



## Ohio Revised Code

### Section 5104.31 Eligible providers of services for publicly funded child care.

Effective: January 1, 2025

Legislation: House Bill 33 - 135th General Assembly

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(A) Publicly funded child care may be provided only by the following:

(1) Any of the following licensed by the department of children and youth pursuant to section 5104.03 of the Revised Code or pursuant to rules adopted under section 5104.018 of the Revised Code:

(a) A child care center, including a parent cooperative child care center;

(b) A type A family child care home, including a parent cooperative type A family child care home;

(c) A licensed type B family child care home.

(2) An in-home aide who has been certified by the county department of job and family services pursuant to section 5104.12 of the Revised Code;

(3) A child day camp approved pursuant to section 5104.22 of the Revised Code;

(4) A licensed preschool program;

(5) A licensed school child program;

(6) A border state child care provider, except that a border state child care provider may provide publicly funded child care only to an individual who resides in an Ohio county that borders the state in which the provider is located.

(B) Publicly funded child care may be provided in a child's own home only by an in-home aide.

(C)(1) Except as provided in division (C)(2) of this section, a licensed child care program may



provide publicly funded child care only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.

(2) A licensed child care program that is any of the following may provide publicly funded child care without being rated through the step up to quality program:

(a) A program that operates only during the summer and for not more than fifteen consecutive weeks;

(b) A program that operates only during school breaks;

(c) A program that operates only on weekday evenings, weekends, or both;

(d) A program that holds a provisional license issued under section 5104.03 of the Revised Code;

(e) A program that had its step up to quality program rating removed within the previous twelve months;

(f) A program that is the subject of a revocation action initiated by the department, but the license has not yet been revoked;

(g) A program that provides publicly funded child care to less than twenty-five per cent of the program's license capacity;

(h) A program that is a type A family child care home or licensed type B family child care home.