



Ohio Administrative Code

Rule 5101:2-38-03 Protective supervision by PCPAs.

Effective: August 1, 2020

(A) If a private child placing agency (PCPA) files a complaint with the court requesting an order of protective supervision, the agency shall also request the court to impose reasonable restrictions on the child and the child's parent, guardian, or custodian, or any other person as needed. Reasonable restrictions may include, but not be limited to:

(1) Ordering a parent, guardian, or custodian, within forty-eight hours after the issuance of the order, to vacate the child's home indefinitely or for a specified period of time.

(2) Ordering a parent, guardian, or custodian, to prevent a particular person from having contact with the child.

(3) Restraining or otherwise controlling the conduct of any person if his or her conduct is not in the best interest of the child.

(B) For each child under an order of protective supervision:

(1) The PCPA shall prepare and maintain a case plan pursuant to rule 5101:2-38-07 of the Administrative Code.

(2) The PCPA shall make available appropriate supportive services to the child, parent, guardian, or custodian, or, if applicable, pre-finalized adoptive parent. The PCPA shall comply with rule 5101:2-40-02 of the Administrative Code if providing supportive services.

(3) The PCPA shall review the progress in achieving the case plan objective and services by completing case reviews pursuant to rule 5101:2-38-09 of the Administrative Code. The PCPA shall document the case review on the JFS 01416 "Semiannual Administrative Review for Private Child Placing Agencies" in lieu of the "Comprehensive Assessment Planning Model - I.S. Case Review."



(4) The PCPA shall complete a semiannual administrative review pursuant to rule 5101:2-38-10 of the Administrative Code for any case if there is an order of protective supervision.

(C) No later than one year after the date the complaint was filed or the child was placed in shelter care, whichever is earlier, the PCPA shall file a written request with the court to either terminate, or extend for six months the order of protective supervision. If the PCPA requests termination of the order, the agency shall file a written status report setting out the facts supporting termination of the order at the time the request is filed with the court.

(D) The PCPA shall provide written notice of the proposed extension, or termination, to all parties of the case plan, parent, guardian, custodian, and the child's guardian ad litem no later than the close of business of the day after the day of filing.

(E) The PCPA has seven days from the date the court sends a notice of its proposed action, to object to and request a hearing on the proposed extension or termination.

(F) If the court grants an extension of the order for protective supervision, the PCPA may, prior to termination of the extension, file with the court a request for one additional extension of six months or for termination of the order.