



## Ohio Administrative Code

### Rule 5101:2-5-26 Procedures for revocation, denial of initial certification or denial of recertification of a foster home certificate.

Effective: April 1, 2022

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(A) At the time of an agency decision to recommend denial of initial certification, denial of recertification or revocation of a foster home certificate, the agency may contact the Ohio department of job and family services (ODJFS) children services licensing enforcement coordinator for consultation regarding required evidence, procedures and advice prior to notifying the applicant or foster caregiver of the agency's intent.

(B) If the agency decides to recommend denial of initial certification, denial of recertification or revocation, it shall provide written notification on the JFS 01315 "Notification of Denial of Initial Certification, Recertification or Revocation of the Foster Home Certificate" by certified mail, return receipt requested, to the applicant or foster caregiver. This notice includes the following:

(1) The reason for the decision to recommend denial of initial certification, denial of recertification or revocation.

(2) The specific law or rule(s) with which the applicant or foster caregiver allegedly is not in compliance and a copy of each specific law or rule referenced.

(3) The method of and time limits for requesting a local agency grievance meeting.

(4) That the final decision to deny the initial certification or recertification or to revoke certification will be made by ODJFS at which time the applicant or caregiver shall be afforded the opportunity to request a hearing pursuant to Chapter 119. of the Revised Code.

(C) Following the completion of the requirements of paragraph (B) of this rule, the agency shall notify ODJFS of its recommendation to deny initial certification, deny recertification or revoke the certificate through the Ohio statewide automated child welfare information system (SACWIS) and shall submit documentation of:



- (1) A summary of the grievance meeting, if one was held.
  - (2) Identification of rules with which the applicant or foster caregiver is allegedly not in compliance.
  - (3) Specific documentation and evidence supporting the recommendation.
  - (4) A copy of the JFS 01315 and the certified mail return receipt sent to the applicant or foster caregiver.
- (D) Upon receipt of the notification of the recommendation submitted in paragraph (C) of this rule, ODJFS shall evaluate the evidence and documentation submitted by the agency and take one of the following actions:
- (1) Return the recommendation and evidence to the agency due to insufficient or inappropriate evidence and documentation with a written explanation of the deficiency.
  - (2) Reject the agency recommendation in writing specifying the reasons for rejection.
  - (3) Proceed with the denial or revocation process.
- (E) At the time ODJFS proceeds with an agency recommendation to deny or revoke a foster home certificate ODJFS shall notify the applicant or foster caregiver pursuant to Chapter 5101:6-50 of the Administrative Code. A copy of the notice shall be sent to the recommending agency which shall immediately notify any other agency which may have a foster child placed in the foster home.
- (F) The decision to proceed or not proceed with a recommendation for denial or revocation rests solely with ODJFS in its exercise of discretion.
- (G) Any action by ODJFS to deny or revoke a foster home certificate shall be subject to the requirements of Chapter 119. of the Revised Code and Chapter 5101:6-50 of the Administrative Code.
- (H) If a foster home application or certificate has been denied or revoked pursuant to Chapter 119. of



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the Revised Code, the applicant or person to whom the certificate was issued shall not be eligible for any ODJFS children services license or certification for five years from the date of denial or revocation or the exhaustion of all appeals, whichever is later.