

Department of Health and Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**SOME OHIO GROUP HOMES DID  
NOT ALWAYS COMPLY WITH  
FOSTER CARE HEALTH AND  
SAFETY REQUIREMENTS**

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**September 2017  
A-05-16-00049**

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## Report in Brief

Date: September 2017  
Report No. A-05-16-00049

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
**OFFICE OF INSPECTOR GENERAL**



### Why OIG Did This Review

Congress has expressed concerns about the safety and well-being of children in foster care. These issues were highlighted in a media report that provided several examples of children who died while in foster care. Additionally, in a recent series of OIG health and safety audits of State-monitored childcare facilities, we found that the majority of childcare providers in various States had instances of potentially hazardous conditions and noncompliance with State health and safety requirements, including criminal records checks requirements.

Our objective was to determine whether Ohio's monitoring ensured that foster care group homes complied with State requirements related to the health and safety of children in foster care, as required by Title IV-E of the Social Security Act (the Act).

### How OIG Did This Review

Of the 154 group homes in Ohio that received foster care Title IV-E funding for calendar year 2015, we selected 30 homes for our review. We selected these homes based on various factors, including the homes' location, capacity, children in the homes, and operational status. We conducted unannounced site visits from June 28 through August 11, 2016.

## Some Ohio Group Homes Did Not Always Comply With Foster Care Health and Safety Requirements

### What OIG Found

Although the State agency conducted the required inspections at all 30 of the group homes that we reviewed, this monitoring did not ensure that the group homes that received funds under Title IV-E of the Act complied with State requirements related to the health and safety of children in foster care, as required by Federal law. We determined that 19 of the 30 homes that we reviewed did not comply with 1 or more requirements. Specifically, we found that 17 homes did not always comply with physical and environmental safety requirements, 5 homes did not always comply with required criminal records checks, 4 homes did not always comply with requirements related to fire safety of residential facilities, and 3 homes did not always comply with staff record requirements.

### What OIG Recommends and the State Agency's Comments

We recommend that the State agency (1) ensure that all instances of noncompliance are documented and corrected; (2) ensure that the group homes adhere to all requirements for the health and safety of children by continuing onsite visits; (3) ensure that group homes obtain the required criminal records checks for all employees who provide direct care to children; and (4) consider additional outreach programs for the group homes, such as training and technical assistance in the areas identified as noncompliant.

In written comments on our draft report, the State agency stated that it was "in accordance" with our first three recommendations and that it concurred with our fourth recommendation. After receiving our preliminary findings, the State agency stated that it took immediate action to ensure that the instances of noncompliance with health and safety regulations were being corrected and that group homes adhered to all requirements, including those related to criminal records checks for all employees. The State agency also said that it will provide ongoing individual and group technical assistance to reinforce current mechanisms in place for disseminating State-wide policy on health and safety issues.

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## INTRODUCTION

### WHY WE DID THIS REVIEW

The Children's Bureau within the Administration for Children and Families (ACF) awards grants to States to fund the Federal Foster Care Program, which provides safe foster care placements for eligible children and youth who cannot remain in their homes. Congress has expressed concerns about the safety and well-being of children in foster care. These issues were highlighted in a media report<sup>1</sup> that provided several examples of children who died while in foster care. Additionally, in a recent series of audits of State-monitored childcare facilities in various States,<sup>2</sup> we found that the majority of childcare providers had instances of potentially hazardous conditions and noncompliance with State health and safety requirements, including criminal records check requirements. To determine whether health and safety vulnerabilities exist in foster care group homes, we are performing reviews in several States, including Ohio. In Ohio, the Department of Job and Family Services (State agency) is responsible for administering the Title IV-E foster care program.

### OBJECTIVE

Our objective was to determine whether the State agency's monitoring ensured that foster care group homes complied with State licensing requirements related to the health and safety of children in foster care, as required by Title IV-E of the Social Security Act (the Act).

### BACKGROUND

#### Federal Foster Care Program

Title IV-E of the Act established the Federal Foster Care Program, which helps States to provide safe and stable out-of-home care for children who meet certain eligibility requirements until they are safely returned home, placed permanently with adoptive families, or placed in other planned arrangements. At the Federal level, ACF administers the program. The State agency is responsible for administering the program at the State level.

The Act requires a State agency to submit a State plan that designates a State agency that will administer the program (the Act § 471(a)(2)). The State plan also provides for the establishment or designation of a State authority, or authorities, responsible for establishing and maintaining standards for foster family homes and childcare institutions, including standards related to safety, and requires the State to apply the standards to any foster family home or childcare institution receiving funds under sections IV-E or IV-B of the Act (the Act

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<sup>1</sup> Mother Jones, "The Brief Life and Private Death of Alexandria Hill." Available online at <http://www.motherjones.com/politics/2015/01/privatized-foster-care-mentor>. Accessed on August 3, 2017.

<sup>2</sup> All 20 audit reports in the OIG series Child Care Providers: Compliance with State Health and Safety Requirements can be viewed at <https://oig.hhs.gov/oas/child-care/text-map.asp>.

§ 471(a)(10)). The plan must also provide that the State shall have developed and implemented standards to ensure that children in foster care placements in public or private agencies are provided quality services that protect their health and safety (the Act § 471(a)(22)). To be eligible for foster care maintenance payments under Title IV-E, a child must be placed in a foster family home, a private childcare institution, or a public childcare institution accommodating no more than 25 children, which is licensed or approved as meeting the standards established for licensing by the State licensing authority (the Act, §§ 472(b) and (c)).<sup>3</sup>

### **Ohio Department of Job and Family Services**

The State agency's Office of Families and Children oversees Ohio's foster care providers and agencies and is responsible for State-level administration and oversight of the foster care program. The State agency certifies agencies that provide foster care, adoption, and residential services for children and ensures that the agencies adequately provide care and recommend or approve other agencies to provide care. The State agency licensing staff conduct announced and unannounced inspections of all licensed or certified<sup>4</sup> foster care agencies and facilities. In Ohio, child welfare services are provided directly by the 88 county-administered public child services agencies, some of which are certified to operate group homes or residential centers.

### **State Certification Requirements for Group Homes**

The Ohio Administrative Code (OAC) defines a group home in the foster care context as a public or private facility that provides nonsecure care and supervision 24 hours a day by a person unrelated to the children for 2 or more consecutive weeks. Agencies<sup>5</sup> operating a group home must be certified by the State agency. As the licensing authority, the State agency monitors the group homes' compliance with applicable State laws and State agency rules. During the initial certification review, the State agency conducts an onsite inspection of each group home. According to the State, the State agency requires agencies to be recertified every 2 years; recertification includes scheduled onsite inspections of the group homes by the State agency. If an agency is cited with a finding of noncompliance, a corrective action plan must be approved by the State agency and implemented within a designated timeframe. A certificate to operate a group home may be revoked if the agency fails to comply with the State agency's licensing requirements or any requirements relevant to the functions of the agency.

Appendix A contains details on the Federal and State requirements related to the health and safety of children in foster care in group homes.

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<sup>3</sup> Foster care maintenance payments may also be made on behalf of a child who is 18 or older living in supervised independent living.

<sup>4</sup> The State told us that the State agency uses the terms "certification" and "licensing" interchangeably.

<sup>5</sup> "Agency" is defined as a public children services agency, private child placing agency, or private noncustodial agency certified by the State agency (OAC 5101:2-1-01).

## HOW WE CONDUCTED THIS REVIEW

Of the 154 group homes in Ohio that received foster care Title IV-E funding for calendar year 2015, we selected 30 homes for our review. We selected these homes by considering their geographic locations, whether there were multiple homes within the same agency, the capacity of the homes, the number of children in foster care in the homes, whether the homes were under review by the State agency, and the homes' operational status at the time of our visits. We conducted unannounced site visits from June 28 through August 11, 2016.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix B contains the details of our audit scope and methodology.

## FINDINGS

Although the State agency performed the required onsite monitoring at all 30 of the foster care group homes that we reviewed, this monitoring did not ensure that the homes complied with State licensing requirements related to the health and safety of children in foster care as required by Title IV-E. We determined that 19 of the 30 homes that we reviewed did not comply with 1 or more State health and safety requirements. Specifically, we found that 17 homes did not comply with physical and environmental safety requirements, 5 homes did not comply with required criminal records checks, 4 homes did not comply with requirements related to fire safety of residential facilities, and 3 homes did not comply with staff record requirements.

Appendix C contains photographic examples of noncompliance with physical conditions requirements, and Appendix D contains the instances of noncompliance at each home we reviewed.

### GROUP HOMES DID NOT ALWAYS COMPLY WITH PHYSICAL AND ENVIRONMENTAL SAFETY REQUIREMENTS

#### State Requirements

- Children have the "right to live in clean, safe surroundings" (OAC 5101:2-5-35(A)(10)).
- All structures, grounds, furnishings, or equipment used by or located on the grounds of a residential facility must be continually maintained in good repair and in clean condition (OAC 5101:2-9-04(A)).

- All rooms, corridors, and stairways inside a residential facility must have working lights (OAC 5101:2-9-04(B)).
- Each residential facility must have working exterior lighting for operable entrances and stairways to occupied buildings (OAC 5101:2-9-04(C)).
- All stairways accessible to children within or on the grounds of a residential facility that contain more than four steps must be equipped with a railing (OAC 5101:2-9-06(F)).
- Outdoor areas on the grounds of or immediately adjacent to a residential facility that are potentially hazardous to residents must be safeguarded, considering the age and functioning level of the residents (OAC 5101:2-9-06(G)).
- Each residential facility that maintains any poisonous, toxic, or flammable materials and substances for any purpose on the grounds of the facility must maintain them in locked storage areas and according to the manufacturer's instructions (OAC 5101:2-9-06(M)).
- Poisonous and toxic materials and substances must be kept apart from food and must be clearly labeled. Laundry supplies, except bleach, may be stored in an unlocked storage space away from food (OAC 5101:2-9-10(B)).
- Each residential facility must maintain a separate admissions log and include the name of each child admitted, the date of admission, the child's date of birth, and the date of discharge (OAC 5101:2-9-11(H)).
- All medication in a residential facility must be stored in a safe place away from children (OAC 5101:2-9-14(I)).
- Bathtubs and showers in a residential facility must have nonskid surfaces (OAC 5101:2-9-29(E)).
- All vehicles used for transporting children of the facility must be annually inspected and approved by the Ohio State Highway Patrol and continually maintained in a safe operating condition (OAC 5101:2-9-32(B)(1)).

### **Group Homes Did Not Comply With Physical and Environmental Safety Requirements**

We determined that 17 of the 30 group homes that we reviewed had 1 or more instances of noncompliance with physical and environmental safety requirements. Examples of noncompliance included:

- exposed electrical wire coming out of the wall in the living room (Appendix C, photograph 1);

- a laundry area that was not kept clean and had dirty clothes surrounding the washer and dryer (Appendix C, photograph 2);
- a dining room ceiling that was buckled and sagging (Appendix C, photograph 3);
- an unsanitary toilet with mold, and bathroom surfaces that were not kept clean (Appendix C, photograph 4);
- old washers and dryers in the backyard (Appendix C, photograph 5);
- insufficient lighting in the stairway to the second floor;
- an exterior entrance with inoperable lighting (Appendix C, photograph 6);
- a broken railing in the stairway that contained more than four steps (Appendix C, photograph 7);
- an exterior building that was not locked and was kept in hazardous conditions (Appendix C, photograph 8);
- hazardous materials stored in an unlocked cabinet (Appendix C, photograph 9);
- hazardous materials that were in the same storage area with food;
- bleach that was stored in an unlocked laundry room (Appendix C, photograph 10);
- a children's admissions log that was not kept up to date;
- medication that was left unattended in an unlocked cabinet; and
- a bathtub that did not have a nonskid surface (Appendix C, photograph 11).

## **GROUP HOMES DID NOT ALWAYS COMPLY WITH REQUIRED CRIMINAL RECORDS CHECKS**

### **State Requirements**

The hiring officer of any entity that employs any person responsible for a child's care in out-of-home care must request that the superintendent of the Bureau of Criminal Identification and Investigation (BCII) conduct a criminal records check. If a person subject to a criminal records check does not present proof that the person has been a resident of Ohio for the 5-year period immediately prior to the date on which the check is requested, the appointing or hiring officer must request that the superintendent of BCII obtain information from the Federal Bureau of Investigation as part of the check. No hiring officer may employ a person responsible for a child's care in out-of-home care if the person has been convicted of or pleaded guilty to certain

violations, unless the person meets rehabilitation standards established in rules adopted by the direction of the State agency.<sup>6</sup> The hiring officer may employ a person conditionally until the criminal records check is completed and the officer receives the results of the check. If the results of the criminal records check indicate that the person does not qualify for appointment or employment, the officer must release the person from employment (ORC 2151.86(A-C)).

### **Group Homes Did Not Comply With Required Criminal Records Checks**

We determined that 5 of the 30 group homes that we reviewed each had 1 instance of noncompliance with criminal records checks. The instances of noncompliance with criminal records checks included the following:

- We found, and group home staff admitted, that criminal records checks were not conducted for two employees.
- We found that one employee's criminal records check was incomplete. Specifically, the results of the background check stated that the employee may not meet employment conditions and no additional information was provided by the agency.
- We also found that criminal records check results for two employees with prior convictions were not evaluated properly. Specifically, the background checks resulted in prior convictions that could have potentially disqualified the employees from employment with the agencies. The personnel files did not contain an explanation as to the offenses, the determination of the employees meeting the employment conditions, and no additional information was provided to us by the State agency.

### **GROUP HOMES DID NOT ALWAYS COMPLY WITH FIRE SAFETY REQUIREMENTS**

#### **State Requirements**

The State requires group homes to ensure, among other requirements, the following:

- A residential facility must have a fire inspection not more than 12 months following the date of the previous inspection (OAC 5101:2-9-08(A)(3)).
- Each residential facility must have smoke detectors located according to instructions of the local fire safety inspector or State fire marshal (OAC 5101:2-9-08(D)).
- Each residential facility must have fire extinguishers in specific locations as required by the certified fire inspector. Fire extinguishers must be inspected as required by the fire inspector and documentation maintained (OAC 5101:2-9-08(F)).

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<sup>6</sup> The relevant violations are listed in ORC 109.572(A)(4) and include serious offenses, such as robbery, endangering children, and domestic violence.

## **Group Homes Did Not Comply With Fire Safety Requirements**

We determined that 4 of the 30 group homes that we reviewed had 1 or more instances of noncompliance with fire safety requirements. The noncompliance instances included fire inspections that were past the 12-month requirement, smoke detectors that were detached and missing or disconnected (Appendix C, photograph 12), and fire extinguishers that were past inspection or missing inspection documentation.

## **GROUP HOMES DID NOT ALWAYS COMPLY WITH STAFF RECORDS REQUIREMENTS**

### **State Requirements**

- Each residential facility must ensure that all childcare staff hired possess a current American Red Cross, American Heart Association, or equivalent first aid and cardiopulmonary resuscitation (CPR) certification at the time of hire or within 6 months following the date of hire (OAC 5101:2-9-03(J)).
- Each residential facility must document the completion of the training activities required by this rule in the personnel record maintained (OAC 5101:2-9-03(M)).

### **Group Homes Did Not Comply With Staff Records Requirements**

We determined that 3 of the 30 group homes that we reviewed had 1 instance each of noncompliance with staff records requirements. The instances included incomplete training records and expired or missing CPR certifications.

## **CAUSE AND EFFECT OF NONCOMPLIANCE WITH HEALTH AND SAFETY REQUIREMENTS**

We discussed our findings with State agency officials and determined that the instances of noncompliance occurred because the group homes did not adhere to the requirements and ensure ongoing compliance with the State health and safety requirements between the State agency's annual onsite visits. While the health and safety of the children in the group homes may have been at risk during the periods of noncompliance with the State agency's requirements, as a result of our audit findings, the State agency told us that it had followed up on these instances with the group home providers to address the issues.

## **RECOMMENDATIONS**

We recommend that the State agency:

- ensure that all instances of noncompliance are documented and corrected;
- ensure that the group homes adhere to all requirements for the health and safety of children by continuing onsite visits;

- ensure that group homes obtain the required criminal records checks for all employees who provide direct care to children; and
- consider additional outreach programs for the group homes, such as training and technical assistance in the areas identified as noncompliant.

### **STATE AGENCY COMMENTS**

In written comments on our draft report, the State agency stated that it was “in accordance” with our first three recommendations and that it concurred with our fourth recommendation. After receiving our preliminary findings, the State agency stated that it took immediate action to ensure that the instances of noncompliance with health and safety regulations were being corrected and that group homes adhered to all requirements, including those related to criminal records checks for all employees. The State agency also said that it will provide ongoing individual and group technical assistance to reinforce current mechanisms in place for disseminating State-wide policy on health and safety issues. The State agency’s comments appear in their entirety as Appendix E.

## APPENDIX A: FEDERAL AND STATE REQUIREMENTS

### FEDERAL LAW

The U.S. Department of Health and Human Services, ACF, funds foster care and adoption assistance programs under Title IV-E of the Act.

... State[s are provided the] flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by –

- (1) protecting and promoting the welfare of all children;
- (2) preventing the neglect, abuse, or exploitation of children;
- (3) supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;
- (4) promoting the safety, permanence, and well-being of children in foster care and adoptive families; and
- (5) providing training, professional development and support to ensure a well-qualified child welfare workforce [the Act § 421].

The Act requires a State agency to submit a State plan that designates a State agency that will administer the program for the State (the Act § 471(a)(2)).

The State plan provides for the establishment or designation of a State authority or authorities that will be responsible for establishing and maintaining standards for foster family homes and child care institutions, including standards related to safety, and requires that the standards be applied by the State to any foster family home or childcare institution receiving funds under sections IV-E or IV-B of the Act (the Act § 471(a)(10)).

“... [T]he State shall develop and implement standards to ensure that children in foster care placements in public or private agencies are provided quality services that protect the safety and health of the children” (the Act § 471(a)(22)).

Foster care maintenance payments may be made under this part only on behalf of a child described in subsection (a) of this section who is—

- (1) in the foster family home of an individual, whether the payments therefor are made to such individual or to a public or private child-placement or child-care agency, or
- (2) in a child-care institution, whether the payments therefor are made to such institution or to a public or private child-placement or child-care agency, which payments shall be limited so as to include in such payments only those items which are included in the term ‘foster care maintenance payments’ [as defined in section 475(4)].

(c) For the purposes of this part, (1) the term “foster family home” means a foster family home for children which is licensed by the State in which it is situated or has been approved, by the agency of such State having responsibility for licensing homes of this type, as meeting the standards established for such licensing; and (2) the term “child-care institution” means a private child-care institution, or a public child-care institution which accommodates no more than twenty-five children, which is licensed by the State in which it is situated or has been approved, by the agency of such State responsible for licensing or approval of institutions of this type, as meeting the standards established for such licensing, except, in the case of a child who has attained 18 years of age, the term shall include a supervised setting in which the individual is living independently ... [the Act § 472(b) and (c)].

## **STATE LAW**

### **Ohio Revised Code**

#### *Chapter 5101.141(B)(1) – General provisions.*

... [T]he [Ohio] department of job and family services shall act as the single state agency to administer Federal payments for foster care and adoption assistance made pursuant to Title IV-E. The director of job and family services shall adopt rules to implement this authority. Rules governing financial and administrative requirements applicable to public children services agencies and government entities that provide Title IV-E reimbursable placement services to children shall be adopted in accordance with section 111.15 of the Revised Code, as if they were internal management rules. Rules governing requirements applicable to private child placing agencies and private noncustodial agencies and rules establishing eligibility, program participation, and other requirements concerning Title IV-E shall be adopted in accordance with Chapter 119 of the Revised Code. A public children services agency to which the department distributes Title IV-E funds shall administer the funds in accordance with those rules.

#### *Chapter 5103.03(B)(2) – Rules for adequate and competent management of institutions or associations.*

When the [Ohio] department of job and family services is satisfied as to the care given such children, and that the requirements of the statutes and rules covering the management of such institutions and associations are being complied with, it shall issue to the institution or association a certificate to that effect. A certificate is valid for two years, unless sooner revoked by the department. When determining whether an institution or association meets a particular requirement for certification, the department may consider the institution or association to have met the requirement if the institution or association shows

to the department's satisfaction that it has met a comparable requirement to be accredited by a nationally recognized accreditation organization.

*Chapter 109.572(A)(4) – Attorney General, criminal records check.*

On receipt of a request pursuant to section 2151.86 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 959.13, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2927.12, or 3716.11 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense, two or more OVI [operating a vehicle while intoxicated] or OVUAC [operating a vehicle after underage consumption] violations committed within the three years immediately preceding the submission of the application or petition that is the basis of the request, or felonious sexual penetration in violation of former section 2907.12 of the Revised Code;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(4)(a) of this section.

*Chapter 2151.86 – Juvenile Court, criminal records check.*

The appointing or hiring officer of any entity that appoints or employs any person responsible for a child's care in out-of-home care shall request the superintendent of BCII [Bureau of Criminal Identification and Investigation] to conduct a criminal records check with respect to any person who is under final consideration for appointment or employment as a person responsible for a child's care in out-of-home care, except that section 3319.39 of the Revised Code

shall apply instead of this section if the out-of-home care entity is a public school, educational service center, or chartered nonpublic school [ORC 2151.86(A)(1)].

If a person subject to a criminal records check under division (A)(1) of this section does not present proof that the person has been a resident of this state for the five-year period immediately prior to the date upon which the criminal records check is requested or does not provide evidence that within that five-year period the superintendent of BCII has requested information about the person from the federal bureau of investigation in a criminal records check, the appointing or hiring officer shall request that the superintendent of BCII obtain information from the federal bureau of investigation as a part of the criminal records check ... [ORC 2151.86(B)(1)].

No appointing or hiring officer shall appoint or employ a person as a person responsible for a child's care in out-of-home care, the [Ohio] Department of Job and Family Services shall not issue a certificate under section 5103.03 of the Revised Code authorizing a prospective foster caregiver to operate a foster home, and no probate court shall issue a final decree of adoption or an interlocutory order of adoption making a person an adoptive parent if the person or, in the case of a prospective foster caregiver or prospective adoptive parent, any person eighteen years of age or older who resides with the prospective foster caregiver or prospective adoptive parent previously has been convicted of or pleaded guilty to any of the violations described in division (A)(4) of section 109.572 of the Revised Code, unless the person meets rehabilitation standards established in rules adopted under division (F) of this section [ORC 2151.86(C)(1)].

The appointing or hiring officer may appoint or employ a person as a person responsible for a child's care in out-of-home care conditionally until the criminal records check required by this section is completed and the officer receives the results of the criminal records check. If the results of the criminal records check indicate that, pursuant to division (C)(1) of this section, the person subject to the criminal records check does not qualify for appointment or employment, the officer shall release the person from appointment or employment [ORC 2151.86(C)(2)].

## **Ohio Administrative Code**

### *Chapter 5101:2-1-01(B) – Children services definitions of terms.*

'Group home' is a public or private facility which provides placement services for children and is licensed, regulated, approved, operated under the direction of, or otherwise certified as a group home by ODJFS [Ohio Department of Job and Family Services], the Ohio department of education, a local board of education,

the Ohio department of youth services, the Ohio department of mental health, a county board of mental health, the Ohio department of developmental disabilities, a county board of developmental disabilities, or a political subdivision [OAC 5101:2-1-01(B)(124)].

'Group home for children' referred to in Chapter 5101:2-5 of the Administrative Code as 'group home' means any facility, public or private, which meets all of the following criteria:

(a) Gives a maximum of ten children, including the children of the operator or any staff who reside in the facility, nonsecure care and supervision twenty-four hours a day for hire, gain, or reward by a person or persons who are unrelated to such children by blood or marriage, or who is not the appointed guardian of such children. Any individual who provides care for children from only a single-family group, placed there by their parents or other relative having custody, shall not be considered as being a group home for children;

(b) Is not certified as a foster home; and

(c) Receives or cares for children for two or more consecutive weeks [OAC 5101:2-1-01(B)(125)].

'Licensing authority' is the governmental body responsible for carrying out a department's licensing and regulatory functions, including monitoring compliance with applicable state laws and departmental rules by agencies, individuals, organizations, facilities, or other service providers licensed or certified by that body [OAC 5101:2-1-01(B)(170)].

"Residential facility" means a group home, children's crisis care facility (as defined in rule 5101:2-9-36 of the Administrative Code), children's residential center, private, nonprofit therapeutic wilderness camp, or residential parenting facility where twenty-four hour child care is provided by child care staff employed or contracted by an agency. A foster home is not a residential facility. "Residential facility", as used in Chapter 5101:2-36 of the Administrative Code, is a home or facility that is licensed by the department of developmental disabilities under section 5123.19 of the Revised Code and in which a child with a developmental disability resides [OAC 5101:2-1-01(B)(269)].

*Chapter 5101:2-5-03(A)(2) – Certification of an agency to perform specific functions.*

"Specific functions of a public children services agency (PCSA) which require certification by the Ohio department of job and family services (ODJFS) are to operate group home(s)."

*Chapter 5101:2-5-04(I) – Recertification of an agency to perform specific functions.*

“If an agency’s list of records as requested by ODJFS, pursuant to paragraph (G) of this rule, is received by ODJFS within the timeframe specified in paragraph (H) of this rule, ODJFS may select a random sample of records from the list to be reviewed during the site inspection and shall provide the identity of these records to the agency two weeks prior to the scheduled site inspection.”

*Chapter 5101:2-5-06 – Corrective action plans.*

(A) An agency shall submit a corrective action plan, as prescribed by the Ohio department of job and family services (ODJFS), for any finding of noncompliance cited by ODJFS on a summary of noncompliance, to the appropriate ODJFS regional office within fifteen working days of the exit interview or of the receipt of an appeal decision pursuant to rule 5101:2-5-05 of the Administrative Code. An agency may take longer than fifteen days to submit the corrective action plan if the agency has requested and received an extension from ODJFS.

(B) A corrective action plan submitted by an agency pursuant to paragraph (A) of this rule shall specify:

- (1) What the agency is going to do to correct an area of noncompliance;
- (2) How noncompliance will be prevented in the future;
- (3) Who in the agency will be responsible for the implementation of the corrective action plan; and
- (4) How the agency will document that the corrective action plan has been implemented.

(C) The timeframe for implementation of all corrective action plans shall be no longer than thirty calendar days from the date ODJFS approves the corrective action plan unless more time is given by written approval of the appropriate ODJFS licensing supervisor.

(D) When a corrective action plan is disapproved by ODJFS, the agency shall submit another corrective action plan to ODJFS within ten working days of receipt of the ODJFS written notification that the corrective action plan was disapproved. The action of ODJFS to approve or disapprove a corrective action plan shall have no effect on the decision of ODJFS to deny or revoke an agency’s certification.

*Chapter 5101:2-5-07(A) – Denial or revocation of an agency’s certificate or certification to perform specific functions; temporary certificates.*

An application for an agency certificate or for any of the functions an agency intends to perform may be denied and an existing certificate or certification to perform specific functions may be revoked for any of the following reasons:

(1) An agency has failed to comply with any applicable requirement of Chapter 5101:2-5 of the Administrative Code or any requirement of any other applicable chapter of the Administrative Code relevant to the intended or certified functions of the agency.

*Chapter 5101:2-5-35(A)(10) – Children’s rights.*

“No agency, foster caregiver or residential facility or any employee of an agency or residential facility shall in any way violate any of the following rights of children ... [including] the right to live in clean, safe surroundings.”

*Chapter 5101:2-9-03 – Staff development and evaluation.*

(J) Each residential facility shall assure that all child care staff hired possess a current American Red Cross, American heart association, or equivalent first aid and cardiopulmonary resuscitation (CPR) certification at the time of hire or within six months following the date of hire. Child care staff of a group home or children’s residential center shall be certified in the type applicable to the age and size of the children to be served in the facility. Child care staff of a residential parenting facility and a children’s crisis care facility shall be certified in infant, adult and child CPR.

(M) Each residential facility shall document the completion of the training activities required by this rule in the personnel record maintained pursuant to rule 5101:2-5-09 of the Administrative Code.

*Chapter 5101:2-9-04 – General maintenance of a residential facility.*

(A) All structures, grounds, furnishings or equipment used by or located on the grounds of a residential facility shall be continually maintained in good repair and in clean condition.

(B) All rooms, corridors, and stairways inside a residential facility shall be equipped with operable electric illumination.

(C) Each residential facility shall have working exterior electrical illumination for operable entrances and stairways to occupied buildings.

*Chapter 5101:2-9-06 – General safety.*

(F) All stairways accessible to children within or on the grounds of a residential facility which contain more than four steps shall be equipped with a railing. In addition, any facility which is a residential parenting facility or crisis care facility shall guard all stairways accessible to children with a safety gate.

(G) Outdoor areas on the grounds of or immediately adjacent to a residential facility which are potentially hazardous to residents shall be safeguarded considering the age and functioning level of the residents.

(M) Each residential facility which maintains any poisonous, toxic, or flammable materials and substances for any purpose on the grounds of the facility shall maintain all such substances in locked storage areas and according to the manufacturer's instructions.

*Chapter 5101:2-9-08 – Fire safety.*

(A) A residential facility shall secure a JFS 01200 'Fire Inspection Report Child Care Facilities Licensed/Certified by the Ohio Department of Job and Family Services' (rev. 10/2000) fire safety approval or other form used for a local or state fire inspection in each of the following instances:

(1) Within six months prior to initial certification.

(2) At the time of any major modification or alteration of any existing structure, unless the structure will no longer be in use and is inaccessible to children.

(3) Not more than twelve months following the date of the previous inspection.

(D) Each residential facility shall have smoke detectors located according to instructions of the local fire safety inspector or state fire marshal.

(F) Each residential facility shall have fire extinguishers in specific locations as required by the certified fire inspector. Fire extinguishers shall be inspected as required by the fire inspector and documentation maintained.

*Chapter 5101:2-9-10(B) – Storage of hazardous materials.*

Poisonous and toxic materials and substances shall be stored in accordance with the manufacturer's storage instructions in locked storage spaces separate and apart from food and shall be clearly labeled. Laundry supplies, except bleach, may be stored in an unlocked storage space separate and apart from food. In cases where poisonous and toxic materials are transferred from their original containers to substitute containers, the substitute containers shall be clearly

labeled as to their contents. Keys to storage spaces shall be available only to authorized staff.

*Chapter 5101:2-9-11(H) – Admissions and admissions log.*

“Each residential facility shall maintain a separate admissions log which shall include the name of each child admitted, the date of admission, the child’s date of birth, and the date of discharge. Such information shall also be recorded on the admissions log for a child of a teenage mother admitted to a residential parenting facility.”

*Chapter 5101:2-9-14(I) – Medications.*

“All medication in a residential facility shall be stored in a safe place away from children.”

*Chapter 5101:2-9-29(E) – Bathrooms.*

“Bathtubs and showers in a residential facility shall have nonskid surfaces.”

*Chapter 5101:2-9-32(B) – Transportation.*

“Vehicles owned, rented or leased by a residential facility that are used to transport children ... shall be annually inspected and approved by the Ohio state highway patrol and continually maintained in a safe operating condition.”

## APPENDIX B: AUDIT SCOPE AND METHODOLOGY

### SCOPE

Of the 154 group homes in Ohio that received foster care Title IV-E funding for calendar year 2015, we selected 30 homes for our review. We selected these homes by considering the geographic locations, whether there were multiple homes within the same agency, the capacity of the homes, the number of children in foster care in the homes, whether the homes were under review by the State agency, and the homes' operational status at the time of the visits.

Specifically, we visited only group homes with children eligible under the Title IV-E foster care program and residing in the facility at the time of our site visit. Therefore, during the selection process, we identified homes with higher child capacities and a higher number of child placements under the foster care program throughout calendar year 2015. Also, to avoid interfering with the State agency oversight and monitoring efforts, we did not conduct onsite visits at homes that were under investigation by the State agency or did not have a State agency-approved corrective action plan.

We conducted a review of the group homes' records and facilities as of October 2016. To gain an understanding of the State agency's operations as they related to group homes, we limited our review to the State agency's internal controls as they related to our objective.

We conducted fieldwork in the Ohio cities of Bedford, Cambridge, Cincinnati, Cleveland, Columbus, Dayton, Delta, Elyria, Greenville, Norton, Pleasant Plain, Olmsted Falls, Oregon, Reynoldsburg, Springfield, Stow, Swanton, Toledo, Uhrichsville, Van Wert, Warren, West Liberty, Wooster, and Youngstown. We conducted unannounced site visits from June 28 to August 11, 2016.

### METHODOLOGY

To accomplish our objective, we:

- reviewed applicable Federal foster care laws, State requirements for children's group homes, and the applicable Ohio State plan approved by ACF;
- interviewed State officials to determine how Ohio monitored its group homes;
- developed a health and safety checklist as a guide for conducting site visits;
- conducted unannounced site visits at the 30 group homes we selected for review;
- interviewed group home providers to obtain a listing of staff, reviewed staff records, and determined whether all required criminal history records checks were conducted; and

- discussed the results of our review with State agency officials.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

**APPENDIX C: PHOTOGRAPHIC EXAMPLES OF NONCOMPLIANCE WITH REQUIREMENTS**



**Photograph 1: Exposed electrical wires coming out of a wall in the living room.**



**Photograph 2: A laundry area was not kept clean, and dirty clothes surrounded the washer and dryer.**



**Photograph 3: A dining room ceiling was buckled and sagging.**



**Photograph 4: An unsanitary toilet with mold, and bathroom surfaces were not kept clean.**



**Photograph 5: Old washers and dryers in a backyard.**



**Photograph 6: An exterior entrance with inoperable lighting.**



**Photograph 7: A broken railing in the stairway.**



**Photograph 8: An exterior building not locked and kept in hazardous condition.**



**Photograph 9: Hazardous materials stored in an unlocked cabinet.**



**Photograph 10: Bleach stored in an unlocked laundry area.**



**Photograph 11: This bathtub did not have a nonskid surface.**



**Photograph 12: A smoke detector was missing.**

**APPENDIX D: INSTANCES OF NONCOMPLIANCE AT GROUP HOMES IN OHIO**

| <b>Group Home No.</b> | <b>Physical and Environmental Safety Hazards</b> | <b>Criminal Record Check Deficiencies</b> | <b>Fire Safety Hazards</b> | <b>Staff Record Deficiencies</b> |
|-----------------------|--|---|----------------------------|----------------------------------|
| 1                     | 8  | 1   |                            |                                  |
| 4                     | 3  |   |                            |                                  |
| 5                     | 3  |   | 1                          |                                  |
| 8                     | 1  |   |                            |                                  |
| 10                    | 1  |   |                            |                                  |
| 12                    | 2  |   |                            | 1                                |
| 13                    | 2  |   |                            |                                  |
| 14                    |  | 1   |                            |                                  |
| 15                    | 2  | 1   | 1                          |                                  |
| 16                    | 1  |   | 2                          |                                  |
| 17                    | 1  | 1   |                            |                                  |
| 18                    | 3  |   |                            |                                  |
| 19                    | 3  |   |                            |                                  |
| 22                    | 3  |   | 1                          |                                  |
| 24                    | 1  |   |                            |                                  |
| 26                    | 1  |   |                            | 1                                |
| 27                    | 1  | 1   |                            |                                  |
| 28                    |  |   |                            | 1                                |
| 29                    | 3  |   |                            |                                  |
| <b>Total</b>          | <b>39</b>  | <b>5</b>                                  | <b>5</b>                   | <b>3</b>                         |

**Note:** We have listed only the group home numbers in which we found instances of noncompliance. We provided to the State agency a list of the 30 group homes we audited.

## APPENDIX E: STATE AGENCY COMMENTS



John R. Kasich, Governor  
Cynthia C. Dungey, Director

June 21, 2017

Ms. Sheri Fulcher  
Regional Inspector General for Audit Services  
U.S. Department of Health and Human Services, Office of Inspector General  
233 North Michigan Avenue, Suite 1360  
Chicago, IL 60601

Re: Report Number: A-05-16-00049

Dear Ms. Fulcher:

The purpose of this letter is to formally respond to the recommendations of the May 25, 2017 U.S. Department of Health and Human Services, Office of Inspector General (OIG) draft report number A-05-16-00049 titled *Some Ohio Group Homes Did Not Always Comply With Foster Care Health and Safety Requirements*. The Ohio Department of Job and Family Services, Office of Families and Children (ODJFS) is committed to ensuring the continued compliance of agencies we monitor with state and federal regulations related to the health and safety of children in congregate care. This commitment is demonstrated through the robust procedures ODJFS has implemented for monitoring and corrective action that require agencies to fully address areas of non-compliance. ODJFS takes a proactive approach in working with agencies to ensure that any identified concerns of non-compliance are corrected. As such, we are including responses to the under listed recommendations of the draft OIG report below.

**Recommendation: Ensure that all instances of noncompliance are documented and corrected.**

ODJFS is in accordance with this recommendation as Ohio regulations currently address this issue. All ODJFS certified agencies are required to meet standards outlined in the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC) as applicable to an agency's certified or approved function(s). ODJFS licensing specialists conduct formal reviews – announced and unannounced - of an agency's performance to determine if the agency has met established standards. Findings of non-compliance are based on the formal assessment completed by ODJFS and are used to determine licensing actions. If the agency has not met these standards, the specialist may issue findings of noncompliance. The purpose of the findings of non-compliance is to present an agency with a written assessment of the agency's compliance with applicable OAC and ORC requirements.

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OAC 5101:2-5-06 requires agencies to submit a corrective action plan for any finding of noncompliance within fifteen working days of the exit interview or of the receipt of an appeal decision. The agency's corrective action plan must specify:

- (1)What the agency is going to do to correct an area of noncompliance;
- (2)How noncompliance will be prevented in the future;
- (3)Who in the agency will be responsible for the implementation of the corrective action plan; and
- (4)How the agency will document that the corrective action plan has been implemented.

The agency has up to thirty calendar days from the date ODJFS approves the corrective action plan unless circumstances warrant more time as approved by the appropriate ODJFS licensing supervisor. If disapproved, the agency must submit another corrective action plan to ODJFS within ten working days of receipt of the disapproval. The action of ODJFS to approve or disapprove a corrective action plan shall have no effect on the decision of ODJFS to deny or revoke an agency's certification.

Upon receipt of the preliminary results of the 30 group homes inspections, ODJFS licensing specialists conducted on-site reviews to address the identified physical and environmental safety issues. If the agency had already corrected the issue, the licensing specialist issued written technical assistance. If the licensing specialist discovered the agency had not met established standards, the specialists issued written findings of non-compliance to the agency. ODJFS uploaded documentation of all corrective actions to the OIG secure server during the months of October and November 2016. **Attachment A** contains documentation of the agencies' corrective action plans and ODJFS approvals. ODJFS has received and retained all documents related to criminal record check non-compliance in a secure server. Some information may be withheld or redacted consistent with state and federal confidentiality and public records laws.

**Recommendation: ensure that the group homes adhere to all requirements for the health and safety of children by continuing onsite visits.**

ODJFS is in accordance with this recommendation as the OFC Bureau of Foster Care Licensing has historically had procedures in place to address this issue. At minimum, licensing specialists conduct annual announced and unannounced physical site inspections, policy and/or record reviews, and interviews of child residents, foster parents, and/or agency staff for approximately 277 ODJFS certified agencies. At the conclusion of each on-site inspection, the assigned licensing/certification specialist completes the relevant review tool(s) and shares the findings with the agency. The agency is required to complete a CAP to address any violations of ORC and OAC. The supervisory staff reviews and approves the licensing specialists' work to ensure accuracy, completeness, and consistency. In subsequent reviews, the licensing specialist monitors for continued compliance with past CAPs and written technical assistance.

**Recommendation: ensure that group homes obtain the required criminal records checks for all employees who provide direct care to children.**

ODJFS is in accordance with this recommendation. As part of Ohio's Program Improvement Plan (PIP) for the IV-E review which determined noncompliance with review requirements for background checks, there has been significant progress in addressing this issue. ODJFS obtained approval in June 2016 from the FBI to securely receive and store Bureau of Criminal Identification & Investigations (BCII) and FBI criminal records check information for private agency staff in facilities certified by the State of Ohio and foster/adoptive parents and applicants. This process was successfully piloted during the IV-E review and was fully implemented effective January 5, 2017 with the publishing of Families, Children and Adult Procedure Letter (FCASPL) 314 (Criminal Records Check Procedures for Child Care Staff, Foster and/or Adoptive Caregivers and Applicants). FCASPL 314 is available online here:

<http://emanuals.jfs.ohio.gov/FamChild/FCASM/FCASPL/FCASPL-314.stm>

The procedure letter identifies the process to receive and review all Bureau of Criminal Identification & Investigations (BCI) and Federal Bureau of Investigations (FBI) information for public and private agency direct care staff in ODJFS certified facilities and foster and/or adoptive caregivers and applicants as required in OAC 5101:2-5-09.1 and 5101:2-48-09.

ODJFS foster care licensing specialists are reviewing criminal records checks for all current direct care staff, foster and/or adoptive caregivers and applicants to ensure agencies have completed these using ORC 2151.86 as the reason fingerprinted. This process will continue quarterly in order to monitor agencies' adherence with criminal records check provisions for any new public and private agency direct care staff in ODJFS certified facilities and foster and/or adoptive caregivers and applicants. Agencies are required to develop CAPs to address any findings of non-compliance related to RAPBACK or background checks.

**Recommendation: consider additional outreach programs for the group homes, such as training and technical assistance in the areas identified as noncompliant.**

ODJFS concurs with this recommendation and will provide ongoing individual and group technical assistance to reinforce current mechanisms ODJFS has in place for disseminating statewide policy on health and safety issues. Licensing specialists conduct onsite visits of approximately 277 ODJFS certified agencies at minimum annually during the agency's certification period. When implementing the revised criminal records checks process, OFC used several mechanisms to inform agencies. These include: publishing articles in the monthly OFC newsletter *First Fridays* <http://jfs.ohio.gov/PFOF/PDF/FF-20160101.stm> and <http://jfs.ohio.gov/PFOF/PDF/FF-20170303.stm>, conducting meetings and trainings with various public and private agency stakeholders and organizations, sharing with stakeholders via word of mouth by Licensing Specialists and revision of the Foster Care Licensing Policy Manual to reflect the policy change. OFC has also included a clarification to OAC 5101:2-5-09 that provides the required ORC section 2151.86 for agencies to request their background checks for employees and foster caregivers. This language was also added to the JFS 1290 APPLICATION FOR CERTIFICATION OF AGENCY FUNCTIONS

ODJFS response to OIG draft report number A-05-16-00049

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<http://innerapp.odjfs.state.oh.us/forms/file.asp?id=229&type=application/pdf> as an additional reminder to JFS certified agencies and applicants.

Future plans to aid in retention and continued compliance with the recommendation include adding these topics to regularly scheduled stakeholder licensing meetings for currently certified public and private agencies. ODJFS also will be taking a proactive approach with those seeking certification and further emphasizing the topics of criminal records checks and health and safety in residential settings in our New Agency Orientation, which we hold annually. Finally, in alignment with our current approach to strengthen our communications with public and private agencies, we plan additional outreach through stakeholder organizations such as the Ohio Association of Child Caring Agencies (OACCA) and the Public Children Services Association of Ohio (PCSAO) and our Partners for Ohio's Families (PFOF) Regional team meetings.

Monitoring is a point in time assessment of compliance. Non-compliance may occur after the ODJFS licensing specialist conducts an on-site review, or at any other time. ODJFS requires agencies to complete CAPs and devise a CAP sustainability and implementation plan unique to their organization. Licensing specialists monitor the agency CAPs to ensure future compliance with the CAP and all applicable laws and rules according to their certified function(s).

Thank you for the opportunity to respond to the draft report. ODJFS will remain vigilant in its mission to assure the continued health and safety of children in congregate care. If you have additional questions please contact Carla Carpenter, Deputy Director of the Office of Families and Children at [Carla.Carpenter@jfs.ohio.gov](mailto:Carla.Carpenter@jfs.ohio.gov) or 614-752-0656, or me at [Al.Hammond@jfs.ohio.gov](mailto:Al.Hammond@jfs.ohio.gov) or 614-752-3140.

Best Regards,

/Alfred T. Hammond, Jr./

Alfred T Hammond, Jr, Chief, Bureau of Audit Control and Claim Support  
Ohio Department of Job and Family Services

Cc:

Cynthia C. Dungey, Director

Michael McCreight, Assistant Director

Carla Carpenter, Deputy Director, Office of Families and Children

Lewis George, Deputy Director, Office of Legal and Acquisition Services

Lakeisha Hilton, Bureau Chief, Foster Care Licensing

Encs.

**AUDIT REPORT APPENDIX: INSTANCES OF NONCOMPLIANCE AT EACH CHILDREN'S GROUP HOME**

| Group Home # | Physical and Environmental Safety | Criminal Record Checks | Fire Safety | Staff Records | Corrective Action  |
|--------------|-----------------------------------|------------------------|-------------|---------------|--|
| 1            | 8                                 | 1                      |             |               | Agency did not submit application to recertify and closed upon expiration of its certificate effective October 9, 2016.  |
| 4            | 3                                 |                        |             |               | ODJFS conducted an on-site inspection on 10/13/2016. All items were found to be in compliance, therefore no citations were issued as a result of the on-site inspection. Specifically ODJFS observed the following: 1) All cleaning supplies were locked in the staff bathroom in both group homes. It should be noted there were no poison or toxic materials stored in the homes. 2) There was lighting in the basement stairway that was functional. TA was provided that the agency should consider using a LED light, similar to the puck lights frequently used for under cabinets or in closets to allow for longer battery life and an easier on/off switch. Additional TA was provided to the agency to ensure medication logs are fully completed. |
| 5            | 3                                 |                        | 1           |               | ODJFS conducted an on-site inspection for the group homes on 10/13/2016. All items were found to be in compliance, therefore no citations were issued as a result of the on-site inspection. Specifically ODJFS observed the following: 1) The smoke detector was connected and functional. 2) There was a rail in the stairway leading to the second floor that was in good repair. 3) The exterior light on the front porch was functional. Additional TA was provided to the agency to ensure medication logs are fully completed.  |

OIG Audit A-05-16-00049

*Warning—The information within this document is preliminary and subject to change. This document contains restricted information for official use. Distribution is limited to authorized officials.*

| Group Home # | Physical and Environmental Safety | Criminal Record Checks | Fire Safety | Staff Records | Corrective Action  |
|--------------|-----------------------------------|------------------------|-------------|---------------|--|
| 8            | 1                                 |                        |             |               | ODJFS conducted an on-site inspection on 10/6/2016. ODJFS issued a Summary of Findings of Noncompliance was provided to the agency, specifying areas of noncompliance and the corresponding Ohio Administrative Code, (OAC), Rules. Pursuant to OAC Rule 5101:2-5-06, a Corrective Action Plan addressing each area of noncompliance was received and approved on October 11, 2016.  |
| 10           | 1                                 |                        |             |               | ODJFS completed an on-site inspection of the group home on 10/11/2016. All stairways, including stairways to the basement, were found to have adequate lighting. No site and safety issues were found during the inspection; therefore, no findings of noncompliance were issued and no technical assistance was provided.   |
| 12           | 2                                 |                        |             | 1             | ODJFS conducted an on-site inspection of the group home on 10/17/2016 and the stairway in question was found to have operable lighting. Cleaning supplies were found to be appropriately secured and staff reported that they were in an unlocked vanity at the time of the OIG inspection because staff was in the process of cleaning the facility bathroom when the OIG representative arrived. As noted above, staff training logs were found to be complete. No findings of noncompliance were issued and no technical assistance was provided. |
| 13           | 2                                 |                        |             |               | ODJFS conducted an on-site inspection of the agency on 10/12-13/2016. No noncompliance was found related to the storage of cleaning supplies. Additionally the Washers/Dryers present during the OIG visit were no longer there. A major retailer donated new items and had made an agreement to retrieve the items from the agency, which did not occur as timely as the agency expected. ODJFS issued findings and written TA for other areas noncompliant with OAC.   |

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| Group Home # | Physical and Environmental Safety | Criminal Record Checks | Fire Safety | Staff Records | Corrective Action   |
|--------------|-----------------------------------|------------------------|-------------|---------------|---|
| 14           |                                   | 1                      |             |               | ODJFS conducted an on-site visit to the agency on 7/14/2016. ODJFS confirmed the agency completed the employee background check November 3, 2016. No issues were found.   |
| 15           | 2                                 | 1                      | 1           |               | ODJFS conducted an on-site visit on 9/12/2016 as part of the agency's recertification review. At that time all cleaning supplies were found to be locked properly. ODJFS provided the following technical assistance on 11/07/2016 to the agency: all poisonous/toxic materials and supplies must be stored in a locked storage space anytime they are not specifically in use. ODJFS found the facility's admission log to be current. Technical assistance was provided to the agency that continuous maintenance of the admission log is required. ODJFS cited the agency for areas of noncompliance. Corrective Action Plan due 11/11/2016. CAP approved 11/14/2016. Report uploaded via secure site. |
| 16           | 1                                 |                        |             | 2             | ODJFS conducted an onsite review 10/11/2016 and did not note any hazardous materials. Specialist did note there were lotions and hair care products visible, but no noncompliance found. ODJFS noted areas of noncompliance with timeliness of fire inspection. Agency submitted inspection approved July 26, 2017. Agency submitted Corrective action plan 11/23/2016 which ODJFS approved 11/28/2016.   |
| 17           | 1                                 | 1                      |             |               | ODJFS conducted an on-site review on October 13, 2016 and did not note any hazardous materials. No noncompliance found. ODJFS cited for areas of noncompliance with criminal records checks. Corrective action plan submitted and approved 08/31/2016.  |

OIG Audit A-05-16-00049

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| Group Home # | Physical and Environmental Safety | Criminal Record Checks | Fire Safety | Staff Records | Corrective Action   |
|--------------|-----------------------------------|------------------------|-------------|---------------|---|
| 18           | 3                                 |                        |             |               | ODJFS conducted an on-site review October 7, 2016. ODJFS issued a Summary of Findings of Noncompliance. The agency submitted a Corrective Action Plan on October 31, 2016 addressing each area of noncompliance, which ODJFS approved on November 1, 2016.  |
| 19           | 3                                 |                        |             |               | ODJFS complete an on-site review 7/21/2016. As a result a citation has been issued but the same citation occurred in the agency's most recent additional visit as well. The CAP for that review was approved on June 30, 2016 and the agency had 30 days to implement that CAP. The onsite inspection conducted by the HHS staff occurred prior to the implementation of the CAP which means no CAP was due for this citation.  |
| 22           | 3                                 |                        |             | 1             | ODJFS conducted a follow-up inspection on 10/13/2016 and noted the following: all cleaning products were secured in locked cabinets;  |
| 24           | 1                                 |                        |             |               | ODJFS conducted a follow-up inspection on 10/12/2016. At the time of the ODJFS visit the light was working properly and not broken.   |
| 26           | 1                                 |                        |             |               | ODJFS conducted an unannounced onsite inspection on 10/17/2016. All cleaning supplies were secured in a locked closet. The agency explained the residents had accessed the supplies to clean the home at the time the OIG inspection occurred. The staff record with the expired CPR/First Aid had also been cited in the agency's recertification review which was not completed until 08/17/2016. The agency provided documentation the staff has completed CPR and First Aid training on 08/22/2016. No citations to be issued as a result of this complaint due to the alleged cleaning supplies being out for cleaning purposes at the time of the unannounced visit, the staff record has already been cited in the recertification study, and the staff had completed the CPR/First Aid training at this time. |

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|----------------|-----------------------------------|------------------------|-------------|---------------|--|
| 27             | 1                                 | 1                      |             |               | ODJFS completed an on-site inspection on 11/08/2016. The cleaning products were observed to be stored in a locked closet inside the staff office. The agency stated that youth are not in the staff office without a staff member present. Technical assistance was provided to clarify that the chemical closet should be unlocked to access supplies and locked again immediately after the supplies are removed. The same process should occur when returning supplies to the closet after cleaning as well as any other time the closet is accessed. |
| 28             |                                   |                        |             | 1             | ODJFS completed an on-site review on 10/14/2016. ODJFS reviewed personnel records which indicated expired CPR and First Aid certifications. ODJFS issued findings of noncompliance, and the agency submitted a CAP on 11/08/2016. ODJFS approved the CAP on 11/22/2016.  |
| 29             | 3                                 |                        |             |               | ODJFS Specialist issued the group home a citation on 10/12/2016 for not storing toxic materials as required. The agency submitted a corrective action plan 11/9/2016 which ODJFS approved 11/9/2016.   |
| <b>Totals:</b> | <b>39</b>                         | <b>5</b>               | <b>5</b>    | <b>3</b>      |  |

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