

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**5101:2-47-16 Title IV-E foster care maintenance (FCM) program: Reimbursable placement settings.**

- (A) FCM reimbursements may be claimed if the FCM eligible child is placed in one of the following placement settings which is licensed, certified or approved, as appropriate, by the Ohio department of job and family services (ODJFS) or another state agency with such licensure, certification or approval authority:
- (1) Foster home, including a relative home licensed as a foster home or a pre-adoptive licensed foster home in which the child continues to receive FCM reimbursements. FCM reimbursements may be claimed from the date the foster home or relative home licensed as a foster home or pre-adoptive licensed foster home satisfies all of the requirements for certification to the date on which the certificate is actually issued, not to exceed sixty days.
  - ~~(2) (2) Private nonprofit, private for-profit or public group home.~~
  - ~~(3) (3) Private nonprofit or private for-profit maternity home.~~
  - ~~(4) (4) Public maternity home which accommodates no more than twenty-five children.~~
  - ~~(5) (5) Private nonprofit or private for-profit children's residential center (CRC).~~
  - ~~(6) (6) Public CRC which accommodates no more than twenty-five children.~~
  - ~~(7) (7) Residential parenting facility. If the residential parenting facility is a public facility, the facility shall accommodate no more than twenty-five children.~~
  - ~~(8) (2) Private foster care from a private child placing agency (PCPA), private noncustodial agency (PNA) or another public children services agency (PCSA).~~
  - ~~(9) (3) With a parent in a substance use disorder (SUD) residential facility, as defined in rule 5101:2-1-01 of the Administrative Code.~~
  - ~~(10) (4) Qualified residential treatment program (QRTP), as defined in rule 5101:2-9-42 of the Administrative Code. A public QRTP cannot accommodate more than twenty-five children.~~
  - ~~(11) (11) On leave from a family foster home; when a child is temporarily placed into another family foster home at the same level of care as the current family foster home for more than twenty-four hours but for no more than fourteen days, and the child returns to the original family foster home by the end of the fourteenth day. For each leave from a family foster home, the child shall return to the original family foster home prior to beginning another leave to be eligible for FCM reimbursement.~~
- (B) A child may be in a temporary leave from a foster home without constituting a move, when all of the following are met:
- (1) The foster home is to be licensed at the same level of care as the current foster home.
  - (2) The temporary leave is more than twenty-four hours but for no more than fourteen days.
  - (3) The child returns to the original foster home by the end of the fourteenth day.
  - (4) The child may be in only one temporary leave type during a fourteen day period to be reimbursable without returning to the original foster home before beginning another temporary leave.

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(C) A child on leave longer than fourteen days will constitute as a placement move.

~~(B)~~(D) FCM reimbursement may be claimed for payments made to the provider to hold a bed if the following are met:

- (1) The child shall be physically placed into the setting prior to the leave.
- (2) The bed shall be available while being held for the child's return.
- (3) The leave does not exceed fourteen calendar days.
- (4) The child returns to the same placement as he or she was placed into prior to the leave.
- (5) The child shall be in one of the following types of leave:
  - (a) Absence without leave (AWOL).
  - (b) Hospital.
  - (c) Trial home visit.
  - (d) Parental, relative or non-relative visit (for purpose of reunification).
  - (e) Camp (eg. boy/girl scout camp, 4H camp, band camp, church camp, sports camp).
  - (f) Vacation (child only).

~~(C)~~(E) Reimbursable placement facilities located outside of Ohio are limited to the types of homes and ~~institutions~~ QRTP described in paragraph (A) of this rule which are licensed, certified or approved by the agency responsible for the licensing, certification or approval of such facilities in the state where the placement facility is located. Placements outside of Ohio must be made in accordance with rules contained in Chapter 5101:2-52 of the Administrative Code.

~~(D)~~(F) Children who are otherwise FCM program eligible are not program reimbursable during their period of residence in the following placement settings or placement categories:

- (1) Court-ordered placements with a specific foster care provider. This does not include a court-ordered placement where the Title IV-E court has legal responsibility for the care and placement of the child or a court-ordered placement where the court followed or considered the recommendation of the Title IV-E agency for placement and was so noted in the court order.
- (2) Detention facilities, forestry camps, training schools, or other locked facilities operated primarily for the detention of children who are determined to be delinquent.
- (3) AWOL, hospital or leave except as described in paragraph (B) of this rule.
- (4) A home or facility including a pre-adoptive home not licensed, approved or certified or a pre-adoptive home licensed as a foster home in which the child does not continue to receive Title IV-E FCM payments.
- (5) A relative home neither licensed, certified or approved nor in the process of licensure, certification or approval as a foster home.

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