

**Highlights of New Professional Certification Rules**  
**Effective August 14, 2008**

**5101:2-14-01**

DD. "Related to the provider": Children receiving foster care from the provider are not considered to be related to the provider.

**5101:2-14-03.1 Complaint investigation of professional and limited type B home providers.**

C. If the complaint alleges an immediate risk to children, the CDJFS shall:

1. Begin the investigation within twenty-four hours of receipt of the complaint.
2. Notify the caretakers of all children receiving child care services from the provider, within twenty-four hours of receiving the complaint, of the ongoing investigation and the rule which the complainant alleges has been involved.
3. Send to the caretakers of all children receiving child care from the provider a complete copy of the JFS 01922 Notification of Child Care Investigation within three business days of receipt of the complaint. The caretakers of children not involved in the complaint shall not be provided with names of children involved. Caretakers of children involved in the complaint shall be informed of the alleged rule violations involving their child.

D. Immediate risk is a situation or a rule violation with the immediate potential to cause harm to a child.

**5101:2-14-04 Issuance and renewal of professional certification as a type B home provider.**

F. As of the effective date of this rule, only one type B home provider certificate shall be issued for each address. For providers that had more than one certificate issued to the address before the effective date of this rule, the certificates will remain valid as long as the certificate does not lapse and both providers are in compliance with Chapter 5101:2-14 of the Administrative Code and Chapter 5104. of the Revised Code.

**5101:2-14-05 Provider qualifications for professional certification as a type B home provider.**

H. The provider shall notify the CDJFS of any individual staying at the home for more than five consecutive calendar days during a certification period.

J. The provider shall not be involved in employment during the hours in which child care is provided.

K. Any provider certified after the effective date of this rule shall not be a specialized care foster home.

Q. Providers who are foster parents shall:

1. Notify the CDJFS prior to certification and the caretakers of all children receiving care before child care is provided when the provider is caring for foster children.
2. Notify the CDJFS and the caretakers of all children receiving care within one business day of when the provider is to begin caring for additional foster children.
3. Maintain a written record documenting the date and how the CDJFS and caretakers were notified about foster children in care. This record shall be made available to the CDJFS upon request.

T. The provider shall, upon request, provide a caretaker with any information necessary for the caretaker to compile child care related expenses for income tax preparation.

U. The provider shall report any error in payment for publicly funded child care to the CDJFS within ten days after receiving the payment.

**5101:2-14-06 Denial, revocation and withdrawal of professional certification as a type B home provider.**

A. If the CDJFS determines that the applicant or provider is not in compliance with Chapter 5101:2-14 of the OAC, Chapter 5104. of the Revised Code, the CDJFS shall deny the application or may revoke the certificate. The applicant, provider or spouse who resides in the home cannot reapply for limited or professional certification for at least one year following denial of the application. The applicant, provider or any other relative who resides in the home shall not reapply for limited or professional certification for a least five years following the revocation of the certificate in this state or any other state, or the provider's voluntary withdrawal in this state or any other state, from the certification

program as a result of CDJFS notification of its intent to revoke the provider's certificate due to a violation of the requirements of paragraph (B) of this rule.

- B. 4. Reason for denial or revocation...Failure to cooperate with the CDJFS in the certification process or complaint investigation including but not limited to, consistently being unavailable for announced and unannounced inspections conducted by the CDJFS.
- B. 8. Reason for denial or revocation...Delinquent child care copayment owed to a child care provider, unless satisfactory arrangements have been made to pay the delinquent copayment.

**5101:2-14-07 Fire safety for professional certification as a type B home provider.**

- A. 3. Type B home providers who are certified after September 1, 2008, shall not use any room or space higher than the second floor of a home or building for child care.
- A. 5. A hand rail on at least one side shall be present on any stairs where there are four or more risers.
- B. 2. The date, time of day, number of children and total time to evacuate for each practice drill shall be kept in a written log.
- C. 3. Flammable and combustible materials and substances shall not be stored below the first floor. (Example: Garages under homes cannot have vehicles, lawn mowers, motorcycles, gasoline cans, etc., during the hours of child care.)
- E. There shall be at least one UL listed carbon monoxide detector located in the basement and on each level of the home in which child care is being provided.
- K. The provider shall ensure that there are no exposed light bulbs that could shatter in any areas of the home where children are present.

**5101:2-14-08 Indoor space, programming and equipment for professional certification as a type B home provider.**

- A. 2. Placement of furniture, equipment and household items shall ensure child safety and mobility. Adequate un-interrupted play space shall be provided to ensure age appropriate play and developmental activities.
- B. The program shall be designed to promote children's physical, social-emotional, cognitive and language development.
- D. A copy of the daily program schedule shall be posted in a conspicuous place in the home. The CDJFS representative shall observe whether there is adherence to the posted daily program.
- F. Equipment and materials shall be available from all of the categories for each age group...
- G. The provider shall designate an area where children can individually store their personal belongings. This area shall not block walkways or evacuation routes.

**5101:2-14-11 Requirements for criminal records checks for certification as a type B professional or limited home provider.**

- E. The CDJFS shall request the BCII to conduct a criminal records check, within four years from the date of the last BCII records check and prior to the provider's recertification: for the provider, emergency and substitute caregivers and all persons over eighteen years of age who reside in the home.
  - 1. The CDJFS may have an FBI criminal records check completed if the person does not have an FBI criminal records check on file. **(All Muskingum County provider's, emergency and substitute caregivers and all persons over eighteen years of age who reside in the home, prior to recertification, shall complete an FBI criminals record check.)**
  - 2. Every four years at the time of the provider's recertification, the CDJFS shall request the BCII to conduct a criminal records check and may request and FBI criminal records check.
  - 3. Persons who have not had a criminal records check completed or those with criminal records checks completed more than four years ago shall have a new criminal records check completed **prior to the next provider recertification** and every four years thereafter at the time of recertification.

- I. The provider, emergency caregivers, substitute caregivers and all individuals eighteen years of age or older residing in the home shall complete the JFS01329 Statement of Nonconviction for Type B Homes at the time of initial application and annually thereafter.

**5101:2-14-13 Training requirements for certification as a professional type B home provider, limited home provider or emergency or substitute caregiver.**

- C. Each type B home provider certified on or after August 15, 2008, shall complete or have current, by the end of their first certification year, training in management of communicable disease and child abuse recognition and prevention. Training shall meet the requirements of paragraphs (H) and (I) of this rule respectively. Training may be taken prior to certification, but shall be valid as of the end of the first certification year. **(Current providers have until August 14, 2009 to meet this requirement.)**
- D. Each type B home provider shall complete, by the end of their first certification year and every certification year thereafter, six clock hours of training in categories listed in paragraphs (E), (F), (G), (H), (I), (J) and (K) of this rule. This training shall be completed after the initial certificate is issued. After the first year of certification, the six hours of training shall include at least two clock hours of training in child growth and development. Providers shall attend all trainings required by the CDJFS.
- E. Training in first aid shall be at least six hours in length and be valid for three years. Training will be updated by either completion of the full training or completion of a review training.
- H. Training in communicable disease management shall be at least six hours in length and be valid for three years. Training will be updated by either completion of the full training or completion of a review training.
- I. Training in child abuse recognition and prevention shall be at least six hours in length and be valid for three years. Training will be updated by either completion of the full training or completion of a review training.
- K. The type B home provider shall keep a record of all training completed to meet the requirements of this rule on file in the home. The training shall be documented using the JFS01924 Inservice Training for Type B Home Providers.

**5101:2-14-14 Emergency and substitute child care for professional certification as a type B home provider.**

- A. Within six months of the effective date of this rule (February 14, 2009), the provider shall have at least one emergency or substitute caregiver that is not a certified type B home provider.  
The emergency or substitute caregiver shall meet all of the following requirements:
  2. Has not had his or her type B home provider certification revoked in the past five years.
  4. Has had BCII and FBI criminal records check conducted and results returned.
  7. Has immediate access at all times to a working land-line telephone on the premises.
  10. Complete and maintain current certification in both first aid and CPR within ninety calendar days of being approved. Individuals currently approved by the CDJFS shall complete and maintain current certification in both first aid and CPR within six months of the effective date of this rule.  
(February 14, 2009)

**5101:2-14-17 Outdoor play for professional certification as a type B home provider.**

- C 2. Outdoor play space shall be located away from traffic or protected from traffic by a fence in good repair with functioning gates or natural barrier. The natural barrier shall assure that children are not able to leave the outdoor play area unsupervised and shall assure that any hazards from the outside cannot enter the outdoor play area without the provider being aware of them.
- C 7. Outdoor play space shall provide a shaded area as needed. The shade may be naturally occurring from trees, building, or overhangs. Providers may also install lawn umbrellas that are securely anchored or other facilities that provide shade in a safe manner. Shade must be accessible for at least fifty percent of the children playing outside at any one time.
- D. If an onsite play area is not available a provider may use an off site play area for daily use when it is determined, upon inspection by the provider and the CDJFS, that the area and its accessibility is safe. An

- off site play area approved for regular use shall meet the same requirements as the onsite play areas listed in this rule.
- H. Sandboxes shall be covered with a lid or other covering when they are not in use.
- I. Bodies of water shall be separated from the play area by a fence or other physical barrier that prevents children from accessing the water.

**5101: 2-14-18 Evening and overnight care, sleeping and napping requirements for professional certification as a type B home provider.**

- A. 7. Each child in care during evening and overnight hours shall be provided with an individual crib, cot, mattress, couch, or bed and blankets, and the provider shall ensure that no child sleeps on the floor. An air mattress designed for overnight sleeping may be used. Air mattresses designed for use as flotation devices shall not be used for napping or sleeping.
- B. 10. If caretakers are scheduled to arrive or depart after daylight hours, the provider shall assure that outdoor walkways and entrances to be used are adequately lighted for safety and security.

**5101:2-14-19 Safe and sanitary equipment and environment for professional certification as a type B home provider.**

- A. 5. Lawnmowers, sharp tools, machinery and other equipment shall not be used or stored where children have access to them.
- A. 6. If area rugs are used, they shall have a nonskid backing and floor surfaces shall be maintained so as to not cause a tripping hazard.
- A. 7. If gates are used in the home they shall be firmly anchored when in use. Gates at the top of stairs shall be wall mounted. Gates shall have no spaces where a child could become entrapped. Accordion style gates shall not be used.
- A. 13. Mercury thermometers shall not be used or stored where children have access to them.
- A. 14. c. Caretakers shall be notified in writing as part of the JFS01634 Caretaker/Provider Agreement what animals are kept on the property and whether or not children will have contact with the animals. If additional animals are to be available to children after the JFS01634 is signed, the provider must notify each child's caretaker in writing. A copy of this notification shall also be submitted to the CDJFS and maintained in the provider's file.
- B. 1. Toilet tissue, liquid soap, running water, individually assigned towels or disposable toweling shall be provided in all bathrooms. Toilets and bathroom sinks shall be in good working condition. Toilets shall be flushed after each use.
- B. 2. Equipment, furnishings, and materials shall be constructed of materials to facilitate cleaning and shall be kept clean and in good repair. The cleaning and sanitizing schedule contained in appendix A shall be followed.
- B. 5. Wading pools shall be filtered or emptied daily, and portable wading pools shall be sanitized daily or more often if needed.
- C. The provider shall thoroughly wash his or her hands for at least fifteen seconds with liquid soap and running water: After toileting or assisting a child with toileting; after changing diaper or pull-ups; after contact with bodily fluids or cleaning up spills or objects contaminated with bodily fluids; after taking off disposable gloves; after cleaning or sanitizing or using any chemical products other than detergent; after handling pets, pet cages or other pet objects that have come in contact with the pet; before eating, serving or preparing food or bottles or feeding a child; before and after completing a medical procedure or administering medication.
- D. Child shall be instructed and assisted as needed, to wash their hands: After toileting; after contact with bodily fluids; after returning inside after outdoor play; after handling pets, pet cages or other pet objects that have come in contact with the pets; before eating or assisting with food preparation.

**5101:2-14-19 Appendix A**

**5101:2-14-20 Safety and supervision of children for professional certification as a type B home provider.**

- B. No child shall ever be left unsupervised. Supervision means the provider has knowledge of a child's needs and accountability for his or her care at all times. Supervision includes awareness of and responsibility for the activity of each child and being near enough to intervene if needed.
- D. The provider shall not be under the influence of any substance that impairs the person's ability to supervise children and/or perform duties.
- E. There shall be immediate access at all times to a working land-line telephone on the premises which is capable of making outgoing calls and receiving incoming calls.
- I. Outdoor play shall be supervised as follows: 1. The provider shall remain outdoors with infants, toddlers and preschoolers at all times. 2. School children may be permitted outdoors without the provider as long as the children remain within sight and hearing of the provider and are not engaged in higher risk activities such as but not limited to: swimming, activities with animals, or using equipment with motors or moving parts. The provider must always be able to intervene if needed.

**5101:2-14-21 Transportation and field trip safety for professional certification as a type B home provider.**

- A. Children transported on field trips or routine trips shall be supervised in accordance with rule 5101:2-14-20 of the Administrative Code.
- C. 2. e. Field trip written permission shall include a statement notifying caretakers how their child will be transported such as, if the child will be transported in the provider's vehicle, other parents' vehicles or public transportation.
- D. The following shall be available on all trips, including routine walking trips: A completed copy of the ~~JFS01297~~ for each child on the trip; First aid supplies required by rule ~~5101:2-14-29~~; The completed ~~JFS01928~~ Child Medical/Physical Care Plan; A working cellular phone or other means of immediate communication, which shall not be used by a driver while the vehicle is in motion.
- E. Children on a routine or field trip, except children being transported only to and from school, shall have attached to them, a telephone number and name to contact in the event that the child becomes lost.
- I. Children under twelve years of age shall not be permitted to ride in the front seat of any vehicle.
- J. Smoking shall be prohibited in all vehicles when occupied by children.

**5101:2-14-24 Caretaker/provider responsibilities for professional certification as a type B home provider.**

- B. 1. i. Established monthly fee payment arrangements based upon the Child Care Provider Reimbursement Reporting Calendar which is appendix B of rule 5101:2-16-39 of the Administrative Code.
- B. 1. n. Any pets/animals on the property.
- B. 2. The provider shall give a copy of the completed agreement to the caretaker immediately and to the CDJFS within five days of completion. The CDJFS shall maintain a copy in the provider's file.
- D. The provider shall provide the caretaker with a written receipt for all payments made.

**5101:2-14-26 Records requirements for professional certification as a type B home provider.**

- A. The type B home provider shall have a completed ~~JFS01297~~ Child Enrollment and Health Information on file for each child in care by the first day of attendance. This form shall be reviewed at least annually by the caretaker and updated as needed when information changes. Caretakers shall initial and date the form when the information is reviewed or updated.
- B. Each child, including any child of the provider, who is not attending a grade of kindergarten or above, shall obtain a physical examination and have a completed JFS01932 Child's Medical Statement or head start physical examination form on file at the home within thirty days of the child's attendance. The medical statement shall verify a date of exam within the past twelve months and every thirteen months thereafter, until the child is attending a grade of kindergarten or above. (A completed JFS1932 is required no later than the date of the child's previous health record form was due to be reviewed and updated. Provider's own children will be required to have the JFS1932 completed by August 14, 2009.)