DEPARTMENT OF CHILDREN AND YOUTH

I. Child Care

Publicly funded child care (PFCC)

Eligibility

- Maintains the maximum amount of family income for initial PFCC eligibility at 145% of the federal poverty line, and for special needs child care, at 150%, until June 30, 2027.
- Repeals provisions that allow an applicant to receive PFCC while a county department of job and family services (CDJFS) determines the applicant's eligibility.
- Expands to 12 months (from a maximum of 90 days) the period for which a family is eligible for homeless child care.

Provider payment

- Requires payment to PFCC providers to be made prospectively, by changing references from "reimbursement" to "payment" in the PFCC laws.
- Requires the Department of Children and Youth (DCY) to establish for the period beginning not later than December 31, 2025, and ending June 30, 2027, certain PFCC payment categories and time increments for the number of hours per week that a child is authorized to receive publicly funded child care.
- Increases PFCC provider payments from the rate the provider customarily charges for providing child care to the payment rate established by DCY in rules for PFCC providers that customarily charge below the payment rate.
- For the period beginning not later than December 31, 2025, and ending June 30, 2027, prohibits DCY from aligning type A family care home payment rates with those for child care centers and instead requires type A rates to align with those for type B family child care homes.
- Requires DCY, when aligning family child care home payment rates for that period, to pay at the rates established in accordance with continuing law requirements.
- Beginning not later than July 5, 2026, requires DCY to calculate publicly funded child care payments based on a child's enrollment with a child care provider, rather than on the child's attendance as under current law.
- Authorizes DCY to contract with a third-party entity to analyze child care prices in even-numbered years.

Provider licensure

- Increases from six to seven the number of children that may receive care in a type B family child care home and increases to 8 to 14 (from 7 to 12) the number of children that may receive care in a type A family child care home.

- Requires a second adult to be present in a type A family child care home if at least four children under age two or more than seven children total are receiving care at one time.
- Removes the requirement that an in-home aide be recertified every two years.

Child Care Choice Voucher Program

- Requires DCY to establish the Child Care Choice Voucher Program to provide vouchers to eligible families to assist them with child care costs.

Early Childhood Education Grant Program

- Codifies the Early Childhood Education Grant Program, with the aim of supporting and investing in Ohio's early learning and development programs.
- Establishes eligibility conditions for participation, including that an early learning and development program (1) satisfy quality standards specified by the DCY Director, and (2) provide early learning and development services to one or more preschool-aged children with family incomes not exceeding 200% of the federal poverty line.
- Generally requires funds appropriated to the program to be distributed to grant recipients, and prohibits more than 2% to be used for program support and technical assistance.
- Requires the DCY Director to adopt rules to administer the program, including rules addressing (1) eligibility conditions and other requirements, (2) standards, procedures, and requirements for applying for and distributing grants, and (3) methods by which DCY may recover erroneous payments.

Child Care Cred Program

- Creates the Child Care Cred Program that allows for child care costs to be shared by participating employees, employers, and DCY.
- Requires each participating employee to choose a child care provider for the employee's child, but specifies that the chosen provider must hold a license issued by DCY or be certified by a county department of job and family services.
- Appropriates $10 million for the program

Child Care Provider Recruitment and Mentorship Grants

- Establishes the Child Care Recruitment and Mentorship Grant Program to help increase the number of licensed child care providers in Ohio.

Transfer preschool reporting to DCY

- Requires DCY alone, instead of with the Department of Education and Workforce, to provide consultation and technical assistance and in-service training to, and annually inspect and report on, preschool and school child programs operated by specified entities.

Ohio professional registry

- Requires the DCY Director to contract with a third party to develop a registry information system to provide training and professional development opportunities to early learning and development program employees.

II. Child Welfare

Summary suspension of the certificate of an institution or association

- Allows DCY to suspend the certificate of an institution or association (defined generally under continuing law as an entity or individual, such as a foster caregiver, receiving or caring for children for two or more consecutive weeks) without a prior hearing for specified reasons primarily related to the actual or risk of harm to a child under the care and supervision of the institution or association.

Requirements for group homes

- Requires the DCY Director to adopt rules in accordance with the Administrative Procedure Act to establish requirements regarding the following for group homes for children:
  - The use of the Ohio Professional Registry for completing background checks and criminal records checks for individuals overseeing or working within a group home;
  - Training on behavioral intervention;
  - Supervision of children, including staff-to-children ratios.
- Prohibits a group home operator from displacing a child to meet the ratio requirements.
- Allows the DCY Director to revoke or suspend the certificate of a group home that violates these requirements.

Regional wellness campuses

- Requires DCY to assist with the establishment of regional child wellness campuses to serve children and youth who are, or are at risk of being, in the custody of a public children services agency (PCSA) but not yet placed in a licensed residential setting.

Prevention services

- Changes the beneficiary of prevention services from the child to the family in law regarding referrals by a PCSA and the disclosure to a prevention services provider of confidential information discovered during an investigation.
- Specifies that if a family is determined to benefit from prevention services, the PCSA *ma*y make a referral to a provider, *if available* (instead of requiring referral).

Mandatory reporter of child abuse and neglect

- Adds an employee of an entity providing home visiting services under the Help Me Grow program as a mandated reporter of child abuse and neglect.

Request for proposals to establish rate cards

- Allows DCY to issue a request for proposals to establish statewide rate cards for placement and care of children eligible for foster care maintenance payments, except for foster homes and kinship caregivers.
- Requires, if a request for proposals is issued, DCY to review and accept the reasonable costs to cover specified requirements for each child eligible for foster care maintenance payments.
- Permits DCY to establish (1) a form for agencies or entities that provide placement services to children to report costs reimbursable under Title IV-E and Medicaid and (2) procedures to monitor the cost reports.

Benefits to children under the custody of a Title IV-E agency

- Requires a Title IV-E agency that receives care and placement of a child to determine if the child is eligible for or receives certain benefits, including payments from the Social Security Administration and survivor benefits from the U.S. Department of Veterans Affairs and the state retirement systems.
- Prohibits a Title IV-E agency from using those benefits to pay for or reimburse the agency, county, or state for any cost of the child's care.

Foster care adoption waiting period removal

- Removes the six-month waiting period from the requirement that a foster child reside in a foster caregiver's home for at least six months before a foster caregiver (1) may submit an application to adopt the child and (2) is exempt from adoption home study requirements.

Ohio Adoption Grant Program changes

- Requires that grants be made to eligible applicants only to the extent state funds are available for this purpose.
- Requires the adoptive parent to be an Ohio resident at the time the adoption was finalized to be eligible for a grant.
- Specifies that a person who produces or submits false or misleading documentation or information to DCY for the purpose of receiving a grant is guilty of the crime of falsification, a first degree misdemeanor.
- Maintains confidentiality of records that are confidential under continuing federal or state law when they are provided to DCY as part of a grant application.

Diagnostic ultrasound machine grant program

- Requires the DCY Director to purchase 3D diagnostic ultrasound machines and provide them through a grant program to certain Ohio entities that do not (1) charge for

ultrasound services provided to pregnant women or (2) promote abortion, perform abortion-related medical procedures, or make referrals for abortions.

Responsible Fatherhood Initiative

- Requires DCY, through the Ohio Commission on Fatherhood, to contract with a nonprofit organization for the development and implementation of the Responsible Fatherhood Initiative and award grants to nonprofit organizations to provide support to fathers and materials and community engagement on fatherhood.
- Requires the Ohio Commission on Fatherhood to include in its annual report a performance evaluation of the grant recipients.
- Designates the month of June as "Responsible Fatherhood Month."

Multi-system youth

- Requires JFS, DCY, DBH, DYS, ODM, and the Department of Developmental Disabilities to collaborate to identify and take appropriate action to meet the needs of multi-system youth more effectively and jointly submit a report to the General Assembly on serving those youth.

Removal of Kinship Support Program state hearing rights

- Removes the option for a state hearing after a denial or termination of Kinship Support Program payments.

Ohio Children's Trust Fund

Child abuse and child neglect regional prevention councils

- Eliminates law dividing the state into eight child abuse and child neglect prevention regions and listing the counties encompassing each region and instead requires the Ohio Children's Trust Fund (OCTF) Board, in consultation with DCY, to determine the number of regions and the counties within each region.
- Reduces the term of each member of a child abuse and child neglect regional prevention council appointed by the OCTF Board from three years to two years.
- Allows a council member selected as chairperson of a council to be reappointed to a second term by the original appointing authority.
- Clarifies that the reappointment of a chairperson by a board of county commissioners is not considered to be an appointment under a continuing law that allows a board of county commissioners to appoint up to two members to a council.
- Permits (instead of requires) the OCTF Board to select a regional prevention coordinator to oversee each child abuse and child neglect regional prevention council.
- Requires OCTF staff to serve as regional prevention coordinator for any region without a coordinator that has been selected by the Board.

Start-up costs for children's advocacy centers

- Allows an entity seeking to establish a children's advocacy center to request a one-time payment of up to $5,000 from the OCTF Board to be used towards start-up costs.

III. Councils

County family and children first councils

- Removes the prohibition that an individual whose family receives or has received services from an agency represented on a county family and children first council cannot serve on the county council if the individual is employed by an agency represented on the council, but requires the individual to complete a conflict of interest disclosure form and abstain from votes that involve the individual's employer.
- Permits the number of county council members representing families to equal 20% of a council's membership.
- Authorizes district level administrative designees to serve on a county council instead of the superintendent of the school district with the largest number of pupils in the county and another superintendent representing other districts.
- Permits, rather than requires, the administrative agent of a county council to send notice to specified persons when a member has been absent from a specified number of meetings.
- Permits a board of county commissioners to decline to establish or maintain a county council in specified circumstances.
- Permits a board that has decided not to establish or maintain a county council to reconsider that decision at any time but requires it to be reconsidered within five years.

Advisory councils consolidation

- Requires the Governor to create and appoint members to the Children and Youth Advisory Council, replacing the Early Childhood Advisory Council, the Ohio Home Visiting Consortium, and the Early Intervention Services Advisory Council.
- States that the Council's purpose is to advise the Governor regarding prenatal and child-serving systems and to serve as the state advisory council on early childhood education and care and the state interagency coordinating council required by federal law.
- Requires the Council to create topic-specific advisory groups addressing at least the following: early childhood education and care, children services, maternal and infant vitality, early childhood mental health services and supports, and early intervention services.

IV. DCY duties

Autism services contracts

- Requires DCY – when applicable – to contract with an entity to administer programs and coordinate services for infants, preschool and school-age children, and adults with autism and low incidence disabilities.
- Eliminates the requirement that the Director of Education and Workforce give primary consideration to the Ohio Center for Autism and Low Incidence as the contracting entity when the Department of Education and Workforce contracts with an entity to administer and coordinate such programs and services.

Biennial summit on home visiting

- Repeals law requiring DCY to facilitate, and allocate funds for, a biennial summit on home visiting.

DCY transfers, recodification, and conforming changes

- Makes conforming changes and technical corrections to reflect the transfer of various duties and responsibilities to DCY in H.B. 133 of the 135th General Assembly.
- Removes obsolete language.
- Relocates and recodifies numerous Revised Code sections that relate to DCY's duties and responsibilities to the DCY chapter of the Revised Code (Chapter 5180) and makes conforming changes as a result.
- Transfers or adds responsibility regarding certain programs to DCY.

I. Child Care

Publicly funded child care (PFCC)

Eligibility

(R.C. 5104.32, 5104.34, and 5104.38; Section 423.230)

First, the act extends until June 30, 2027, the law governing income eligibility for PFCC, which was set to expire June 30, 2025. Under both former law and the act, the maximum amount of income that a family may have for initial eligibility must not exceed 145% of the federal poverty line, while for special needs child care, the maximum amount must not exceed 150% of the federal poverty line.

The act further specifies that the maximum amount of income for continued eligibility must not exceed 300% of the federal poverty line. Under continuing law unchanged by the act, DCY must adopt rules specifying the maximum amount of income a family may have for initial and continued eligibility, with the maximum amount not to exceed 300% of the federal poverty line.

Second, the act repeals law that allows an applicant to receive PFCC while a county department of job and family services (CDJFS) determines the applicant's eligibility. Previously, the law allowed an applicant to do this once in a 12-month period. Included in this repeal are the following provisions:

- A requirement for a PFCC contract to specify that if the county department determines that an applicant is eligible for PFCC, a child care provider must be paid for all child care provided between the date the CDJFS receives the individual's completed application and the date the individual's eligibility is determined;
- If the county department determines that an applicant is not eligible for PFCC, a requirement for a provider to be paid for providing PFCC for up to five days after the determination, if the CDJFS received a completed application with all required documentation;
- The ability for a program to appeal a denial of payment from a CDJFS;
- A requirement for DCY to adopt rules to establish procedures for an applicant to receive PFCC while the county department determines eligibility and for a provider to appeal a denial of payment.

Eligibility period for homeless child care

(R.C. 5104.41)

The act expands the period for which a family is eligible for homeless child care to 12 months. Previously, a family otherwise ineligible for publicly funded child care is eligible for homeless child care for the lesser of the following: not more than ninety (90) days or the period of time they reside in an emergency shelter for homeless families or in which the county department determines they are homeless. This extension aligns Ohio law with the federal Child Care and Development Block Grant Act requirements that eligible families receive 12 months of child care assistance before eligibility is redetermined.[23]

Provider payments

Prospective payment

(R.C. 5104.30, 5104.32, 5104.34, and 5104.38)

The act makes changes regarding PFCC payment, consistent with a recently adopted federal rule that took effect in April 2024.[24] First, the act requires payments to PFCC providers to be made prospectively by changing references from "reimbursement" to "payment" in the PFCC laws.

[23] 42 United States Code (U.S.C.) 9858c(c)(2)(N)(i)(I) and 45 C.F.R. §98.21(a).

[24] 45 C.F.R. Part 98. Ohio has been granted a temporary waiver of this requirement.

Payment categories

(Section 423.250)

The act requires DCY to establish for the period beginning not later than December 31, 2025, and ending June 30, 2027, the following PFCC payment categories and time increments for the number of hours per week that a child is authorized to receive publicly funded child care:

1. The hourly category, for hours of care totaling fewer than ten hours per week;

2. The part-time category, for hours of care totaling ten hours to fewer than 33 hours per week;

3. The full-time category, for hours of care totaling 33 or more hours per week.

The act also prohibits DCY from establishing any other PFCC payment categories.

Payment rates

(R.C. 5104.32 and 5104.38)

Additionally, the act repeals law requiring a contract for PFCC to specify that the provider agrees to be paid for rendering services at the lower of: (1) the rate that the provider customarily charges for child care or (2) the reimbursement rate of payment established by DCY rules. The act requires the contract to specify that the provider agrees to be paid for rendering services at the rate established by DCY rules. The result of this change is that a provider that customarily charges less than the payment rate established by DCY rules will receive the DCY rate for providing PFCC rather than the lower rate the provider customarily charges.

Family child care home payment rates

(Section 423.250)

The act prohibits DCY, for the period beginning not later than December 31, 2025, and ending June 30, 2027, from aligning type A family child care home payment rates with those for child care centers and instead requires type A payment rates to align with those for type B family child care homes.

The act also requires DCY, when aligning family child care home payment rates for that period, to pay at the rates established in accordance with continuing law requirements.

Payments based on enrollment not attendance

(R.C. 5104.30, 5104.32 (primary), 5104.36, and 5104.38)

The act requires DCY, beginning July 5, 2026, to calculate publicly funded child care payments based on a child's enrollment with a participating child care provider. Under prior law, payments were instead based on a child's attendance. The act also makes corresponding changes in the law governing publicly funded child care in order to reflect this change in payment calculations.

Child care prices

(R.C. 5104.30 and 5104.302 (primary))

While maintaining the current law requirement that the DCY Director establish by rule in each odd-numbered year payment rates for PFCC providers, the act authorizes the Director to contract with a third-party entity to analyze child care price information for the subsequent even-numbered year.

Provider licensure

Family child care home ratios

(R.C. 5104.01)

The act increases to seven (from six) the number of children that may receive care in a type B family child care home and increases to eight to 14 (from seven to 12) the number of children that may receive care in a type A family child care home.

The act requires a second adult to be present in a type A family child care home if at least four children are under age two or more than seven children total are receiving care at one time.

In-home aide continuous certification

(R.C. 5104.12)

The act removes the requirement for in-home aides to renew certification every two years to align with other child care provider types that already had continuous licensure. An in-home aide is a person who (1) is certified by a county director of job and family services to provide publicly funded child care in a child's own home and (2) does not reside with the child.

Child Care Choice Voucher Program

(Section 423.190)

The act requires DCY to establish the Child Care Choice Voucher Program. DCY launched the Child Care Choice Voucher Program administratively in April 2024. Subject to available funds, the program is to provide support, in the form of vouchers, to eligible families to assist them with child care costs.

To be eligible to participate, a family must meet all of the following conditions:

1. The caretaker parent is employed or participating in a program of education or training for an amount of time reasonably related to the time that the parent's children are receiving child care;

2. The family does not meet the income conditions for initial eligibility under the publicly funded child care program administered by the Department, but the maximum amount of the family's income does not exceed 200% of the federal poverty line; and

3. The family meets any other condition established by the Department.

In providing vouchers, the program must utilize, not later than November 1, 2026, the payment rates established for DCY's publicly funded child care program, except that the payment

rates must not be enhanced payment rates available for participating in DCY's Step Up to Quality Program.

The act also prohibits the voucher program from requiring a type A family child care home or licensed type B family child care home that participates in the voucher program to be rated through Step Up to Quality.

Early Childhood Education Grant Program

(R.C. 5104.01, 5104.29, 5104.38, and 5104.60 (primary))

The act codifies the Early Childhood Education Grant Program and establishes it in DCY, with the aim of supporting and investing in Ohio's early learning and development programs. For purposes of the act, an early learning and development program includes a licensed child care center, licensed family child care home, and licensed preschool. Subject to available funds, grants are to be awarded to programs meeting the act's eligibility conditions and in amounts that correspond to the number of eligible children served by the programs.

Eligibility

To be eligible for a grant, an early learning and development program must demonstrate all of the following:

- That the program is rated through the Step Up to Quality Program at the ratings tier specified by the DCY Director in rules;
- That the program provides early learning and development services to one or more preschool-aged children, defined to mean children aged three or older but not yet enrolled, or eligible to enroll, in kindergarten;
- That the program meets any other eligibility condition specified by the Director in rules.

In addition to establishing eligibility conditions for early learning and development program eligibility, the act also sets them for the preschool children receiving services from those programs. If a slot is available, a preschool child is eligible to participate in the grant program if the child's family income does not exceed 200% of the federal poverty line. Alternatively, a child is eligible – regardless of family income – if an individualized education program (IEP) has been developed for the child, the child is placed in foster or kinship care, or the child is homeless.

A preschool child also must be a U.S. citizen or qualified alien and meet any other eligibility condition set by the Director in rules.

Distribution of funds

The act generally requires funds appropriated to the program to be distributed to grant recipients, and prohibits more than 2% to be used for program support and technical assistance.

Rulemaking

The Director must adopt rules to administer the program, including rules addressing:

- Eligibility conditions and other requirements for early learning and development programs, including the Step Up to Quality ratings tier, and for preschool children;

- Standards, procedures, and requirements for applying for and distributing funds to grant recipients;
- Methods by which DCY may recover any erroneous payments.

Child Care Cred Program

(R.C. 5104.54; Sections 423.10 and 423.85)

The act creates the Child Care Cred Program in DCY, under which the costs of child care are shared by participating employees, their employers, and (subject to available funds) DCY. The distribution of costs are as follows: employees are responsible for 40%, employers are responsible for 40%, and DCY is responsible for 20%. The program has the following goals: to enable employers to attract and retain talent, to assist employees with child care costs, and to help sustain the businesses of child care providers.

Eligible employees must reside in Ohio, have a family income that does not exceed 400% of the federal poverty level, and have been selected for participation by their employer. Employers must be located in Ohio and have selected one or more of their employees for participation. Eligible child care providers must hold a DCY license or be certified by a county department of job and family services. The act prohibits DCY from requiring providers to participate in Step Up to Quality.

Employees and employers must submit a joint application to DCY. Once determined eligible, that determination remains valid as long as the employee, employer, and child care provider continue to satisfy the eligibility conditions. The employee selects the child care provider, which may include a provider where their child is already enrolled. The employer may agree to contribute some of all of the employee's share of child care costs. DCY may require the employee, employer, and provider to sign a memorandum of understanding as a condition of participation.

The act tasks DCY with coordinating and performing all administrative activities associated with sharing the child care costs and making payments to providers and also permits DCY to adopt rules as necessary to implement the program. If DCY finds that an employee or employer has committed fraud, misrepresentation, or deception in applying for or participating in the program, the employee or employer are permanently ineligible for the program. The act appropriates $10 million in FY 2026 for the program.

Child Care Provider Recruitment and Mentorship Grants

(Section 751.30)

The act establishes the Child Care Provider Recruitment and Mentorship Grant Program, under which DCY is to award grants to eligible organizations to increase Ohio's supply of licensed child care providers, including at least 120 new family child care homes, and to assist recruited providers in establishing and operating child care businesses and adopting business practices that best serve the needs of Ohio's families. DCY must operate the program until July 1, 2027.

Over the course of the grant period, each grant recipient must identify and recruit those interested in operating family child care homes, especially in areas with limited access to such

homes; partner with prospective child care providers to assist them in developing and implementing child care business models; assist them in obtaining a license; and mentor licensed providers in operating, maintaining, and expanding child care businesses. To be eligible for a grant, an applicant must demonstrate that it is able to do all of the following:

1. In collaboration with DCY and relevant stakeholders, plan, staff, and hold events, either in-person or virtually, to identify and recruit prospective child care providers;

2. Develop informational materials to assist licensed child care providers with marketing, advertising, and outreach;

3. Establish a software platform, with a customizable dashboard, that may be accessed by licensed child care providers to assist them with tasks such as marketing their businesses, enrolling children, communicating with families, billing for services, and reporting expenses;

4. Offer and provide coaching and training to child care staff employed by licensed child care providers, which may include in-person, group training sessions, on-site coaching visits, community forums, and other events;

5. Perform any other activity DCY considers relevant.

DCY must review each application it receives and determine whether the applicant is eligible. If so, subject to available funds, DCY must award a grant to the recipient, which expires at the close of FY 2027. As a condition of continued funding, each grantee must submit periodic reports to DCY describing its progress in partnering with, assisting, and mentoring prospective and licensed child care providers, in particular the number and content of trainings offered by the recipient, the types of software or website platforms the recipient makes available to child care providers, and any other information the Department considers necessary.

Transfer preschool reporting to DCY

(R.C. 3301.57)

The act transfers existing oversight obligations for preschool and school child programs from the joint responsibility of DCY and the Department of Education and Workforce (DEW) to DCY alone. Transferred oversight obligations include:

1. Providing consultation and technical assistance to school districts, county boards of developmental disabilities, community schools, authorized private before and after school care programs, and eligible nonpublic schools operating preschool programs or school child programs;

2. Providing in-service training to staff members and nonteaching employees of those entities;

3. Inspecting each preschool program or licensed school child program at least once per year; and

4. Filing an annual report on inspections with the Governor, Senate President and Minority Leader, and Speaker and Minority Leader of the House by January 1 each year.

Ohio professional registry

(R.C. 5104.60)

The act requires the DCY Director to contract with a third-party entity to develop a registry information system to provide – on an ongoing basis – training and professional development opportunities to employees of early learning and development programs that are funded under the federal Child Care and Development Block Grant. The registry information system is to be known as the Ohio Professional Registry.

The act also requires that the registry information system comply with requirements set forth in the federal Child Care and Development Block Grant Act[25] and regulations adopted under it.

II. Child Welfare

Summary suspension of the certificate of an institution or association

(R.C. 5103.039)

The act allows DCY to suspend the certificate of an institution or association, including a foster caregiver, without a prior hearing under certain circumstances. Under law that the act retains, an institution or association is generally defined as a public or private entity or a nonrelative individual (including the operator of a foster home) receiving or caring for children for two or more consecutive weeks.[26]

The act identifies the following as circumstances for suspension:

- A child dies or suffers a serious injury while placed or residing with the institution or association, including a foster home.
- A public children services agency (PCSA) receives a report of abuse or neglect, and the person alleged to have inflicted the abuse or neglect and is the subject of the report is any of the following:
  - A principal of the institution or association;
  - An employee or volunteer of the institution or association who has not immediately been placed on administrative leave or released from employment;
  - For a foster home, any person who resides in the home.
- One of the following individuals is charged by an indictment, information, or complaint with an offense relating to the death, injury, abuse, or neglect of a child:
  - A principal of the institution or association;

[25] 42 U.S.C. 9857 to 9858r.

[26] R.C. 5103.02(A)(1).

- An employee or volunteer of the institution or association who has not immediately been placed on administrative leave or released from employment.

- DCY, the recommending agency, a PCSA, or a CDJFS determines that a principal, employee, or volunteer of the institution or association, including a foster caregiver, or a resident of the foster home, created a serious risk to the health or safety of a child placed therein that resulted in or could have resulted in a child's death or injury.

- DCY determines that the owner of the institution or association or foster caregiver does not meet: (a) the criminal records check requirements for a person employed or appointed to be responsible for a child's care in out-of-home care, (b) the background check requirements for subcontractors, interns, or volunteers at an institution or association, or (c) the criminal records check requirements for a person to be appointed or employed in a residential facility.

The act defines a "principal" as any of the following:

- The institution or association's administrator or director;

- The institution or association's owners or partners;

- Members of the institution's or association's governing body;

- A foster caregiver.

If DCY suspends a license without a prior hearing, it must comply with continuing law notice requirements, and a principal of an institution or association, including a foster caregiver, may request an adjudicatory hearing. Notice and hearing must be conducted pursuant to the Administrative Procedure Act (R.C. Chapter 119). If a hearing is requested and DCY does not issue its final adjudication order within 120 days after the suspension, the suspension is void on the 121st day, unless the hearing is continued on agreement by the parties or for good cause.

A summary suspension remains in effect until any of the following occurs:

- The PCSA completes its investigation of the report of abuse and neglect and determines that all of the allegations are unsubstantiated.

- All criminal charges are disposed of through dismissal or a finding of not guilty.

- DCY issues a final order terminating the suspension in accordance with the Administrative Procedure Act.

The act prohibits an institution or association from accepting the placement of children while a summary suspension is in effect. Upon issuing the order of suspension, DCY must place a hold on the certificate or indicate that the certificate is suspended in the Statewide Automated Child Welfare Information System.

The act allows the DCY Director to adopt rules in accordance with the Administrative Procedure Act to establish standards and procedures for the summary suspension of certificates. The act also specifies that these provisions do not limit DCY's authority to revoke a certificate under existing law adjudication procedures.

Requirements for group homes

(R.C. 5103.0520; Section 751.100)

The act establishes requirements for group homes for children. Continuing law defines a group home for children to include any public or private facility that is operated by a private child placing agency, private noncustodial agency, or PCSA that has been certified for operation by DCY and meets all of the following criteria:

- Gives, for compensation, a maximum of ten children (including children of the operator or any staff who reside in the facility) nonsecure care and supervision 24 hours a day by individuals who are unrelated to, or not appointed guardians of, any of the children;
- Is not certified as a foster home;
- Receives or cares for children for two or more consecutive weeks.[27]

The act requires the DCY Director to adopt rules in accordance with the Administrative Procedure Act (R.C. Chapter 119) to establish requirements regarding the following for group homes:

- The use of the Ohio Professional Registry, as operated by the Ohio Child Care Resource and Referral Association or its successor, to complete background checks or criminal records checks required by law for individuals overseeing or working at a group home;
- Training on behavioral intervention, including the use of de-escalation, for all new and existing individuals working at a group home;
- The supervision of children, including a ratio of at least one staff person for every seven children or, if the home accepts placement of fewer than seven children, one staff person for every six children.

The group home operator must comply with the above ratio requirements as a requirement for certification. The act carves out an exception – the operator cannot displace a child who is placed in the group home as of September 30, 2025 (the act's effective date) to comply with the ratio requirements. However, the operator cannot accept placement of additional children until the group home has complied with the ratio requirements.

The act allows the DCY Director to suspend or revoke the certificate of a group home in accordance with preexisting procedures under the Administrative Procedure Act for any violation of these provisions.

Regional wellness campuses

(Section 423.120)

The act requires DCY to assist with the establishment of regional child wellness campuses. DCY must provide one-time funding to establish the campuses across the state to serve children

[27] R.C. 5103.05(A)(6), not in the act.

and youth who: (1) have been determined by a PCSA to be at risk of being, or currently are, in the PCSA's custody, (2) are not yet placed in a licensed residential setting, and (3) are spending one or more nights in an unlicensed setting.

For children in crisis, regional child wellness campuses must support them in or near the communities in which they reside and must create additional capacity for short-term treatment.

DCY must select entities to serve as regional wellness campuses after a competitive application. To be eligible, an entity must provide proof of local funding commitments that fulfill all necessary start-up costs as well as ongoing community commitments to ensure timely and appropriate delivery of service to meet the needs of the child, their family, and the community

Prevention services

(R.C. 2151.421, 2151.423, and 5153.16)

The act changes the intended beneficiary of prevention services and allows, instead of requires, a PCSA to make a prevention services referral. Previously, when a PCSA made a report and determined after an investigation that a *child* was a candidate for prevention services, the PCSA had to refer the report for assessment and services to an agency providing prevention services. This action fulfills a PCSA responsibility that the act retains to make efforts to prevent neglect or abuse, enhance a child's welfare, and preserve the family unit intact. Continuing law also allows a PCSA to disclose confidential information discovered during an investigation to any federal, state, or local government entity that needs the information to carry out its responsibilities to protect children from abuse or neglect, including any appropriate military authority or an agency providing prevention services.

First, the act specifies that prevention services are provided to the family, instead of just the child. The act changes this specification in the law regarding referrals and the disclosure of confidential information to a prevention services provider.

Second, the act allows, but no longer requires, PCSAs to make referrals for prevention services if a family is determined to benefit from those services. The act also adds as a qualifier that a PCSA may make referrals if appropriate prevention services are available from a local provider or other reasonable source. Because of this change, the act also clarifies that a PCSA duty to enter into a contract with an agency providing prevention services applies only when referring a family for prevention services.

Mandatory reporter of child abuse and neglect

(R.C. 2151.421)

The act adds an employee of an entity providing home visiting services under the Help Me Grow program as a mandated reporter of child abuse and neglect. The Help Me Grow program is the state's evidence-based parent support program that encourages early prenatal and well-baby care and provides parenting education to promote the comprehensive health and

development of children. The program provides home visiting services to families with a pregnant woman or child under age five who meet certain eligibility requirements.[28]

Request for proposals to establish rate cards

(R.C. 5180.42 and 5180.422)

The act allows DCY to issue a request for proposals to establish statewide rate cards for placement and care of children eligible for foster care maintenance payments. Foster homes and kinship caregivers are exempt from the statewide rate cards. If a request for proposals is issued, DCY must review and accept the reasonable cost of covering the following under continuing law: (1) a child's food, clothing, shelter, daily supervision, school supplies, personal incidentals, and reasonable travel to a child's home for visitation, (2) liability insurance with respect to the child and services provided under any federal Title IV-E demonstration project, and (3) with respect to a child in a child-care institution, such as a group home, administration and operating costs.

Additionally, the act makes it discretionary, rather than mandatory as in former law, for DCY to establish (1) a single form for the agencies or entities that provide placement services to children to report costs reimbursable under Title IV-E and Medicaid, and (2) procedures to monitor the cost reports submitted by the agencies or entities.

Benefits to children under the custody of a Title IV-E agency

(R.C. 5103.09)

The act requires a Title IV-E agency that receives care and placement of a child to determine if the child is eligible for or receives payments or survivor benefits administered by any of the following:

- The U.S. Social Security Administration;
- The U.S. Department of Veterans Affairs;
- The Ohio Public Employee Retirement System;
- The Ohio Police and Fire Pension Fund;
- The State Teachers Retirement System of Ohio;
- The School Employees Retirement System of Ohio;
- The Ohio Highway Patrol Retirement System.

If the child is eligible for or receiving those benefits, the agency is prohibited from using the child's benefits to pay for or reimburse the agency, county, or state for any cost of the child's care. The act allows DCY to adopt rules in accordance with R.C. 111.15 rulemaking provisions to implement these requirements, including the establishment of any new procedures that are necessary to assist a Title IV-E agency with compliance.

[28] R.C. 5180.21.

Under continuing law, a "Title IV-E agency," is a PCSA or a public entity with which JFS or DCY have a Title IV-E subgrant agreement in effect.[29]

Foster care adoption waiting period removal

(R.C. 3107.012 and 3107.031)

Under law unchanged by the act, a foster child must reside in a foster caregiver's home before the foster caregiver (1) may submit an adoption application for the foster child, and (2) is exempt from home study requirements for the purpose of ascertaining whether a person seeking to adopt a minor is suitable to adopt. The act removes the former law requirement that the foster child must reside in the caregiver's home *for at least six months* before the foster caregiver submits an adoption application.

Ohio Adoption Grant Program changes

(R.C. 2921.13, 5180.451, 5180.452, 5180.453, and 5180.454)

Continuing law requires that the DCY Director must provide *one, but not both* (changed to *either* by the act), of the following one-time payments for an adopted child to the child's adoptive parent if specified requirements are satisfied regarding the child:

1. $10,000;

2. $15,000, if the parent was a foster caregiver for the child prior to adoption.

The act specifies that the grant must be provided to all eligible applicants to the extent state funds are available for this purpose.

The act adds the requirement that, to receive a grant, the adoptive parent must have been an Ohio resident at the time the adoption was finalized. Under continuing law, to be eligible to receive a grant, all of the following must be satisfied:

1. The adoptive parent cannot have previously received a grant from the program for the same child;

2. The adoptive parent cannot claim a formerly available adoption tax credit for the adopted child;

3. The adoptive parent must apply for the grant within one year after the adoption is finalized;

4. The adoption cannot be a stepparent adoption; and

5. The adoption must have been finalized on or after January 1, 2023.

The act prohibits any person from knowingly producing or submitting any false or misleading documentation or information to DCY in an effort to qualify for or obtain a grant. Whoever violates the prohibition is guilty of falsification, a first degree misdemeanor.

[29] Former R.C. 5101.132, renumbered to R.C. 5180.402 in the act.

Continuing law allows the DCY Director to require one or both of the following, as necessary to administer the Grant Program: (1) the submission of court or other documents necessary to prove the adoption, (2) any department, agency, or division of the state to provide any document related to the adoption. The act makes the following changes to those requirements:

1. Clarifies that any court or legal documents necessary to prove an adoption must be certified copies.

2. Adds that any court, in addition to any department, agency, or state division may be required to provide any document related to the adoption.

Additionally, the act states that any document provided to DCY as part of a grant application remains confidential if it was confidential under any state or federal law before being provided.

Diagnostic ultrasound machine grant program

(Section 423.106)

The act requires the DCY Director to create a grant program to provide eligible entities with diagnostic ultrasound machines. The Director must establish the grant application and administration process. To be eligible to receive a diagnostic ultrasound machine, an entity must meet all of the following requirements:

- Be a private, not-for-profit entity;
- Have as its primary purpose the promotion of childbirth, rather than abortion, through counseling and other services, including parenting and adoption support;
- Provide services to pregnant women and parents or other relatives caring for children 12 months of age or under, including clothing, counseling, diapers, food, furniture, health care, parenting classes, postpartum recovery, shelter, and any other supportive services, programs, or related outreach;
- Not charge a fee for any services rendered;
- Not be involved in or associated with any abortion activities, including providing abortion counseling or referrals to abortion clinics, performing abortion-related medical procedures, or engaging in pro-abortion advertising;
- Not discriminate in its provision of services on the bases of race, religion, color, age, marital status, national origin, disability, or gender;
- Be physically located in Ohio;
- Not be a hospital, federally qualified health center, or ambulatory surgical facility.

The Director must use $2.5 million each fiscal year to competitively bid for the purchase of new 3D diagnostic ultrasound machines.

Responsible Fatherhood Initiative

(R.C. 5.62, 5180.702, 5180.705, 5180.706, and 5180.707)

The act requires DCY, through the Ohio Commission on Fatherhood, to contract for the development and implementation of the Responsible Fatherhood Initiative (RFI). The RFI must provide an opportunity for every father in Ohio to obtain information and inspiration that will motivate and enable him to enhance his abilities as a father, recognizing that some fathers have greater challenges than others and would benefit from greater support.

The RFI must include the following:

- A statewide media campaign that increases the awareness of the importance of fathers being involved in their children's lives. The media campaign may include print, television, digital, and social media elements and appearances by and involvement from public figures and influencers.
- Resources and information for fathers and father figures to increase engagement and involvement in their children's lives.

DCY must contract for the development and implementation of the Initiative with a nonprofit organization, designated as the RFI manager, that has both of the following:

- A history of focusing on responsible fatherhood, including providing online resources to fathers, and engaging fathers, father figures, and children through community-based and school-based events to encourage responsible fatherhood;
- The organizational capacity to manage a statewide initiative and successfully carry out the act's requirements.

The RFI manager must collaborate with other relevant government agencies and private organizations to develop and implement the Initiative. Those agencies and organizations must collaborate with the RFI manager. The RFI manager is solely responsible for developing, collaborating, and managing the RFI media campaign and the resources, content, and information for fathers.

DCY, through the Commission, must award grants to eligible nonprofit organizations to address the needs of fathers. DCY must award the following types of grants:

- Grants that comprehensively address the needs of fathers, such as assisting them in finding employment, managing child support obligations, transitioning from a period of incarceration, accessing health care, understanding child development, and enhancing parenting skills. Services provided must be tailored to the needs of the father being served. Case management services must be provided by the grant recipient, either directly or by subcontract, to the fathers who are served by the Commission grants. If the father receiving case management services through a grant has a child receiving services from a PCSA because the child is the subject of an abuse, neglect, or dependency proceeding, the case management services may be coordinated.

- Grants that provide evidence-based parenting education specifically for fathers. The grants cannot require case management services.

DCY is required to prioritize applicants for a grant based on the following:

- Need in a geographic area and the population to be served by the grant as indicated by the following: unemployment rates; incarceration rates; housing instability; the number of single-parent households; the number of public benefit recipients; graduation rates; and levels of academic achievement.
- Whether an applicant has a primary mission of, or a history of a significant focus on and effective work towards, addressing the needs of men in their role as fathers.
- Applicant current and historical involvement in the community being served.
- Applicant commitment and capability to employ competent staff who can effectively engage with the fathers being served, including individuals who share similar backgrounds as the fathers being served.
- The number of individuals the applicant plans to serve through the grant and the projected costs for the program.
- Applicant organizational capacity to effectively meet the requirements of the grant and to deliver the programs proposed by the applicant. DCY may offer technical assistance to applicants and grant recipients that have lower organizational capacity if they have, or their leadership has, significant experience serving fathers.

Grants are to be awarded for no more than three years. Subsequent funding is contingent on compliance with grant requirements and adequate performance. Grant recipients must submit reports to DCY in a format and at intervals, which must be at least annually, as prescribed by DCY. The RFI manager is eligible to receive RFI grants.

Organizations that receive grants must address the unique needs of the fathers of children who are served by the organization. The organization must do all of the following:

- Conduct an initial assessment of its engagement with those fathers and its provision of and referral to father-oriented services;
- Create an action plan to address any gaps identified through the assessment and implement the action plan;
- Engage with the Commission to build relationships with fathers, help identify their needs, assist them in accessing services, and communicate with the organization about the challenges faced by these fathers and how to appropriately meet their unique needs.

The Commission must annually review how all recipient organizations are meeting the fathers' needs, including how they are helping fathers (1) establish positive, stable relationships with their children and (2) receive needed services. The organizations must provide any relevant information to the Commission on how they are meeting the father's needs.

Continuing law requires the Commission to prepare an annual report. Under the act, the annual report must include information on how recipient organizations are meeting fathers' needs and evaluations of recipient organization performances.

The act designates June as "Responsible Fatherhood Month" to recognize the importance of fathers in their children's lives, how fathers contribute to their children's safety and stability, and the direct link between positive father involvement and child well-being. DCY, local governments, and other agencies are encouraged to sponsor events to promote awareness of responsible fatherhood engagement and the contributions fathers make in the lives of their children.

Multi-system youth

(Section 423.240)

Under the act, JFS, DCY, DBH, DYS, ODM, and the Department of Developmental Disabilities must collaborate to identify and take appropriate action with available resources to more effectively meet the needs of multi-system youth. Within one year, the departments must jointly submit to the General Assembly a report with policy recommendations and the following information:

- Data on the number of multi-system youth;
- Data on the number of multi-system youth who are placed in licensed care;
- Information on how the departments track multi-system youth;
- A summary of actions taken by the departments to better serve multi-system youth.

The act defines the following terms:

- "Multi-system youth" are children and adolescents who are receiving services from two or more of the following systems: child protective services, behavioral health services, developmental disabilities services, juvenile court, and Medicaid.
- "Licensed care" means detention facilities, shelter facilities, certified children's crisis care facilities, certified foster homes, prospective adoptive placements, organizations, certified organizations, group home providers, group homes, institutions, state institutions, residential facilities, or residential care facilities.

Removal of Kinship Support Program state hearing rights

(R.C. 5180.428)

The act removes the option for a state hearing when DCY denies or terminates payments under the Kinship Support Program. Law retained by the act generally requires that an individual who appeals a decision or order of an agency administering a family services program under federal or state law be granted a state hearing at the individual's request.[30] The act, therefore,

[30] R.C. 5101.35.

removes an individual's ability to appeal a determination regarding the Kinship Support Program. Other programs under this section that are still subject to a state hearing are foster care assistance, kinship guardianship assistance, and adoption assistance payments.

Ohio Children's Trust Fund

(R.C. 3109.171, 3109.172, 3109.173, and 3109.178; Section 731.10)

Child abuse and child neglect regional prevention councils

The act makes several changes regarding child abuse and child neglect regional prevention councils, including eliminating child abuse and child neglect prevention regions, changes to council member terms and appointments, and changes to the selection of a regional coordinator to a council. Under law the act retains, one of the duties of the Ohio Children's Trust Fund (OCTF) Board is to establish a strategic plan for child abuse and child neglect prevention. In developing and carrying out the plan, the Board must implement child abuse and neglect prevention programs.[31]

The act modifies law that establishes child abuse and child neglect prevention regions to administer this programming. Continuing law requires each region to have a child abuse and child neglect regional prevention council. The act eliminates law establishing eight child abuse and child neglect prevention regions and the counties encompassing each region. It instead requires the OCTF Board, in consultation with DCY, to determine the number of regions and the counties within each region. Each county in the state must be included in a region.

Continuing law requires the OCTF Board and boards of county commissioners to appoint county prevention specialists as members to each a child abuse and child neglect regional prevention council. These specialists include professionals who work in child welfare, health care, and other relevant areas that provide services to children. The act reduces the term of a member of a council appointed by the OCTF Board from three years to two years. Under continuing law, each board of county commissioners within a region may appoint up to two county prevention specialists representing the county, and the Board may appoint additional members at the Board's discretion. The act maintains the two-year terms for council members appointed by a board of county commissioners. The act also clarifies that, notwithstanding this reduction in term for Board-appointed members, a member serving on the council on September 30, 2025 (the act's effective date) may complete the member's term of office.

The act also clarifies that a council member selected as chairperson of a council is eligible to be reappointed by the original appointing authority, and that the reappointment of a chairperson by a board of county commissioners is not considered to be one of the two appointments that a board of commissioners is allotted. The act retains law requiring a chairperson to be selected by the council's regional prevention coordinator from among the county prevention specialists serving on the council.

[31] R.C. 3109.17, not in the act.

Finally, the act allows, rather than requires, the OCTF Board to select a regional prevention coordinator for a council through a competitive selection process. Continuing law requires each regional prevention council to be under the direction of a regional prevention coordinator. The act requires OCTF staff to serve as coordinator for any region for which the Board has not selected a regional coordinator through a competitive selection process.

Start-up costs for children's advocacy centers

The act allows an entity to request a one-time payment of up to $5,000 from the OCTF Board for start-up costs to establish and operate a children's advocacy center that will serve at least one county. The law formerly allowed a child abuse and child neglect regional prevention council to request this money for each county within the council's region. In authorizing the entity seeking to establish the center to request the money instead of a council, the act also eliminates a requirement that a children's advocacy center must serve each county in the council's region or two or more contiguous counties within the region.

III. Councils

County family and children first councils

(R.C. 121.37)

The act makes several changes to the membership requirements for county family and children first councils, the purpose of which is to streamline and coordinate existing government services for families seeking assistance for their children. It removes the prohibition that an individual whose family receives or has received services from an agency represented on a county council cannot serve on the council if the individual is employed by an agency represented on the council. However, if such an individual is employed by an agency represented on the council, the individual must complete a conflict of interest disclosure form and abstain from any vote that involves the individual's employer. County councils are allowed, rather than being required as in former law, to have 20% of their membership be members representing families, where possible.

Finally, district-level administrative designees with decision making authority can be included as county council members. The designees are alternatives to the continuing law requirement that membership include (1) the superintendent of the school district with the largest number of pupils residing in the county, as determined by DEW, and (2) a school superintendent representing all other school districts with territory in the county, as designated by the superintendents of those districts.

The act also makes it discretionary, rather than mandatory, for a county council's administrative agent to send notice of a member's absence to the board of county commissioners and other persons or entities specified in law if the member has been absent from either three consecutive meetings of the county council or a subcommittee or from ¼ of the meetings in a calendar year, whichever is less.

The act also allows, rather than requires as in former law, a county council's administrative agent to send notice of a member's absence to the board of county commissioners and other persons or entities specified in continuing law if the member has been absent from

either three consecutive meetings of the county council or a subcommittee or from ¼ of the meetings in a calendar year, whichever is less.

The board of county commissioners, by passing a resolution, may decline to establish or maintain a county council if it determines all the following conditions exist in the county:

- Alternative programs and services exist to meet the needs of those served by a county council;
- A county council is not or would not be sufficiently funded to make it financially sustainable; and
- The director of the county department of job and family services, PCSA executive director, and county board of developmental disabilities each recommend to the county commissioners that a county council not be established or maintained.

Under the act, a county's board of county commissioners that has decided not to establish or maintain a county council may reconsider that decision at any time. However, the board must reconsider the decision no later than five years after it decided not to establish one. In reconsidering the decision, the board is required to determine whether all the conditions described above exist.

Advisory council consolidation

(R.C. 5104.39, 5180.04, 5180.21, and 5180.22; repealed R.C. 5180.23 and 5180.34)

The act requires the Governor to create the Children and Youth Advisory Council. The Council is responsible for advising the Governor on the availability, accessibility, affordability, and quality of services provided through the prenatal and child-serving systems. This includes fostering a continuum of care that promotes family-centered programs and services that acknowledge and support the social, emotional, cognitive, intellectual, and physical development of children and the vital role of families in ensuring the well-being and success of children.

The Council also fulfills two federal obligations. It serves as the state advisory council on early childhood education and care required for participation in Head Start, which promotes school readiness for young children from income-eligible families.[32] It also serves as the state interagency coordinating council for early intervention services, which provide services to infants and toddlers with disabilities or developmental delays.[33]

The Governor is responsible for appointing up to 25 members to the Council, including representatives from DCY, the Department of Medicaid, the Department of Job and Family Services, the Department of Behavioral Health, DEW, the Department of Health, the Department of Developmental Disabilities, and the Department of Youth Services. The Governor also must appoint at least one representative from each of the following stakeholder groups, selected from multi-sized municipal corporations and geographically diverse areas of the state, including rural,

[32] 42 U.S.C. 9837b(b)(1).

[33] 20 U.S.C. 1441.

urban, and suburban areas: maternal and infant vitality, early intervention, home visiting, early childhood education, child care centers and family child care homes providing publicly funded child care, school child programs, preschool programs, and children's services. As a whole, membership of the Council must reasonably represent the population of the state. The Governor must appoint a chairperson, and the DCY Director will serve as co-chair.

The Council must create topic-specific advisory groups addressing a continuum of services, including (1) early childhood education and care, (2) children services, (3) maternal and infant vitality, (4) early childhood mental health services and supports, and (5) early intervention services. Each representative of a stakeholder group must be appointed to at least one topic-specific advisory group. A representative of DCY may not serve as the chairperson for any topic-specific advisory group. The Governor may appoint additional members as necessary to the early childhood education and care advisory group and the early intervention services advisory group to satisfy federal requirements.

The act eliminates three existing councils whose functions are largely absorbed by the Children and Youth Advisory Council. The eliminated councils are:

1. The Ohio Home Visiting Consortium, which ensured that home visiting services provided in Ohio are delivered through evidence-based or innovative, promising home visiting models;

2. The Early Intervention Services Advisory Council, which served as the state interagency coordinating council for early intervention services; and

3. The Early Childhood Advisory Council, which served as the state advisory council on early childhood education and care and promotes family-centered programs and services.[34]

IV. DCY duties

Autism services contracts

(R.C. 3323.32)

The act requires DCY – "when applicable" – to contract with an entity to administer programs and coordinate services for infants, preschool and school-age children, and adults with autism and low incidence disabilities. The act does not describe the circumstances that trigger this duty. This requirement mirrors continuing law requiring DEW to contract with an entity to administer such programs and coordinate such services, though without using the phrase "when applicable."

The act also eliminates the requirement that the DEW Director give primary consideration to the Ohio Center for Autism and Low Incidence when DEW contracts for those programs and services.

[34] The act also repeals R.C. 5104.08 to abolish the Child Care Advisory Board. However, it was already abolished, effective April 9, 2025, by H.B. 238 of the 135th General Assembly, the 2024 biennial occupational regulation review act.

Biennial summit on home visiting

(R.C. 5180.24, repealed)

The act repeals the requirement that DCY, beginning in FY 2026, facilitate, and allocate funds for, a biennial summit on home visiting services. The summit was intended to convene people and government entities involved with the delivery of home visiting services in Ohio and share the latest research on home visiting, discuss strategies regarding evidence-based home visiting models and tobacco use reduction, and present challenges and successes encountered by home visiting programs.

DCY transfers, conforming changes, and recodification

(R.C. Chapters 5101 and 5180; conforming changes in numerous other R.C. sections)

The act makes numerous changes regarding the duties and responsibilities of DCY. Most of the changes are conforming, corrective, or technical. However, the act also transfers or adds new responsibilities regarding specific programs to DCY.

The act makes conforming changes and technical corrections to reflect the transfer of various responsibilities to DCY in H.B. 33 of the 135th General Assembly, the FY 2024-FY 2025 main operating budget. In 2023, H.B. 33 established DCY to serve as the state's primary children's services agency. The act adds references to DCY in sections of law where H.B. 33 transferred various duties, programs, and functions to the agency.

The act also removes obsolete language related to deadlines to fulfill various duties that have already passed.

Finally, the act relocates and recodifies numerous Revised Code sections that relate to the duties and responsibilities of DCY to Chapter 5180, the DCY chapter of the Revised Code. The following table outlines the recodification and includes a brief description of each section as well as sections in which cross-references to existing law sections were updated.

DCY recodification			
New R.C. section	**Current R.C. section**	**Description**	**R.C. sections with cross-reference updates**
5180.26	5101.76	Procurement of epinephrine autoinjectors for camps	3728.01, 4729.01, 4729.541, 4730.433, 4723.483, 4731.96
5180.261	5101.77	Procurement of inhalers for camps	4729.541
5180.262	5101.78	Procurement of glucagon for camps	4723.4811, 4729.01, 4729.541, 4730.437, 4731.92

DCY recodification			
New R.C. section	**Current R.C. section**	**Description**	**R.C. sections with cross-reference updates**
5180.27	3738.01	Pregnancy-Associated Mortality Review Board (PAMR)	121.22, 149.43, 3738.09 (5180.278)
5180.271	3738.02	PAMR: review while criminal investigation is pending	3738.01 (5180.27)
5180.272	3738.03	PAMR: members, quorum, meetings	
5180.273	3738.04	PAMR: reduction of pregnancy-associated deaths	
5180.274	3738.05	PAMR: production of documents; family member participation	
5180.275	3738.06	PAMR: confidentiality	3738.09 (5180.278)
5180.276	3738.07	PAMR: immunity from civil liability	
5180.277	3738.08	PAMR: reports	149.43, 3738.06 (5180.275), 3738.09 (5180.278)
5180.278	3738.09	PAMR: rulemaking	3738.01 (5180.27), 3738.03 (5180.272), 3738.04 (5180.273)
5180.40	5101.13	Statewide Automated Child Welfare Information System (SACWIS): establishment	149.38, 1347.08, 2151.421, 3107.033, 3107.034, 5101.131 (5180.401), 5101.132 (5180.402), 5101.133 (5180.403), 5101.134 (5180.404), 5101.135 (5180.405), 5101.899, 5103.18
5180.401	5101.131	SACWIS: confidentiality	
5180.402	5101.132	SACWIS: access	5101.131 (5180.401) 5101.133 (5180.403), 5101.134 (5101.404), 5103.18
5180.403	5101.133	SACWIS: use and disclosure	5101.134 (5180.404), 5101.99
5180.404	5101.134	SACWIS: rulemaking	5101.133 (5180.403)

DCY recodification			
New R.C. section	**Current R.C. section**	**Description**	**R.C. sections with cross-reference updates**
5180.405	5101.135	SACWIS: notation of shaken baby syndrome	5180.14
5180.406	5101.136	SACWIS: request for search	
5180.407	5101.137	SACWIS: expungement	
5180.41	5101.14	Payments to counties for children services	
5180.411	5101.144	Children services fund	5101.14 (5180.41), 5101.141 (5180.42), 5705.14
5180.42	5101.141	Administering federal payments for foster care and adoption assistance	2151.45, 2151.451, 5101.141 (5180.42), 5101.145 (5180.422), 5101.146 (5180.423), 5101.1410 (5180.427), 5101.1413 (5180.4210), 5101.1416 (5180.4213), 5101.1417 (5180.4214), 5101.35, 5101.89, 5103.32, 5153.122, 5153.16, 5153.163
5180.421	5101.142	Conducting a demonstration project expanding Title IV-E eligibility	5101.141 (5180.42)
5180.422	5101.145	Rules on financial requirements for agencies that provide Title IV-E placement services	
5180.423	5101.146	Penalties for noncompliance with fiscal accountability procedures	5101.1410 (5180.427)
5180.424	5101.147	Notification of noncompliance with fiscal accountability procedures	
5180.425	5101.148	No unnecessary removal of children due to sanction	
5180.426	5101.149	No personal loans from children services fund	

DCY recodification			
New R.C. section	**Current R.C. section**	**Description**	**R.C. sections with cross-reference updates**
5180.427	5101.1410	Certifying a claim to the Attorney General	
5180.428	5101.1411	Federal payments for foster care and adoption assistance for emancipated young adults (EYA) and adopted young adults (AYA)	2151.451, 2151.452, 2151.453, 5101.141 (5180.42), 5101.1412 (5180.429), 5101.1413 (5180.4210), 5101.1414 (5180.4211), 5101.1415 (5180.4212), 5101.1417 (5180.4214), 5101.802 (5180.52)
5180.429	5101.1412	Voluntary participation agreement for EYA care and placement	5101.1414 (5180.4211)
5180.4210	5101.1413	Payment of nonfederal share	5101.1414 (5180.4211)
5180.4211	5101.1414	Rulemaking EYAs	5103.30
5180.4212	5101.1415	Applicability of EYA/AYA provisions	
5180.4213	5101.1416	Kinship Guardianship Assistance (KGA): establishment	5101.141 (5180.42), 5101.1417 (5180.4214), 5153.163
5180.4214	5101.1417	Rules to carry out federal foster care, adoption, and KGA	5101.141 (5180.42)
5180.43	5101.1418	Post adoption special services subsidy payments	
5180.44	5101.15	Schedule of reimbursement for child welfare workers	
5180.45	5101.19	Adoption grant program (AGP): definitions	5101.19 (5180.45), 5101.191 (5180.451)
5180.451	5101.191	AGP: creation	5101.192 (5180.452), 5101.193 (5180.453), 5747.01
5180.452	5101.192	AGP: eligibility	5101.191 (5180.451)

DCY recodification			
New R.C. section	**Current R.C. section**	**Description**	**R.C. sections with cross-reference updates**
5180.453	5101.193	AGP: rules	5101.193 (5180.453), 5101.194 (5180.454)
5180.454	5101.194	AGP: public records	5101.19 (5180.45), 5101.191 (5180.451)
5180.50	5101.85	Kinship caregiver definition	124.1312, 2151.316, 2151.416, 2151.4115, 2151.424, 3107.01, 3310.033, 3317.022, 5101.802 (5180.52), 5101.88 (5180.53), 5103.02, 5103.0329
5180.51	5101.851	Statewide Kinship Care Navigator Program (KCNP)	5101.85 (5180.50), 5101.853 (5180.511)
5180.511	5101.853	KCNP: establishment of regions	5101.854 (5180.512)
5180.512	5101.854	KCNP: content	
5180.513	5101.855	KCNP: rulemaking	
5180.514	5101.856	KCNP: funding	5101.85 (5180.50)
5180.52	5101.802	Kinship Permanency Incentive Program	5101.80, 5153.16
5180.53	5101.88	Kinship Support Program (KSP): definitions	
5180.531	5101.881	KSP: creation	3119.01, 5101.88 (5180.53)
5180.532	5101.884	KSP: eligibility	5101.885 (5180.533), 5101.887 (5180.535)
5180.533	5101.885	KSP: payment amount	
5180.534	5101.886	KSP: payment time limited	5101.887 (5180.535)
5180.535	5101.887	KSP: ceasing payment	
5180.536	5101.8811	KSP: rulemaking	5101.88 (5180.53)
5180.56	5101.8812	Inalienability of kinship benefits	

DCY recodification			
New R.C. section	Current R.C. section	Description	R.C. sections with cross-reference updates
5180.57	5101.889	Foster care maintenance for kinship caregiver certified as foster home	
5180.70	5101.34	Ohio Commission on Fatherhood (OCF): creation	5101.805 (5180.704)
5180.701	5101.341	OCF: members and funding	5101.342 (5180.702)
5180.702	5101.342	OCF: state summits on fatherhood	
5180.703	5101.343	OCF: exemption from sunset review	
5180.704	5101.805	OCF: recommendations to DCY	5101.342 (5180.702), 5101.80, 5101.801
5180.71	5101.804	Ohio Parenting and Pregnancy Program	5101.80, 5101.801
5180.72	3701.65	"Choose Life" fund	4503.91
5180.73	5180.40	Communication re parenting education programs	
5180.99	3738.06(C) 5101.99(B)	Criminal penalties	

Transfer of additional responsibilities to DCY

(R.C. 3701.045, 3107.062, 5101.33, 5101.892, 5101.899, 5103.021, 5123.191, 5139.05, 5139.08, 5139.34, 5180.27, and 5180.72; conforming changes in numerous other R.C. sections)

The act transfers or adds additional responsibilities related to various programs and entities to DCY. This includes oversight or responsibility regarding the following:

- Oversight of the Pregnancy-Associated Mortality Review Board (previously established in, and overseen by, ODH);
- Oversight of the "Chose life" fund (previously controlled by ODH);
- Oversight of the Putative Father Registry (previously overseen by JFS);

- Oversight of child fatality review boards, with ODH (DCY replaces Children's Trust Fund Board, which previously had oversight of the boards with ODH);
- Oversight of scholars residential centers (previously overseen by JFS);
- Administration of electronic benefit transfers (adds DCY; previous law granted responsibilities to JFS only);
- Access to DCY records by the Youth and Family Ombudsmen Office (adds DCY; previous law granted access to JFS records only);
- Coordination with DYS regarding placement and oversight of children under DYS commitment;
- Providing technical assistance to a court-appointed receiver of a Department of Developmental Disabilities-licensed residential facility.

The act also adds the DCY Director to a list of recipients of an annual report that the Youth and Family Ombudsmen Office is required to issue.