

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "sections" insert "5104.01,"; delete 1  
the first "and"; after "5104.34" insert ", 5104.38, and 5104.53" 2

In line 5, after "sections" insert "5104.01,"; delete "and"; after 3  
"5104.34" insert ", 5104.38, and 5104.53" 4

After line 7, insert: 5

**"Sec. 5104.01.** As used in this chapter: 6

(A) "Administrator" means the person responsible for the 7  
daily operation of a center, type A home, or approved child day 8  
camp. The administrator and the owner may be the same person. 9

(B) "Approved child day camp" means a child day camp 10  
approved pursuant to section 5104.22 of the Revised Code. 11

(C) "Authorized representative" means an individual 12  
employed by a center, type A home, or approved child day camp 13  
that is owned by a person other than an individual and who is 14  
authorized by the owner to do all of the following: 15

(1) Communicate on the owner's behalf; 16



(2) Submit on the owner's behalf applications for licensure or approval;	17 18
(3) Enter into on the owner's behalf provider agreements for publicly funded child care.	19 20
(D) "Border state child care provider" means a child care provider that is located in a state bordering Ohio and that is licensed, certified, or otherwise approved by that state to provide child care funded by the child care block grant act.	21 22 23 24
(E) "Career pathways model" means an alternative pathway to meeting the requirements to be a child care staff member or administrator that does both of the following:	25 26 27
(1) Uses a framework approved by the director of children and youth to document formal education, training, experience, and specialized credentials and certifications;	28 29 30
(2) Allows the child care staff member or administrator to achieve a designation as an early childhood professional level one, two, three, four, five, or six.	31 32 33
(F) "Caretaker parent" means the father or mother of a child whose presence in the home is needed as the caretaker of the child, a person who has legal custody of a child and whose presence in the home is needed as the caretaker of the child, a guardian of a child whose presence in the home is needed as the caretaker of the child, and any other person who stands in loco parentis with respect to the child and whose presence in the home is needed as the caretaker of the child.	34 35 36 37 38 39 40 41
(G) "Chartered nonpublic school" means a school that meets standards for nonpublic schools prescribed by the director of education and workforce for nonpublic schools pursuant to	42 43 44

section 3301.07 of the Revised Code. 45

(H) "Child" includes an infant, toddler, preschool-age 46  
child, or school-age child. 47

(I) "Child care block grant act" means the "Child Care and 48  
Development Block Grant Act of 2014," 128 Stat. 1971 (2014), 42 49  
U.S.C. 9858, as amended. 50

(J) "Child day camp" means a program in which only school- 51  
age children attend or participate, that operates for no more 52  
than twelve hours per day and no more than fifteen weeks during 53  
the summer. For purposes of this division, the maximum twelve 54  
hours of operation time does not include transportation time 55  
from a child's home to a child day camp and from a child day 56  
camp to a child's home. 57

(K) "Child care" means all of the following: 58

(1) Administering to the needs of infants, toddlers, 59  
preschool-age children, and school-age children outside of 60  
school hours; 61

(2) By persons other than their parents, guardians, or 62  
custodians; 63

(3) For part of the twenty-four-hour day; 64

(4) In a place other than a child's own home, except that 65  
an in-home aide provides child care in the child's own home; 66

(5) By a provider required by this chapter to be licensed 67  
or approved by the department of children and youth, certified 68  
by a county department of job and family services, or under 69  
contract with the department to provide publicly funded child 70  
care as described in section 5104.32 of the Revised Code. 71

(L) "Child care center" and "center" mean any place that 72  
is not the permanent residence of the licensee or administrator 73  
in which child care or publicly funded child care is provided 74  
for seven or more children at one time. "Child care center" and 75  
"center" do not include any of the following: 76

(1) A place located in and operated by a hospital, as 77  
defined in section 3727.01 of the Revised Code, in which the 78  
needs of children are administered to, if all the children whose 79  
needs are being administered to are monitored under the on-site 80  
supervision of a physician licensed under Chapter 4731. of the 81  
Revised Code or a registered nurse licensed under Chapter 4723. 82  
of the Revised Code, and the services are provided only for 83  
children who, in the opinion of the child's parent, guardian, or 84  
custodian, are exhibiting symptoms of a communicable disease or 85  
other illness or are injured; 86

(2) A child day camp; 87

(3) A place that provides care, if all of the following 88  
apply: 89

(a) An organized religious body provides the care; 90

(b) A parent, custodian, or guardian of at least one child 91  
receiving care is on the premises and readily accessible at all 92  
times; 93

(c) The care is not provided for more than thirty days a 94  
year; 95

(d) The care is provided only for preschool-age and 96  
school-age children. 97

(M) "Child care resource and referral service 98  
organization" means a community-based nonprofit organization 99

that provides child care resource and referral services but not child care.	100 101
(N) "Child care resource and referral services" means all of the following services:	102 103
(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;	104 105 106
(2) Provision of individualized consumer education to families seeking child care;	107 108
(3) Provision of timely referrals of available child care providers to families seeking child care;	109 110
(4) Recruitment of child care providers;	111
(5) Assistance in developing, conducting, and disseminating training for child care professionals and provision of technical assistance to current and potential child care providers, employers, and the community;	112 113 114 115
(6) Collection and analysis of data on the supply of and demand for child care in the community;	116 117
(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;	118 119 120
(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;	121 122 123
(9) Provision of written educational materials to caretaker parents and informational resources to child care providers;	124 125 126

(10) Coordination of services among child care resource	127
and referral service organizations to assist in developing and	128
maintaining a statewide system of child care resource and	129
referral services if required by the department of children and	130
youth;	131
(11) Cooperation with the county department of job and	132
family services in encouraging the establishment of parent	133
cooperative child care centers and parent cooperative type A	134
family child care homes.	135
(O) "Child care staff member" means an employee of a child	136
care center, type A family child care home, licensed type B	137
family child care home, or approved child day camp who is	138
primarily responsible for the care and supervision of children.	139
The administrator, authorized representative, or owner may be a	140
child care staff member when not involved in other duties.	141
(P) "Drop-in child care center," "drop-in center," "drop-	142
in type A family child care home," and "drop-in type A home"	143
mean a center or type A home that provides child care or	144
publicly funded child care for children on a temporary,	145
irregular basis.	146
(Q) "Early learning and development program" has the same	147
meaning as "licensed child care program."	148
(R) "Employee" means a person who either:	149
(1) Receives compensation for duties performed in a child	150
care center, type A family child care home, licensed type B	151
family child care home, or approved child day camp;	152
(2) Is assigned specific working hours or duties in a	153
child care center, type A family child care home, licensed type	154

B family child care home, or approved child day camp. 155

(S) "Employer" means a person, firm, institution, 156  
organization, or agency that operates a child care center, type 157  
A family child care home, licensed type B family child care 158  
home, or approved child day camp subject to licensure or 159  
approval under this chapter. 160

(T) "Federal poverty line" means the official poverty 161  
guideline as revised annually in accordance with section 673(2) 162  
of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 163  
511, 42 U.S.C. 9902, as amended, for a family size equal to the 164  
size of the family of the person whose income is being 165  
determined. 166

(U) "Fraud against the publicly funded child care program" 167  
means an intentional deception or misrepresentation made by a 168  
person with the knowledge that the deception could result in 169  
some unauthorized benefit under the publicly funded child care 170  
program to the person or some other person, including a child 171  
care provider. "Fraud against the publicly funded child care 172  
program" includes any act that constitutes fraud under federal 173  
law or the laws of this state. 174

(V) "Head start program" means a school-readiness program 175  
that satisfies all of the following: 176

(1) Is for children from birth to age five who are from 177  
low-income families; 178

(2) Receives funds distributed under the "Improving Head 179  
Start for School-Readiness Act of 2007," 42 U.S.C. 9831, as 180  
amended; 181

(3) Is licensed as a child care program. 182

<del>(V)</del> <u>(W)</u> "Home education" has the same meaning as in section 3321.042 of the Revised Code.	183 184
<del>(W)</del> <u>(X)</u> "Home education learning pod" means a voluntary association of parents who direct their children's education through home education and includes the following characteristics:	185 186 187 188
(1) The parents choose to group their children together in a home or other location at various times, which may include hours when home education is not provided.	189 190 191
(2) The pod includes only the parents' children who are receiving home education, except that it also may include siblings of those children, or other children who are under the care of the parents, regardless of age.	192 193 194 195
(3) At least one parent of any of the children participating in the pod must be on the premises while the pod is meeting.	196 197 198
<del>(X)</del> <u>(Y)</u> "Homeless child care" means child care provided to a child who satisfies any of the following:	199 200
(1) Is homeless as defined in 42 U.S.C. 11302;	201
(2) Is a homeless child or youth as defined in 42 U.S.C. 11434a;	202 203
(3) Resides temporarily with a caretaker in a facility providing emergency shelter for homeless families or is determined by a county department of job and family services to be homeless.	204 205 206 207
<del>(Y)</del> <u>(Z)</u> "Income" means gross income, as defined in section 5107.10 of the Revised Code, less any amounts required by federal statutes or regulations to be disregarded.	208 209 210

~~(Z)~~ (AA) "Indicator checklist" means an inspection tool, 211  
used in conjunction with an instrument-based program monitoring 212  
information system, that contains selected licensing 213  
requirements that are statistically reliable indicators or 214  
predictors of a child care center's, type A family child care 215  
home's, or licensed type B family child care home's compliance 216  
with licensing requirements. 217

~~(AA)~~ (BB) "Infant" means a child who is less than eighteen 218  
months of age. 219

~~(BB)~~ (CC) "In-home aide" means a person who does not reside 220  
with the child but provides care in the child's home and is 221  
certified by a county director of job and family services 222  
pursuant to section 5104.12 of the Revised Code to provide 223  
publicly funded child care to a child in a child's own home 224  
pursuant to this chapter and any rules adopted under it. 225

~~(CC)~~ (DD) "Instrument-based program monitoring information 226  
system" means a method to assess compliance with licensing 227  
requirements for child care centers, type A family child care 228  
homes, and licensed type B family child care homes in which each 229  
licensing requirement is assigned a weight indicative of the 230  
relative importance of the requirement to the health, growth, 231  
and safety of the children that is used to develop an indicator 232  
checklist. 233

~~(DD)~~ (EE) "License capacity" means the maximum number in 234  
each age category of children who may be cared for in a child 235  
care center, type A family child care home, or licensed type B 236  
family child care home at one time as determined by the director 237  
of children and youth considering building occupancy limits 238  
established by the department of commerce, amount of available 239  
indoor floor space and outdoor play space, and amount of 240

available play equipment, materials, and supplies.	241
<del>(EE)</del> (FF) "Licensed child care program" means any of the	242
following:	243
(1) A child care center licensed by the department of	244
children and youth pursuant to this chapter;	245
(2) A type A family child care home or type B family child	246
care home licensed by the department of children and youth	247
pursuant to this chapter;	248
(3) A licensed preschool program or licensed school child	249
program.	250
<del>(FF)</del> (GG) "Licensed preschool program" or "licensed school	251
child program" means a preschool program or school child	252
program, as defined in section 3301.52 of the Revised Code, that	253
is licensed by the department of children and youth pursuant to	254
sections 3301.52 to 3301.59 of the Revised Code.	255
<del>(GG)</del> (HH) "Licensed type B family child care home" and	256
"licensed type B home" mean a type B family child care home for	257
which there is a valid license issued by the director of	258
children and youth pursuant to section 5104.03 of the Revised	259
Code.	260
<del>(HH)</del> (II) "Licensee" means the owner of a child care	261
center, type A family child care home, or type B family child	262
care home that is licensed pursuant to this chapter and who is	263
responsible for ensuring compliance with this chapter and rules	264
adopted pursuant to this chapter.	265
<del>(II)</del> (JJ) " <u>Misuse of public funds" means intentional or</u>	266
<u>repeated improper billing, expenditure, receipt, or retention of</u>	267
<u>publicly funded child care payments in violation of this chapter</u>	268

<u>or rules adopted under it.</u>	269
<u>(KK)</u> "Operate a child day camp" means to operate,	270
establish, manage, conduct, or maintain a child day camp.	271
<del>(JJ)</del> <u>(LL)</u> "Owner" includes a person, as defined in section	272
1.59 of the Revised Code, or government entity.	273
<del>(KK)</del> <u>(MM)</u> "Parent cooperative child care center," "parent	274
cooperative center," "parent cooperative type A family child	275
care home," and "parent cooperative type A home" mean a	276
corporation or association organized for providing educational	277
services to the children of members of the corporation or	278
association, without gain to the corporation or association as	279
an entity, in which the services of the corporation or	280
association are provided only to children of the members of the	281
corporation or association, ownership and control of the	282
corporation or association rests solely with the members of the	283
corporation or association, and at least one parent-member of	284
the corporation or association is on the premises of the center	285
or type A home during its hours of operation.	286
<del>(LL)</del> <u>(NN)</u> "Part-time child care center," "part-time	287
center," "part-time type A family child care home," and "part-	288
time type A home" mean a center or type A home that provides	289
child care or publicly funded child care for not more than four	290
hours a day for any child or not more than fifteen consecutive	291
weeks per year, regardless of the number of hours per day.	292
<del>(MM)</del> <u>(OO)</u> "Place of worship" means a building where	293
activities of an organized religious group are conducted and	294
includes the grounds and any other buildings on the grounds used	295
for such activities.	296
<del>(NN)</del> <u>(PP)</u> "Preschool-age child" means a child who is three	297

years old or older but is not a school-age child. 298

~~(OO)~~(QQ) "Protective child care" means publicly funded 299  
child care for the direct care and protection of a child to whom 300  
all of the following apply: 301

(1) A case plan has been prepared and maintained for the 302  
child pursuant to section 2151.412 of the Revised Code. 303

(2) The case plan indicates a need for protective care. 304

(3) The child resides with a parent, stepparent, guardian, 305  
or another person who stands in loco parentis as defined in 306  
rules adopted under section 5104.38 of the Revised Code. 307

~~(PP)~~(RR) "Publicly funded child care" means administering 308  
to the needs of infants, toddlers, preschool-age children, and 309  
school-age children under age thirteen during any part of the 310  
twenty-four-hour day by persons other than their caretaker 311  
parents for remuneration wholly or in part with federal or state 312  
funds, including funds available under the child care block 313  
grant act, Title IV-A, and Title XX, distributed by the 314  
department of children and youth. 315

~~(QQ)~~(SS) "Religious activities" means any of the 316  
following: worship or other religious services; religious 317  
instruction; Sunday school classes or other religious classes 318  
conducted during or prior to worship or other religious 319  
services; youth or adult fellowship activities; choir or other 320  
musical group practices or programs; meals; festivals; or 321  
meetings conducted by an organized religious group. 322

~~(RR)~~(TT) "School-age child" means a child who is enrolled 323  
in or is eligible to be enrolled in a grade of kindergarten or 324  
above but is less than fifteen years old or, in the case of a 325

child who is receiving special needs child care, is less than 326  
eighteen years old. 327

~~(SS)~~ (UU) "Serious risk noncompliance" means a licensure or 328  
certification rule violation that leads to a great risk of harm 329  
to, or death of, a child, and is observable, not inferable. 330

~~(TT)~~ (VV) "Special needs child care" means child care 331  
provided to a child who is less than eighteen years of age and 332  
either has one or more chronic health conditions or does not 333  
meet age appropriate expectations in one or more areas of 334  
development, including social, emotional, cognitive, 335  
communicative, perceptual, motor, physical, and behavioral 336  
development and that may include on a regular basis such 337  
services, adaptations, modifications, or adjustments needed to 338  
assist in the child's function or development. 339

~~(UU)~~ (WW) "Title IV-A" means Title IV-A of the "Social 340  
Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended. 341

~~(VV)~~ (XX) "Title XX" means Title XX of the "Social Security 342  
Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended. 343

~~(WW)~~ (YY) "Toddler" means a child who is at least eighteen 344  
months of age but less than three years of age. 345

~~(XX)~~ (ZZ) "Type A family child care home" and "type A home" 346  
mean the permanent residence of the administrator in which child 347  
care or publicly funded child care is provided for eight to 348  
fourteen children at one time or a permanent residence of the 349  
administrator in which child care is provided for four to 350  
fourteen children at one time if four or more children at one 351  
time are under two years of age, provided that if the number of 352  
children under the age of two years at one time is greater than 353  
three or the total number of children at one time is greater 354

than seven, an additional adult shall be present. In counting 355  
children for the purposes of this division, any children under 356  
six years of age who are related to a licensee, administrator, 357  
or employee and who are on the premises of the type A home shall 358  
be counted. "Type A family child care home" and "type A home" do 359  
not include any child day camp. 360

~~(YY)~~ (AAA) "Type B family child care home" and "type B 361  
home" mean a permanent residence of the provider in which care 362  
is provided for one to seven children at one time and in which 363  
no more than three children are under two years of age at one 364  
time. In counting children for the purposes of this division, 365  
any children under six years of age who are related to the 366  
provider and who are on the premises of the type B home shall be 367  
counted. "Type B family child care home" and "type B home" do 368  
not include any child day camp." 369

After line 225, insert: 370

"In the event backdating is allowed or approved under 371  
division (C) (3) of this section, the department shall pay the 372  
provider for the child's backdated attendance." 373

In line 445, after "may" insert ", on the request of a child's 374  
caretaker parent," 375

In line 446, delete "To" and insert: 376

"Before such an extension expires, the caretaker parent 377  
may request an additional extension not to exceed a six-month 378  
period. If the department authorizes the additional extension, 379  
the caretaker parent may request one or more such extensions 380  
before each expires." 381

To" 382

In line 449, after "continues" insert "to be impacted" 383  
In line 450, delete ", to be impacted for a period" 384  
In line 451, delete "more than thirty days" 385  
After line 454, insert: 386

**"Sec. 5104.38.** In addition to any other rules adopted 387  
under this chapter, the director of children and youth shall 388  
adopt rules in accordance with Chapter 119. of the Revised Code 389  
governing financial and administrative requirements for publicly 390  
funded child care and establishing all of the following: 391

(A) Procedures and criteria to be used in making 392  
determinations of eligibility for publicly funded child care 393  
that give priority to children of families with lower incomes 394  
and procedures and criteria for eligibility for publicly funded 395  
protective child care or homeless child care. The rules shall 396  
specify the maximum amount of income a family may have for 397  
initial and continued eligibility. The maximum amount shall not 398  
exceed three hundred per cent of the federal poverty line. The 399  
rules may specify exceptions to the eligibility requirements in 400  
the case of a family that previously received publicly funded 401  
child care and is seeking to have the child care reinstated 402  
after the family's eligibility was terminated. 403

(B) A schedule of fees requiring all eligible caretaker 404  
parents to pay a fee for publicly funded child care according to 405  
income and family size, which shall be uniform for all types of 406  
publicly funded child care, except as authorized by rule, and, 407  
to the extent permitted by federal law, shall permit the use of 408  
state and federal funds to pay the customary deposits and other 409  
advance payments that a provider charges all children who 410

receive child care from that provider.	411
(C) A formula for determining the amount of state and federal funds appropriated for publicly funded child care that may be allocated to a county department to use for administrative purposes;	412 413 414 415
(D) Procedures to be followed by the department and county departments in recruiting individuals and groups to become providers of child care;	416 417 418
(E) Procedures to be followed in establishing state or local programs designed to assist individuals who are eligible for publicly funded child care in identifying the resources available to them and to refer the individuals to appropriate sources to obtain child care;	419 420 421 422 423
(F) Procedures to deal with fraud and abuse committed by either recipients or providers of publicly funded child care;	424 425
(G) Procedures for establishing a child care grant or loan program in accordance with the child care block grant act;	426 427
(H) Standards and procedures for applicants to apply for grants and loans, and for the department to make grants and loans;	428 429 430
(I) A definition of "person who stands in loco parentis" for the purposes of <del>division (00) (3) of</del> section 5104.01 of the Revised Code;	431 432 433
(J) Procedures for a county department of job and family services to follow in making eligibility determinations and redeterminations for publicly funded child care available through telephone, computer, and other means at locations other than the county department;	434 435 436 437 438

(K) If the director establishes a different payment rate 439  
under division (E) (3) (d) of section 5104.30 of the Revised Code, 440  
standards and procedures for determining the amount of the 441  
higher payment that is to be issued to a child care provider 442  
based on the special needs of the child being served; 443

(L) To the extent permitted by federal law, procedures for 444  
enrolling and paying for up to thirty days of child care for a 445  
child whose caretaker parent is seeking employment, taking part 446  
in employment orientation activities, or taking part in 447  
activities in anticipation of enrolling in or attending an 448  
education or training program or activity, if the employment or 449  
the education or training program or activity is expected to 450  
begin within the thirty-day period; 451

(M) Any other rules necessary to carry out sections 452  
5104.30 to 5104.43 of the Revised Code." 453

After line 517, insert: 454

**"Sec. 5104.53.** (A) As used in this section: 455

(1) "Family services program" has the same meaning as in 456  
section 5101.35 of the Revised Code. 457

(2) "IEP" has the same meaning as in section 3323.01 of 458  
the Revised Code. 459

(3) "Resource caregiver" has the same meaning as in 460  
section 5103.02 of the Revised Code. 461

(B) The early childhood education grant program is created 462  
in the department of children and youth. Subject to available 463  
funds, the program shall support and invest in early learning 464  
and development programs operating in this state by awarding 465  
grants to programs that meet the conditions of this section in 466

an amount that corresponds to the number of eligible children 467  
served by the programs. 468

(C) To be eligible for a grant under this section, an 469  
early learning and development program shall meet each of the 470  
following conditions: 471

(1) The program is rated through the step up to quality 472  
program established under section 5104.29 of the Revised Code at 473  
the tiered rating specified by the department in rules adopted 474  
under this section. 475

(2) The program provides early learning and development 476  
services to one or more preschool-age children described in 477  
division (D) of this section. 478

(3) The program meets any other eligibility condition 479  
specified by the department in rules adopted under this section. 480

(D) A preschool-age child who meets all of the following 481  
conditions, as determined by a county department of job and 482  
family services, is eligible to participate in the early 483  
childhood education grant program if a slot is available: 484

(1) Either the amount of the child's family income does 485  
not exceed two hundred per cent of the federal poverty line or 486  
the child meets one of the following conditions: 487

(a) An IEP has been developed for the child; 488

(b) The child is placed with a resource caregiver as 489  
described in Chapter 5103. of the Revised Code, with such 490  
placement documented by either a family case plan or kinship 491  
permanency incentive payments; 492

(c) The child is homeless as described in ~~division (V) of~~ 493  
section 5104.01 of the Revised Code. 494

(2) The child is a citizen of the United States or a qualified alien.	495 496
(3) The child meets any other eligibility condition specified by the department in rules adopted under this section.	497 498
(E) Any funds appropriated to the department for purposes of the early childhood education grant program shall be used as follows:	499 500 501
(1) In each fiscal year, not more than two per cent of appropriated funds shall be used for program support and technical assistance.	502 503 504
(2) Appropriated funds other than those described in division (E) (1) of this section shall be distributed to grant recipients.	505 506 507
(F) In accordance with Chapter 119. of the Revised Code, the director shall adopt rules to implement this section and administer the early childhood education grant program, including rules addressing all of the following topics:	508 509 510 511
(1) Eligibility conditions and other requirements for participation in the grant program by early learning and development programs, including the tiered rating at which a program becomes eligible to participate;	512 513 514 515
(2) Eligibility conditions for children participating in the early childhood education grant program if a slot is available;	516 517 518
(3) Standards, procedures, and requirements to apply for and distribute funds to participating early learning and development programs;	519 520 521
(4) In the event funds are distributed in error under the	522

program, methods by which the department may recover those 523  
funds. 524

(G) The award of an early childhood education grant under 525  
this section shall not be considered publicly funded child care 526  
or a family services program." 527

In line 518, after "sections" insert "5104.01,"; delete "and" 528

In line 519, after "5104.34" insert ", 5104.38, and 5104.53" 529

The motion was \_\_\_\_\_ agreed to.

**SYNOPSIS** 530

**Fraud and misuse definitions** 531

**R.C. 5104.01, 5104.38, and 5104.53** 532

Establishes the following definitions of fraud against the 533  
publicly funded child care (PFCC) program and the misuse of 534  
public funds (for purposes of the law governing the 535  
administration of the PFCC program specifically): 536

(1) Defines fraud against the PFCC program to mean an 537  
intentional deception or misrepresentation made by a person with 538  
the knowledge that the deception could result in some 539  
unauthorized benefit under the program to the person or some 540  
other person, including a child care provider, including any act 541  
that constitutes fraud under federal or Ohio law; 542

(2) Defines the misuse of public funds to mean intentional 543  
or repeated improper billing, expenditure, receipt, or retention 544  
of PFCC payments in violation of R.C. Chapter 5104 or rules 545

adopted under it.	546
Makes corresponding changes in other provisions of the	547
child care law (R.C. 5104.38 and 5104.53).	548
<b>Backdating attendance</b>	549
<b>R.C. 5104.32</b>	550
Requires the Department of Children and Youth (DCY) - when	551
it allows or approves the backdating of a child's PFCC	552
attendance record - to pay the child's PFCC provider for the	553
backdated attendance.	554
<b>Dual authorizations - Family education, training, and</b>	555
<b>employment schedule exemption</b>	556
<b>R.C. 5104.34</b>	557
With respect to the time period (more than 30 days but not	558
more than six months) for which a PFCC dual authorization	559
exemption (based on a family's education, training, and	560
employment schedule) may be extended on a caretaker parent's	561
request, specifies that the caretaker parent may request one or	562
more additional exceptions.	563