



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: January 1, 2025

(A) At the time of an agency decision to recommend denial of initial certification, denial of continuous certification or revocation of a foster home certificate, the agency may contact the Ohio department of children and youth (DCY) licensing department 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 continuous certification or revocation, it is to provide written notification on the JFS 01315 "Notification of Denial of Initial Certification, Continuous Certification 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 continuous certification 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 continuous certification or to revoke certification will be made by DCY at which time the applicant or caregiver will 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 is to notify the department of its recommendation to deny initial certification, deny continuous certification or revoke the certificate through the Ohio comprehensive child welfare information system (Ohio CCWIS) and is to 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, DCY is to 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 DCY proceeds with an agency recommendation to deny or revoke a foster home certificate DCY is to notify the applicant or foster caregiver pursuant to Chapter 5101:6-50 of the Administrative Code. A copy of the notice is to be sent to the recommending agency which is to 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 DCY in its exercise of discretion.
- (G) Any action by DCY to deny or revoke a foster home certificate is to 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 the Revised Code, the applicant or person to whom the certificate was issued is not to be eligible for any children services license or certification for five years from the date of denial or revocation or the exhaustion of all appeals, whichever is later.

(I) An agency may recommend DCY administratively close a foster caregiver application or certificate for the following:

(1) Failure to provide an address change.

(2) Loss of contact as determined by the recommending agency. The agency is to have made at least three attempts using multiple methods of contact.

(3) The applicant is not eligible pursuant to paragraph (H) of this rule.