

**Ohio Department of Job & Family Services
Bureau of Child Care Policy & Technical Assistance****Provider Technical Assistance Letter 16 -2015
Rule revisions for Licensed Child Care Centers and Type A Homes
October 14, 2015****Background**

As a result of the Amended Substitute House Bill (HB) 64 of the 131st General Assembly, the Office of Family Assistance has amended child care rules and a form to update the definition of “owner” and to add the additional prohibitive offenses. Effective September 29, 2015 the definition of “Owner” as set forth in section 5104.01 of Ohio Revised Code has been amended to the following:

"Owner" includes a person, as defined in section 1.59 of the Revised Code, government entity, firm, organization, institution, agency, as well as any individual governing board members, partners, incorporators, agents or authorized representatives of the owner.

In addition, new prohibitive offenses have been added to the required review for all BCI and FBI criminal record checks.

Actions

As a result of the above changes the following implementation plan has been set forth:

September 29, 2015:

New applications for licensure received on or after September 29, 2015 are:

1. Required to have all owners, except individual governing board members who have a vested interest in the program, complete the JFS 00598, “Owner’s Authorized Representative/Partnership” and submit it along with their Plan of Operation.
2. Required to have authorized representatives complete the BCI and FBI background checks and submit them electronically to ODJFS.
3. Check for the following prohibitive offenses when reviewing BCI and FBI criminal record checks:
 - Reporting child abuse or neglect,
 - Trafficking in person
 - Commercial sexual exploitation of a minor
 - Soliciting – after positive HIV test – driver’s license suspension
 - Misrepresentation relating to provision of child care
 - Disclosure and notice regarding death or injury of a child in facility and making or causing false report of child abuse or neglect

Note: Effective October 25, 2015, the JFS 01328 “Statement of Nonconviction for Child Care Centers and Type A Homes” will be amended to add these additional prohibitive offenses.

September 30, 2016:

1. New applications for licensure received on or after September 30, 2016 are required to have all owners, which include individual governing board members complete the

JFS 00598 along with BCI and FBI background checks. Both requirements must be electronically submitted to ODJFS.

2. All currently licensed programs must have all owners, as defined in section 5104.01 of the Revised Code, complete and submit the JFS 00598, along with a BCI and FBI record check to ODJFS no later than September 30, 2016.

If you have questions regarding this letter, please contact the Child Care Policy Help Desk at childcarepolicy@jfs.ohio.gov.