shall make face-to-face contact with each custodial parent, non-custodial parent, guardian, or custodian, and child participating in and being provided services through the JFS 01410 family case plan no less than monthly to monitor progress on the family case plan objectives.

(1) The PCSA shall have at least one contact every other month in the child's home.

(2) The PCSA shall document home visits, attempts, and all contacts.

(L) If the initial attempt to complete a face-to-face contact pursuant to paragraph (K) of this rule is unsuccessful, the PCSA shall make a minimum of two additional attempts to complete the face-to-face contact within the month.

(M) For an adult who is a party to the family case plan where minimum face-to-face contacts cannot be completed pursuant to paragraph (K) of this rule and the attempts of face-to-face contact pursuant to paragraph (L) of this rule have been completed, the subsequent month(s) the PCSA is to identify and document the following information and provide regulatory review of the contact status with the individual:

(1) The case circumstance, identifying the barrier to completing the face-to-face contact.

(2) Identify alternative forms of contact, if possible, to be completed with the individual in lieu of the face-to-face contact (telephone, video conference, electronic communication, etc).

(3) The plan of diligent efforts to successfully resume monthly face-to-face contact with the individual.

(4) Supervisory approval.

(N) The PCSA shall complete an update to the family case plan if the child is placed in substitute



care or if there is a change in any of the following:

- (1) Services.
- (2) Participant(s).
- (3) Case plan goal.
- (4) Case plan activities.
- (5) Legal status of the child.
- (6) Completion of the "Case Review" or the "Ongoing Case Assessment/ Investigation" indicates a change in the safety or risk to the child.
- (O) If a prevention services plan under the "Prevention Services" case category in SACWIS is to transfer without a court order to a family case plan under the "Ongoing" case category in SACWIS pursuant to rule 5101:2-40-05 of the Administrative Code, the PCSA is to create and submit a family case plan and do the following as applicable:
  - (1) Contact the child's custodial parent, non-custodial parent, guardian, or custodian and seek an agreement for the development of the family case plan.
  - (2) Obtain signatures from the child's custodial parent, non-custodial parent, guardian, or custodian.
  - (3) Provide each custodial parent, non-custodial parent, guardian, or custodian with a copy of the family case plan within fourteen days of the update, not including the date of signature.
- (P) If an update to the family case plan is required, the PCSA shall update the family case plan and do the following as applicable:
  - (1) If the PCSA is providing in-home supportive services with no court order, the PCSA shall do all of the following:



- (a) Contact the child's custodial parent, non-custodial parent, guardian, or custodian and seek an agreement for an update to the family case plan.
  - (b) Obtain signatures from the child's custodial parent, non-custodial parent, guardian or custodian.
  - (c) Implement the amendment update to the family case plan once the custodial parent, non-custodial parent, guardian, or custodian agrees to the change.
  - (d) Provide each custodial parent, non-custodial parent, guardian, or custodian with a copy of the updated family case plan within seven days of the update, not including the date of signature.
- (2) If the PCSA updates the family case plan due to court ordered placement of the child in substitute care, the PCSA shall complete the update in accordance with rule 5101:2-38-05 of the Administrative Code and submit the updated family case plan to the court within seven days of the child's placement in substitute care, not including the date of placement.
- (3) If the PCSA updates the family case plan due to change in legal status, the PCSA shall complete the update in accordance with rule 5101:2-38-05 of the Administrative Code and submit the updated family case plan to the court within seven days of filing a complaint, not including the date of filing.
- (Q) If the PCSA and the child's custodial parent, non-custodial parent, guardian, or custodian no longer agree on the family case plan, the PCSA shall do one of the following:
- (1) Discontinue supportive services to the family by closing the case in accordance with paragraph (U) of this rule.
  - (2) File a complaint with the court pursuant to section 2151.27 of the Revised Code if the child is an abused, neglected, or dependent child or may become abused, neglected or dependent; and intervention of the court is needed for the child's protection.
- (R) The PCSA shall review the progress of the family case plan objectives by completing the "Case Review" pursuant to rule 5101:2-38-09 of the Administrative Code.



(S) The PCSA shall conduct a semiannual administrative review by completing the "Semiannual Administrative Review (SAR)" pursuant to rule 5101:2-38-10 of the Administrative Code.

(T) If a case review or a semiannual administrative review results in a recommendation for a family case plan update, the PCSA shall involve the child's custodial parent, non-custodial parent, guardian, or custodian and child age fourteen and older in the development of the updated family case plan.

(U) The PCSA shall do all of the following to close a case:

(1) Complete the "Case Review" to assess there are no active safety threats and the overall level of risk is reduced.

(2) Notify parties to the family case plan as outlined in paragraph (C) of this rule of the intent to close the case and document the date and method of notification.

(3) Update the family case plan.

(V) The PCSA shall maintain a copy of the original family case plan, all updates, and documentation of the face-to-face contacts, including attempted contacts and home visits to monitor progress on the family case plan objectives.