

# OHIO WORKS FIRST AND CHILDREN'S PROTECTIVE SERVICES COLLABORATION MODEL

## **INTRODUCTION**

### **PURPOSE**

The purpose of the Ohio Works First (OWF) and Children's Protective Services (CPS) Collaboration Model is to provide tools to assist local County Departments of Human Services (CDHS) and Public Children Services Agencies (PCSA) in establishing collaborative protocols for the areas of interface between OWF, CPS and other community resources in order to maximize services to families aimed at self-sufficiency.

### **COUNTY PLAN OF COOPERATION AND THE COLLABORATION MODEL**

The County Plan of Cooperation is one section of the Community Plan which will need to be developed and submitted to ODHS prior to beginning negotiations of the Partnership Agreement. The required participants in the County Plan of Cooperation are the CDHS, PCSA and Child Support Enforcement Agency (CSEA). Other community organizations may participate in the Plan of Cooperation.

The County Plan of Cooperation is a formal agreement between participants establishing the collaborative strategies planned to implement OWF. The Plan should describe how the participating agencies plan to integrate and coordinate services to OWF participants and how information will be shared. The following is a sample of the contents that could be contained in a County Plan of Cooperation:

- Description of the Current Collaborative Practices and Information Sharing between the CDHS, PCSA, and CSEA;
- Enhancements to the current practices that are planned in order to effectively integrate services to OWF participants;
- Strategies to accomplish the collaborative enhancements (this could include the establishment of committees to develop collaborative protocols); and
- Description of on-going methods to evaluate and enhance collaborative practices.

### **GETTING STARTED**

Prior to the development of the County Plan of Cooperation and negotiation of the Partnership Agreement, the CDHS and PCSA should conduct cross-program training and information sharing. This training/information sharing should include: 1) the requirements of Sub. H. B. No. 408; 2) a description of each program's structure, including a flow chart; 3) program goals, objectives, eligibility criteria and desired outcomes; 4) intake procedures; 5) a glossary of commonly used terms and acronyms; and 6) available resources.

Many agencies will also want to explore staff's attitudes about change, collect staff input and identify the agencies' strengths and barriers that will contribute to implementing OWF. Collaborative protocols should be established based on staff input and the strengths and needs identified in this training/information sharing meeting.

Each county should develop or utilize an already available directory of community resources which contains: 1) community providers and the services available; 2) eligibility requirements and service limitations; and 3) how to access services. This directory will be helpful in making appropriate referrals, and also assist the community in identification of family needs currently not being met.

Agencies may want to identify a liaison (or several) to serve as the contact for cross-agency information sharing. This would allow agencies the ability to manage and track information between OWF and the PCSA. Other agencies may prefer to make workers responsible for information sharing.

## **DEFINITION AND FORMAT OF A PROTOCOL**

### **Definition**

A protocol describes the customs and regulations dealing with diplomatic formality; precedence and/or etiquette as to the manner in which people will conduct themselves regarding program services and activities.

Criteria for developing Protocols:

1. Cannot exist in isolation, must be linked to more than one service area;
2. Includes the responsible individuals/positions at each level of activity;
3. Identifies forms, logs and reports at each appropriate level of activity;
4. Identifies modes of communication;
5. Includes provisions for handling major problems; and
6. Identifies situations where discretion will be allowed.

### **Suggested Format for Protocols**

- I. Purpose of Protocol (circumstances/services requiring protocol)
- II. Specific Manner/Etiquette in Which the Parties Agree to Conduct Themselves Regarding the Targeted Service Activities; Including:
  - A. Identification of the responsible positions at each level of activity;
  - B. Identification of the forms, logs and reports at each appropriate level of activity; and
  - C. Identification of the modes of communication.
- III. Provisions for Handling Major Issues; Including:
  - A. Identification of the responsible positions at each level of activity;
  - B. Identification of the forms, logs and reports at each appropriate level of activity; and
  - C. Identification of the modes of communication.

## **AREAS OF INTERFACE FOR PROTOCOL DEVELOPMENT**

The areas of interface between OWF and CPS addressed in this collaborative model include the following:

- Confidentiality and information sharing;
- Minor parent living arrangement;
- Family assessment/appraisal and referrals to community resources including CPS;
- Service collaboration through case plans and self-sufficiency contracts;
- Sanctioning families; and
- Ninety-day continuation of OWF when children have been removed from the assistance group's home and reunification is expected to occur in ninety-days.

## **COLLABORATION MODEL DOCUMENT FORMAT**

Each of the OWF and CPS areas of interface covered in this document contain: 1) the major requirements; 2) considerations for protocol development; and 3) a sample protocol (except Confidentiality and Information Sharing). This document presents a separate protocol for each area of interface, however protocols may be combined. Because the structure of agencies in Ohio are and will most likely become more diverse through the implementation of OWF, a protocol which describes how the agencies will collaborate, will also differ.

## **INTERFACE: CONFIDENTIALITY AND INFORMATION SHARING**

### **Major Requirements**

#### **Sharing Information Regarding OWF Participants**

Information regarding an OWF participant may be shared by the CDHS (without a written release of information) with any federal or federally-assisted program (a program receiving federal funding) that provides cash assistance or children's protective services for purposes directly related to the administration of the OWF program. The CDHS may receive information regarding an OWF program from any federal or federally-assisted program for the purposes of administration of the OWF program.

As specified in Ohio Administrative Code (OAC) Rule 5101:1-1-03 Section (13) and (14), information regarding an OWF participant may be shared with the PCSA when the CDHS is making a report of child abuse and neglect, when the PCSA needs information in order to conduct an assessment and for determining eligibility for Title IV-E.

To the extent permitted by federal or state law, information shall be provided to: 1) law enforcement for investigative purposes (when the law enforcement agency is investigating and/or prosecuting public assistance fraud or when the participant is a fugitive felon, (see OAC Rule 5101:1-1-03); 2) the participant; 3) the participant's authorized representative, parent or guardian; and 4) the participant's attorney with written authorization.

To the extent permitted by federal or state law, information may be shared with an individual or government entity with a time-limited or ongoing written release signed by the participant identifying whom the information is permitted to be shared. This consent to share information may be rescinded by the participant at any time.

*Source-ORC Section 5101.27 as revised by Sub. H.B. 408*

### **Sharing Information With the PCSA**

The CDHS shall release information regarding a public assistance recipient for purposes directly connected to the administration of the program of a government entity responsible for administering a public assistance program or any other state, federal or federally assisted (receiving federal funds) program that provides cash or in-kind assistance or services directly to individuals based on need or for the purpose of protecting children or to a government entity responsible for administering a children's protective services program.

*Source- ORC Section 5101.27 (B)(1) as revised by Sub. H.B. 408*

The CDHS shall provide current or historic information regarding an OWF participant (or previous or other cash assistance programs) in order to assist the PCSA in determining Title IV-E eligibility or to assist in conducting a child abuse and neglect assessment investigation.

*Source-Administrative Code Rule 5101:2-39-51 (D)*

### **Sharing Information Regarding OWF Participants Receiving Services From the Child Protection System**

The PCSA shall share information about services provided to children and families, including minor parents, who are also receiving services from the CDHS. The following information may be provided without the consent of the participant: 1) whether an assessment/investigation has been initiated; 2) whether the family is currently receiving services; 3) the services provided to the family as a result of child abuse and neglect; 4) general health and safety of the child who is a subject of the report of abuse and neglect; 5) whether a complaint has been filed in court; or 6) an agreed upon or court-ordered case plan.

When the PCSA shares information with the CDHS regarding the assessment/investigation of child abuse and neglect, the identity of the reporter may not be shared. The PCSA shall inform the CDHS that the information provided is confidential and written information must be kept by the CDHS in a separate file.

*Source-Administrative Code Rule 5101:2-39-51 and 5101:2-34-38*

### **CONSIDERATIONS**

Misunderstandings surrounding confidentiality can become a barrier to information sharing which

is critical to the integration of services. The CDHS and PCSA should ensure that their staff are aware of and understand the confidentiality requirements regulating their practice. Case records often contain information from other service providers. Because of this, the CDHS and PCSA should know the confidentiality requirements for substance abuse assessment, screening and treatment, as well as mental health assessment and treatment, and school information prior to releasing information to other parties.

## **INTERFACE: MINOR PARENT LIVING ARRANGEMENT**

### **MAJOR REQUIREMENTS**

#### **Minor Parent Eligibility for OWF**

An unmarried minor parent or pregnant minor must live with a parent, legal guardian or specified relative to be eligible to participate in OWF. There are four exemptions to this requirement: 1) the unmarried minor parent or pregnant minor does not have a parent, specified relative or legal guardian whose whereabouts are known; 2) the unmarried minor parent or pregnant minor does not have a parent, specified relative or legal guardian willing to allow the unmarried minor parent or pregnant minor to live in their home; 3) living with the relative presents a risk to the unmarried minor parent, pregnant minor or minor parent's child; or 4) the CDHS or PCSA determines that it is not in the best interests of the unmarried minor parent or pregnant minor to live with the relative. If one of these exemptions apply, the unmarried minor parent or pregnant minor must live in an adult-supervised living arrangement in order to be eligible for OWF.

*Source-ORC Section 5107.24 (B) as revised by Sub. H.B. 408*

#### **Adult-Supervised Living Arrangement**

An "Adult-Supervised Living Arrangement" is defined as a family setting approved, licensed, or certified by the Ohio Department of Human Services, the Ohio Department of Mental Health, the Ohio Department of Mental Retardation and Developmental Disabilities, the Ohio Department of Youth Services, a PCSA a Private Child Placing Agency, or a Private Non-Custodial Agency that is maintained by an adult who assumes responsibility for the care and control of the unmarried minor parent, pregnant minor, or child of a minor parent or provides the unmarried minor parent, pregnant minor, or child of a minor parent supportive services, including counseling, guidance, and supervision. Adult-Supervised Living Arrangement does not mean a public institution.

**Note: When the PCSA has custody of the unmarried minor parent or pregnant minor and the placement is in an Independent Living Setting, this setting can be considered an "Adult-Supervised Living Arrangement" if approved as such.**

*Source-ORC Section 5107.24 (A)(1) as revised by Sub. H.B. 408*

#### **Responsibility for Assistance in Locating an Adult Supervised Living Arrangement**

The state shall provide assistance in locating an Adult Supervised Living Arrangement for an unmarried minor parent or pregnant minor taking into consideration the needs and concerns of the minor parent and child.

**Note: This requirement is being added to Administrative Code Rule 5101:3-03, “OWF Residence and Living Arrangement Requirement”.**

*Source-H.R. 3734 The Personal Responsibility and Work Opportunity Reconciliation Act of 1996*

### **PCSA Requirements for Approving an “Adult-Supervised Living Arrangement”**

When approving an Adult Supervised Living Arrangement, the PCSA must have the applicant complete an application (either developed by the PCSA or the model provided with rule 5101:2-42-71) and conduct an evaluation. The evaluation must include at a minimum the completion of the ODHS 1348 “Safety Audit of a Family Foster Home” and the determination whether the applicant is an adult and willing to be responsible for providing or arranging supportive services, including counseling, guidance and supervision, to the pregnant minor, unmarried minor parent, or child of the unmarried minor parent.

The PCSA shall be responsible for investigating complaints regarding adult supervised living arrangements approved by their agency. The PCSA is also responsible for determining whether to continue the approval of the setting, revoke the approval or initiate a corrective action plan. If the complaint involves child abuse and neglect the PCSA shall follow the investigation procedures found in rule 5101:2-34-34. The PCSA must also have a written procedure for conducting timely grievance reviews for complaints or disapprovals of agency actions involving adult supervised living arrangements. The PCSA must maintain a record of each adult supervised living arrangement.

**NOTE: This information is in a draft rule as of the date of dissemination of this document.**

*Source- Draft Administrative Code Rule 5101:2-42-71*

### **CONSIDERATIONS**

The minor parent living arrangement policy has been in effect since October 1, 1996. However, if the minor parent met an exemption, the minor parent could live independently. Effective October 1, 1997, even if the minor parent meets an exemption, the minor parent must live in an Adult-Supervised Living Arrangement to be eligible for OWF.

There are a variety of options on how the unmarried minor parent or pregnant minor requirements can be implemented. For example: the CDHS is responsible for assisting unmarried minor parents or pregnant minors who meet one of the four exemptions in locating an appropriate adult supervised home as required by federal law. There is flexibility in how the CDHS may choose to interpret what “assisting” the minor parent in locating an adult-supervised living arrangement means. This could, however certainly is not recommended, be interpreted to mean that the minor parent is provided with written material on how to obtain a legal guardian or the adult-supervised living arrangement approval process. This interpretation could place the minor parent and child at risk or result in the minor parent and child becoming dependent. Another area of option for the CDHS is the choice to directly assist the unmarried minor parent or enter into an agreement with another agency, such as the PCSA, to serve as their designee. Because of these various options, it is critical

that the CDHS, PCSA and other involved agencies discuss and agree on who will be responsible for each activity and how information will be shared.

The CDHS should not wait until the reapplication to identify the unmarried minor parent or pregnant minor population currently participating in OWF that could be effected by this policy. The LEAP coordinators can assist in identification of this population since the majority of the minor parents will also be required to attend school.

It is essential that the CDHS or their designee work with minor parents who may be at risk of losing OWF as a result of this change. The minor parent or pregnant minor needs to understand the new policy and the options available. The CDHS and their designee should consider a focused staff position to work with this population. These focused positions could mirror the existing SSI Case Manager position in the CDHS. (These staff members assist Disability Assistance individuals who have potential SSI eligibility. They are an advocate for the individual, assisting with the Social Security requirements, gathering medical documentation, arranging medical visits, etc.).

The agency (the CDHS or their designee) responsible for assisting the unmarried minor parent or pregnant minor should have literature available to provide to the unmarried minor parent or pregnant minor at application or reapplication regarding acceptable adult-supervised living arrangements and the process to be approved. As well as information from the local court system regarding the requirements of guardianship, including the cost and if there is a mechanism in place to pay for the fee.

The following is a suggested implementation model for the Unmarried Minor Parent Requirements:

- 1) The CDHS identifies the unmarried minor parent and pregnant minor population (herein referred to as minor parent) currently receiving OWF. The LEAP population is a good place to start in identifying minor parents who are OWF participants.
- 2) The CDHS determines whether or not to directly provide the federally required assistance to locate appropriate adult-supervised living arrangements for minor parents taking into consideration the needs and concerns of the minor parent or to enter into an agreement with a designee (such as the PCSA) to provide this service.
- 3) The CDHS notifies the minor parent population of the new policy and asks them to call the agency or their designee.
- 4) The CDHS or designee conducts an initial screening to determine the unmarried minor parent's ability to live with a parent, specified relative, legal guardian or if they are currently in an independent living setting (in the custody of the PCSA).
- 5) The CDHS or designee sets-up an appointment with any minor parent who can not live with a parent, specified relative, legal guardian or are not in an independent living setting

to assist the minor in identifying an appropriate Adult Supervised Living Arrangement.

6) The PCSA takes an application for an Adult Supervised Living Arrangement following the procedures in OAC rule 5101:2-42-71.

7) When a minor parent comes to the CDHS to apply for OWF and it is determined that OWF is the appropriate program for the minor parent, the process would start at step number 4 in this model.

## **SAMPLE PROTOCOL**

### **Purpose**

To establish procedures for the CDHS, their designee and PCSA in collaborating to implement the new requirements for unmarried minor parent and pregnant minor OWF participants. This protocol will establish a procedure for the CDHS, their designee and the PCSA to assist unmarried minor parents and pregnant minors who are in receipt of or applying for OWF.

- 1) Prior to the next scheduled reapplication for the minor parent or pregnant minor, the CDHS will identify the assistance groups that could be affected by the policy (i.e., unmarried minor parents or pregnant minor who at the previous reapplication had not been required to live in an adult-supervised living arrangement due to meeting an exemption). The LEAP coordinators will assist in identification since the majority of the minor parents will also be required to attend school.
- 2) Following the identification, contact will be made to the teen by a method determined by the CDHS or their designee (e.g., phone call, ad hoc notification). This contact will be made to explain the new policy that will need to be met by the next scheduled reapplication in order for the minor parent to be eligible for OWF.
- 3) If the minor parent is not living with a parent or specified relative, the CDHS or their designee will review with the minor the possible relatives with which the minor parent could live. If there are no appropriate relatives and the minor parent or pregnant minor indicates that they will need assistance in finding an appropriate adult-supervised living arrangement, the CDHS or their designee will set a meeting with the minor parent or pregnant minor to help review and pursue options.
- 4) If there are no relatives, the CDHS or their designee will discuss with the minor parent any friends or neighbors that could become a legal guardian or an approved adult-supervised living arrangement as determined by the PCSA. The CDHS or their designee will provide information to the minor parent regarding legal guardianship and the adult-supervised living arrangement approval process.
- 5) If there remains no adult with which the minor parent can reside, the CDHS or their designee will assist the minor parent or pregnant minor in finding an appropriate adult-

supervised living arrangement.

- 6) When an adult-supervised living arrangement for the unmarried minor child or the pregnant minor is identified, the CDHS or their designee shall contact \_\_\_\_\_ at the PCSA to request that an approval for the adult-supervised living arrangement.

## **INTERFACE: ASSESSMENT/APPRaisal & CHILDREN'S PROTECTIVE SERVICES**

### **MAJOR REQUIREMENTS**

#### **Family Assessment/Appraisal**

The CDHS may conduct (at times it determines) assessments/appraisals of assistance group's participating in OWF to determine whether any member of the group is in need of other assistance or services. The assessment may include the following: 1) whether any member of the assistance group has a substance abuse problem; and 2) whether there are any other circumstances that may limit an assistance group member's employability. Based on the assessment, the CDHS may provide services to the family or make referrals to community resources.

At the first assessment, the CDHS shall inquire whether any member of an assistance group is the victim of domestic violence, including child abuse. The CDHS shall provide this information to the ODHS for statistical analysis purposes.

*Source-Ohio Revised Code (ORC) Section 5107.70 as revised by Sub. H.B. 408*

All self-sufficiency contracts for OWF participants shall be based on an assessment/appraisal.

*Source-ORC Section 5107.14 (B) as revised by Sub. H. B. No. 408*

#### **CDHS and CSEA Employees as Mandated Reporters**

Officers and employees of any county, municipal corporation, or other subdivisions of the state shall make a report to the PCSA regarding any child in the county coming to their attention, when the child is deemed to be in need of public care.

*Source-ORC Section 5153.28*

#### **PCSA Mandate to Investigate Reports of Child Abuse and Neglect**

The PCSA shall investigate all reports of alleged child abuse and neglect (see OAC Rule 5101:2-34-32 for time-frames), to determine the circumstances surrounding the injuries, abuse or neglect or the threat of injury, the cause of the injuries, abuse, neglect or threat of injury, and the person or persons responsible. The PCSA shall report each case to a central registry maintained by ODHS.

*Source-ORC 2151.421 (F)(1)*

#### **PCSA Mandate to Use Risk Assessment**

Implement a system of risk assessment in accordance with rules adopted by ODHS, to assist the PCSA in determining the risk of abuse or neglect to a child. (See OAC Rules 5101:2-34-32, 5101:2-34-33, 5101:2-34-34, 5101:2-34-35, 5101:2-34-36, 5101:2-34-37, 5101:2-39-08, 5101:2-39-081, 5101:2-34-42 and 5101:2-34-43).

*Source-ORC Section 5153.16 (B) (17)*

**PCSA Mandate to Provide Supportive Services to Families of Abused and Neglected Children**

Any report of child abuse and neglect shall result in the provision of protective services and emergency supportive services made available by the PCSA on behalf of the children about whom the report is made, in an effort to prevent further neglect or abuse, to enhance their welfare, and whenever possible, to preserve the family unit intact.

*Source-ORC 2151.421 (1)*

**CONSIDERATIONS**

Prior to the passage of Sub. H.B. 408, the “appraisal” was conducted at the time of application aimed at identifying barriers to employment. The “assessment” followed the appraisal and was conducted every 12 months at reapplication for the purpose of assigning persons to activities. The appraisal and assessment had an employment focus. Sub. H.B. 408 uses the terms appraisal and assessment interchangeably, includes an assessment of employability and emphasizes the identification of barriers to self-sufficiency such as substance abuse, domestic violence and child abuse. Due to this, some agencies are using the term “family assessment” to reflect the new expanded assessment requirements and some agencies are designing their form to complement the risk assessment matrix. For clarification, agencies should decide the terminology they will be using and develop definitions of those terms. For the purpose of this document, appraisal/assessment is used and means the assessment of the family regarding employability and barriers to self-sufficiency.

The CDHS and PCSA should identify the services available through the Prevention, Retention and Contingency (PRC) program administered by the CDHS, additional services available through the CDHS and the services available through the PCSA. Based on this, the CDHS and PCSA should identify service gaps and develop a strategy to resolve service gaps and integrate, coordinate and collaborate services provided through each agency.

Sub. H.B.408 requires that the CDHS ask assistance group members as a part of the assessment/appraisal whether any member of the assistance group is a victim of domestic violence or child abuse and neglect. The CDHS and PCSA should identify the community resources appropriate for victims of domestic violence such as victim witness programs and battered women's shelters. It is recommended that the CDHS and PCSA meet with local domestic violence resources to determine methods of inquiry, identification and referral to services for victims.

The CDHS and PCSA should also identify community resources for the assessment and treatment of substance abuse. Substance abuse is said to be present in a significant number of families known

to OWF in Ohio, as well as child protection cases. Due to this, it can be said that substance abuse will be a significant barrier to self-sufficiency. The CDHS, PCSA and local substance abuse resources should meet to discuss methods of meeting the current and potential increased need for timely and effective assessment and treatment.

## **SAMPLE PROTOCOL**

### **Purpose**

To establish the procedures for linking families participating in the OWF program to needed services, including services to victims of domestic violence, substance abuse treatment and Children's Protective Services when identified through the OWF assessment/appraisal.

- 1) During the assessment/appraisal, if the CDHS worker becomes aware that domestic violence is occurring or has occurred, the CDHS worker will inquire a) whether children are the victims of the violence or have witnessed the violence; b) if the batterer continues to have access to the assistance group; c) what intervention has occurred; and d) what additional intervention the family needs.
- 2) Based on the assessment/appraisal, if domestic violence is or has occurred and there is a need for services, the CDHS worker will provide the family with information regarding available community resources to victims of domestic violence.
- 3) If the CDHS worker has knowledge that a member of the assistance group has been a victim of domestic violence and the batterer is present during the assessment/appraisal, inquiry about domestic violence could put the victim at risk and should be avoided.
- 4) If domestic violence was indicated to have occurred or is occurring, the CDHS worker will complete form #\_\_\_\_\_ to be submitted to \_\_\_\_\_ for data tracking purposes.
- 5) Based on the assessment/appraisal, if substance abuse by a member of the assistance group is indicated, the CDHS worker will provide the family with information regarding available community resources for substance abuse assessment and treatment.
- 6) Based on the assessment/appraisal, if child abuse or neglect is indicated, the CDHS worker will immediately call the PCSA intake at \_\_\_\_\_. At a minimum, the CDHS worker should provide the names of the caretaker, names and ages of the children, addresses, the nature of the child safety issue and any other information that might be helpful to the PCSA in conducting the investigation/risk assessment. The CDHS worker will fax a copy of the assessment/appraisal form to the PCSA intake at\_\_\_\_\_.
- 7) Based on the assessment/appraisal, the CDHS worker will make referrals to appropriate community service providers for family needs affecting their employability and self-sufficiency.

- 8) Based on the PCSA's risk assessment, the intake worker will provide the CDHS worker with any information which might effect the employability of the assistance group adults (such as substance abuse), whether the PCSA will or has opened a case; or the child has been removed from his or her home; for each case referred by the CDHS or any case where the PCSA has knowledge that the family is participating in the OWF program.

**INTERFACE: SERVICE COLLABORATION THROUGH SELF-SUFFICIENCY CONTRACTS AND CASE PLANS**

**MAJOR REQUIREMENTS**

**Self-Sufficiency Contracts (SSC)**

An assistance group is ineligible to participate in OWF unless the minor head of household or each adult member, not later than thirty days after applying for or undergoing a redetermination, enters into a written SSC with the CDHS. The contract must contain the rights and responsibilities of the assistance group including the work responsibilities established under sections 5107.40 to 5107.69 of the Ohio Revised Code and other requirements designed to assist the assistance group in achieving self-sufficiency and personal responsibility. The CDHS shall provide a free copy of the self-sufficiency contract to each assistance group member who signs it.

*Source-ORC Section 5107.14 as revised by Sub. H.B. 408*

**Contents of the Self-Sufficiency Contract**

Beginning October 1, 1997, every county is required to adopt and use a SSC for every OWF assistance group. Every county shall work with each adult or minor head of household participant to prepare a plan for them to reach self-sufficiency. The SSC and work plan together, when signed by all adult or minor head of household members of the OWF assistance group, become a binding agreement of mutual rights and responsibilities between the CDHS and the OWF assistance group.

Counties may use the ODHS provided SSC, modify it or design their own form to best fit the needs of their community that meets the requirements of ORC Section 5107.14.

*Source-OWF Letter No. 2*

Each SSC shall include, based on assessments/appraisals, the following:

- 1) The assistance group's plan developed under Section 5107.41 (Assessment/Appraisal Process) of the ORC to achieve the goal of self-sufficiency and personal responsibility through unsubsidized employment within the time limit for participation in OWF;
- 2) Work activities, developmental activities and alternative work activities to which the assistance group is assigned by the CDHS;
- 3) The responsibility of a caretaker member of the assistance group to cooperate in establishing

a minor child's paternity, and modifying and enforcing a support order for the child under Section 5107.22 of the ORC and the consequences for failure to satisfy the responsibilities;

- 4) Other responsibilities the assistance group must satisfy to participate in OWF and the consequences for failure or refusal to satisfy the responsibilities;
- 5) An agreement that the assistance group will comply with the conditions of participating in OWF as established Chapter 5107. and Chapter and Sections 5101.58 (Liability), 5101.59 (Assignment of Support Rights), and 5105.83 (Fraudulent Assistance) of the ORC;
- 6) Assistance and services the CDHS, CSEA and PCSA will provide to the assistance group;
- 7) Other provisions designed to assist the assistance group in achieving self-sufficiency and personal responsibility;
- 8) Procedures for assessing whether responsibilities are being satisfied and whether the contract should be amended; and
- 9) Procedures for amending the contract.

***Source-ORC Section 5107.14 as amended by Sub. H.B. 408***

#### **Amending the Self-Sufficiency Contract**

The SSC may be amended at any time that it is determined to be needed. The SSC must be reviewed at each reapplication.

***Source-ORC 5107.14 and 5107.42 (D) as amended by Sub. H.B. 408***

#### **Case Plan (ODHS 1444 “Family Risk Assessment Model, Part II: Case Plan”)**

The PCSA shall develop and complete a case plan utilizing the ODHS 1444 when in-home supportive services are being provided or when the child is placed in a substitute care setting and one of the following applies:

- 1) The PCSA has filed a complaint alleging that a child is abused, neglected or dependent;
- 2) The PCSA has temporary or permanent custody of the child; or
- 3) The PCSA has a court order for long-term foster-care.

The PCSA must complete the case plan within thirty days, but never longer than sixty days after the PCSA has determined that the case resolution indicates the need for services or the parent, guardian, or custodian has agreed upon the provision of services for in-home service cases. The PCSA must

provide the child's parent, guardian or custodian the opportunity to participate in the development and review of the case plan, attempt to obtain their signature and provide each with a copy of the 1444. The PCSA shall complete an amendment when there is a change in: 1) the conditions of the child and his parent guardian or custodian are affecting the provision of services; 2) risk to the child; 3) services; 4) visitation; or 5) placement.

Case plans for children in custody or under court-ordered protective supervision, must be completed no later than thirty days from the date a complaint was filed or the child was placed away from his home or prior to any adjudicatory hearing, whichever occurs first. If sufficient information is not available to complete any element of the ODHS 1444, the PCSA must indicate, in the case record and/or risk assessment matrix, the additional information that is necessary to complete each missing element and the steps that will be taken to obtain the needed information.

The PCSA must provide the child's parent guardian, custodian, pre-finalized adoptive parent or guardian ad-litem the opportunity to participate in the development and review of the case plan and attempt to obtain their signatures. The PCSA shall complete an amendment when there is a change in: 1) the conditions of the child and the parent guardian, custodian or prefinalized adoptive parent are affecting the provision of services; 2) the goal for the child and/or changes family members need to undergo to alleviate concerns; 3) placement or the child is returned home; 4) the child's age to sixteen and life skill services will be offered; 5) visitation; or 6) relevant factors of the parent guardian, custodian or prefinalized adoptive parent are identified.

## **CONSIDERATIONS**

The CDHS and PCSA will need to determine how they will identify families that are OWF participants with open PCSA cases in order to collaborate on SSCs and case plans. It is recommended that the PCSA check the CRIS-E system prior to developing a case plan. The CRIS-E soundex name match (IQIS) can be accessed by entering a participant's name and will provide a social security number, access to a more detailed screen for that person. The CRIS-E Individual General (IQIG) can be accessed by entering the participant's social security number and will provide general information about the participant including the case number. The CRIS-E Individual Eligibility History (IQEL) will provide more specific information including whether or not the participant is a current OWF participant and will provide periods of eligibility. The IQEL can be accessed with the participant's social security number.

Contents from the PCSA case plan may be incorporated into the self-sufficiency contract. Certain services provided through the PCSA such as parenting classes, counseling, substance abuse treatment and domestic violence intervention may meet alternative or developmental activities for OWF participants.

The CDHS and PCSA should establish criteria for determining: 1) when the case plan content will become part of the SSC; 2) when case plan content will be added to the SSC through an amendment or at reapplication; 3) what will be considered a failure to comply with case plan requirements; and 4) what will constitute good cause for failing to comply with the case plan and SSC. 5107.16(B)

requires that the CDHS establish standards of good cause. 5107.16(C) states that hearing decisions could be based upon good cause standards if submitted by the CDHS.

When contents from the PCSA case plan have been incorporated into the self-sufficiency contract, the PCSA worker must emphasize to the family that if they fail or refuse to comply without good cause, they will be sanctioned from the OWF program. The PCSA should provide families in writing (on the case plan) and a verbal explanation of the specific behavior that will result in the PCSA notifying the CDHS that the family has failed to comply with the case plan and what the family will need to do to be re-instated in OWF. The family should be informed that if they fail a requirement in their plan that is included in the self-sufficiency contract, and the CDHS proposes to or sanctions their OWF, even if the family agrees to cooperate, the family would not be eligible to receive OWF for the minimum period of time of the sanction (i.e., 1st failure=1 month; 2nd failure=3 months; 3rd failure=6 months). If a family receiving services from the PCSA is sanctioned from OWF, the PCSA may need to amend the case plan to reflect any changes.

Requirements of the SSC may be incorporated into the case plan. The PCSA may choose to add certain requirements of the SSC so that the two plans are consistent and support each other. Some agencies may choose to set-up the SSC and case plan so that the six-month Semi-Annual Review and the six-month reapplication for OWF can be conducted together.

## **SAMPLE PROTOCOL**

### **Purpose**

To establish the method of collaboration between the CDHS and PCSA for SSC and case plan development with families receiving services from both agencies.

- 1) Prior to completing or amending a case plan, the PCSA worker will ask the adult family members or minor head of household if they are participating in OWF or obtain the information through CRIS-E.
- 2) If the PCSA worker determines that adult family members are participating in OWF, the worker will request a copy of the SSC from the CDHS worker.
- 3) The CDHS worker will provide the worker with a copy of the current SSC within five working days of the request. The CDHS worker will provide any relevant information to the PCSA worker regarding the participants progress towards meeting SSC requirements or areas of difficulty that the PCSA worker should reinforce through case management services.
- 4) The PCSA worker will determine whether any of the requirements of the SSC should be incorporated in the case plan and whether any contents of the case plan should be incorporated into the SSC. (The determination of when to add case plan content to the SSC may be based on criteria developed by the CDHS and PCSA and should be noted here.)

- 5) The PCSA worker shall inform the CDHS worker when parenting classes, counseling, substance abuse treatment or domestic violence services are being provided which may meet alternative or developmental activities for the OWF participant.
- 6) At any time the family receives emergency services through the PCSA, the worker will notify the CDHS worker of the services provided. At any time the family receives services through the PRC program, the CDHS worker will notify the PCSA worker.
- 7) The CDHS worker or PCSA worker will notify the other when a SSC or case plan is amended.
- 8) The CDHS worker or PCSA worker will notify the other if the family is no longer receiving services and the reason.

## **INTERFACE: FAMILIES SANCTIONED FROM OHIO WORKS FIRST**

### **MAJOR REQUIREMENTS**

#### **Sanctioning**

If a member of the OWF assistance group fails or refuses, without good cause, to comply with any provision of the self-sufficiency contract, the CDHS shall sanction (terminate Cash Assistance) the assistance group for one month or until the failure or refusal ceases, whichever is longer. For the second failure or refusal, the time period is three months or until the failure or refusal ceases, whichever is longer, and six months or until the failure or refusal ceases, whichever is longer, for the third or a subsequent failure or refusal. An adult eligible for medical assistance (Medicaid) who is sanctioned, without good cause, for a third work requirement failure, loses eligibility for medical assistance. All other members retain Medicaid eligibility.

Each CDHS must establish standards for the determination of good cause for failure or refusal to comply in full with a provision of a self-sufficiency contract. The CDHS must consider as good cause for failure to participate in a work activity, developmental activity, or alternate work activity the following:

- 1) The CDHS fails to place the participant in an activity;
- 2) The CDHS fails to provide appropriate child care or other supportive services under ORC Section 5107.66 determined to be necessary. Good cause shall exist if a single custodial parent caring for a child under age six demonstrates inability to obtain appropriate, affordable child care within a reasonable distance from the parents home.

Good cause does not exist if the participant is enrolled full-time in post-secondary education under ORC Section 5107.58 and exhausts the support services, including child care under that section. These participants are eligible for two years of support services including child care and are eligible the third year if they are in good standing at the educational institution.

*Source-ORC Section 5107.16 (B)(1)(b) and 5107.16 (E)(3) as revised by Sub. H.B. 408*

### **After Sanctioning**

After sanctioning an assistance group, the CDHS shall provide the member of the assistance group who caused the sanction an opportunity to demonstrate to the CDHS a willingness to cease the failure or refusal to comply with the SSC Hearing rule referenced here.

*Source-ORC Section 5107.16 (D) as revised by Sub. H.B. 408*

### **Supplemental Sanction Notice**

An ODHS 4066 “Supplemental Sanction Notice” must be sent to OWF participants to inform them of the actual failure causing the sanction and what the family must do to comply.

*Source Administrative Code Rule 5101:6-2-09*

### **Hearings or Administrative Appeals**

When a State Hearing held under ORC Section 5101.35 (D) or an Administrative Appeal held under ORC Section 5101.35 (C) regarding a sanction for failure or refusal to comply with the provisions of the self-sufficiency contract the hearing officer, CDHS Director or designee, shall base the decision on the CDHS's Standards for Good Cause if a copy is provided.

*Source-ORC Section 5107.16 (C) as revised by Sub. H.B. 408*

### **Medical Assistance for Sanctioned Minor Child AG Members**

A minor child eligible for Medical Assistance under ORC Section 5111.01 Division (A)(1)(b) who would be eligible to participate in OWF without the sanction does not lose eligibility for medical assistance.

*Source-ORC Section 5107.16 (E)(1) as revised by Sub. H. B. No. 408*

### **CONSIDERATIONS**

It is critical that CDHS workers adequately discuss and explain to assistance group members the contents of their SSC and the consequences of failing or refusing to comply. PCSA and CSEA workers must support this effort by taking the time to reinforce this important message with families who are participating in OWF. This is the first step in preventing the need to sanction families.

The CDHS, CSEA and PCSA should mutually agree on what will constitute their standards for “good cause” for failure or refusal to comply with the self-sufficiency contract. This information should be provided to the Hearing Officer to be used in a hearing regarding whether good cause existed.

Contents from the PCSA case plan may be incorporated into the self-sufficiency contract. The CDHS and PCSA will need to establish criteria for determining when the case plan requirements

will become part of the self-sufficiency contract and define what will be considered a failure to comply with case plan requirements. When contents from the PCSA case plan have been incorporated into the self-sufficiency contract the PCSA worker must emphasize to the family that if they fail or refuse to comply without good cause they will be sanctioned from the OWF program. The PCSA should provide families in writing (on the case plan) and a verbal explanation of the specific behavior that will result in the PCSA notifying the CDHS that the family has failed to comply with the case plan content and what the family will need to do to be reinstated in OWF. For example, if a family misses one parenting class, will this be considered a failure to comply and notification provided to the CDHS resulting in a sanction.

As a part of the Community Plan and County Plan of Cooperation development, the CDHS and PCSA will need to discuss with community participants, what services will be available to families sanctioned from OWF, including services provided through the CDHS and the PCSA. This decision should be a written policy available to community service providers.

The CDHS Social Services section, the PCSA or another community agency may be responsible for assessing families sanctioned from OWF and determining and making referrals to the appropriate community resources in accordance with the Community's written policy. It is recommended that the agency designated as responsible for this assessment will assist families in understanding and planning how they will become in compliance with the OWF requirements so that they can be reinstated as soon as possible.

## **SAMPLE PROTOCOL**

### **Purpose**

To assist the CDHS and PCSA in collaborating regarding families who are sanctioned from the OWF program. This protocol will establish how the CDHS and PCSA will share information on cases where components of the PCSA case plan have been incorporated into the OWF self-sufficiency plan and identify what services will be available to families who have been sanctioned.

- 1) The PCSA worker will use the IQIG (SSN), IQIS (Name) or IQEL (SSN) in CRIS-E to determine if a family is an OWF participant. (The case query subsystem will help workers identify sanctioned assistance group members.)
- 2) When the PCSA determines that case plan requirements which have been incorporated as part of the self-sufficiency contract have not been met, the PCSA worker will inform the family and the PCSA will immediately forward it to the CDHS. This notification to the family and the CDHS will include the specific failure or refusal and the specific action needed by the family to be reinstated in OWF. The CDHS will include this information on the ODHS 4066 "Supplemental Sanction Notice" which informs the family of the actual failure and what the family must do to comply. The PCSA will be provided a copy of the ODHS 4066 that is sent to the family.
- 3) When the family has fulfilled the requirements of the case plan, the PCSA worker will notify

the PCSA who will immediately forward the information to the CDHS so that the family can be reinstated.

## **INTERFACE: NINETY-DAY CONTINUATION OF OHIO WORKS FIRST TO FAMILIES OF CHILDREN REMOVED FROM THEIR HOMES**

### **MAJOR REQUIREMENTS**

#### **OWF Continuation**

An assistance group may continue to participate in OWF even though a PCSA removes the assistance group's minor child from the home due to abuse, neglect or dependency, if the PCSA does the following: 1) notifies the CDHS at the time the PCSA removes the child that reunification will likely occur within ninety days; and 2) informs the CDHS at the end of first and second month following the removal that the child's parent legal guardian, or specified relative of the child is cooperating with the case plan and that the agency is making reasonable efforts to return the children to the AG.

*Source-ORC Section 5107.10 (E) as revised by Sub. H. B. 408 15*

### **CONSIDERATIONS**

To implement the ninety-day extension of OWF to families, the PCSA and CDHS will need to discuss and define the appropriate target population (families where reunification of the child is likely to occur within ninety days) and time frames for information sharing. For example, the CDHS may not want to be notified of a short-term (such as less than a week) removal of a child. Additionally, the two agencies will need to discuss the cutoff date for notification to the CDHS of the progress towards reunification of the child.

In order to support the PCSAs goal to reduce the number of children in substitute care by increasing kinship care including care of a non-relative, it is suggested that the statutory phrase "removed by the PCSA" be interpreted to include kinship care. If the kinship provider is a non-relative of the child, they will not be eligible to receive OWF benefits for the child unless guardianship is established. This is due to the "specified relative" eligibility requirement for OWF. If the child is placed in the home of a specified relative or legal guardian and that relative or legal guardian is receiving OWF benefits for their children, the child placed in the home would be eligible in a child-only OWF case with the specified relative or legal guardian as the payee. The provisions in the Standard Filing Unit rules (Ohio Administrative Code Cite 5101:1-21-011) require that siblings who are blood-related or adoptive siblings be included in the same OWF case as their parent. Children who are placed in a home, who are not blood-related or adopted siblings, could be eligible to receive OWF benefits as a child-only case, provided other eligibility factors are met.

In order to assist families in using the ninety-day extension of OWF when a child is removed, the PCSA will need to be aware of which families they are serving that are currently participating in the OWF program. This can be determined through the CRIS-E system.

Because a family will only have ninety days of benefits following a removal, the PCSA will need to immediately assess whether or not reunification is likely to occur within the ninety-day time period and amend the case plan. This will allow the parent, legal guardian or specified relative a chance to accomplish case plan activities without a loss of OWF benefits. It will be critical that the PCSA worker clearly explain to the parent, legal guardian or specified relative that they will lose their OWF benefits if they fail to comply with the case plan.

The PCSA will also need to discuss this new component of OWF and the time frames with the juvenile court. PCSAs may want to ask that the court hearing date to return the child to the assistance group's home be set at the shelter care hearing in order to facilitate reunification within ninety days.

The CDHS and PCSA should mutually design a form (child removal/case plan progress form) which contains the information to be shared for the required progress reports.

## **SAMPLE PROTOCOL**

### **Purpose**

To assist the PCSA and CDHS in collaboratively implementing the statutory allowance for continuation of OWF benefits to families whose children have been removed from their home and the goal is to reunify the family within ninety days.

- 1) When the child is removed from his or her home and the family is in the OWF program, the PCSA worker shall assess whether or not it is likely that the case plan requirements can be accomplished within ninety days. The PCSA must provide information to the CDHS regarding the home where the child is placed. This information will be provided to the CDHS on the child removal/case plan progress form# \_\_\_\_\_ within three working days from the child removal.
- 2) Prior to the end of the first month after the child was removed, the PCSA worker will assess the progress of the family towards accomplishing case plan goals including whether the family is cooperating and complete the child removal/case plan progress form. This form will be provided to the CDHS no later than the last day of the first month following the child removal.
- 3) Prior to the end of the second month following the child removal, the PCSA worker will assess the progress of the family towards accomplishing case plan goals, including whether the family is cooperating and complete the child removal/case plan progress form # \_\_\_\_\_. This form will be provided to CDHS no later than the last day of the second month following the child removal.
- 4) CDHS and PCSA agreed time frame as CDHS will need sufficient time to terminate or

reduce benefits, the PCSA will notify the CDHS whether the child and family have been reunified.

- 5) Upon notification by the PCSA that the child has been return home, the CDHS will notify the home where the child was removed and the home where the child was temporarily placed of the changes that will occur in assistance due to the return of the child.
- 6) At any time the PCSA determines that the family is not cooperating with the case plan or that the child will not be or has not been reunified with the family within ninety days, the PCSA will complete the child removal/case plan progress form, forward it to the CDHS and the CDHS will proceed with the termination or reduction of OWF eligibility. The CDHS worker will indicate the termination or reduction on the progress report form# \_\_\_\_\_and forward this information to the PCSA worker.