



OHIO LEGISLATIVE SERVICE COMMISSION

Wendy Zhan, Director

Office of Research
and Drafting

Legislative Budget
Office

www.lsc.ohio.gov

R-134-2654

To: The Honorable Gayle Manning
Ohio House of Representatives

From: Amy L. Archer, Research Analyst *aa*

Date: November 15, 2021

Subject: Comparison of H.B. 265, As Passed by the House, and I_134_0665-4

This table summarizes how H.B. 265, As Passed by the House, differs from I_134_0665-4. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

H.B. 265 (As Passed by the House)	I_134_0665-4
Children's crisis care facility (CCCF) child-staff ratios	
Permits a CCCF to count administrative staff, interns, and volunteers toward child staff ratios for up to three hours if the administrative staff, interns, and volunteers meet certain requirements (<i>R.C. 5103.13(F)(1)</i>).	Specifies the count of administrative staff, interns, and volunteers toward child staff ratios must comply with Ohio Administrative Code (O.A.C.) 5101:2-9-36(G), which requires an agency operating a CCCF to reasonably assure that child care staff persons are assigned to care for the same group of children each day and must adhere to the following child staff ratios: <ul style="list-style-type: none">▪ For children under the age of six years, at least one child care staff person on duty during awake hours for every five children or fraction thereof;

<p>H.B. 265 (As Passed by the House)</p>	<p>I_134_0665-4</p>
	<ul style="list-style-type: none"> ▪ For children over the age of six years, at least one child care staff person on duty during awake hours for every six children or fraction thereof; ▪ For children ages zero to 12, at least one awake child care staff person on duty during sleeping hours for every eight children or fraction thereof; ▪ When a group of children includes children from more than one of the above listed age groups, the staff-to-child ratio must be determined according to the age of the youngest child within any group of children; ▪ There must be at least two staff members on duty at all times when children are present in a CCCF. <p><i>(R.C. 5103.13(F)(1); O.A.C. 5101:2-9-36(G), not in the bill.)</i></p>
<p>CCCF volunteer utilization for preteen transport</p>	
<p>Permits a CCCF to use volunteers, on whom criminal records checks have been conducted, to transport preteens, if such use is necessary for the facility to maintain required child staff ratios <i>(R.C. 5103.13(F)(2))</i>.</p>	<p>No provision.</p>
<p>CCCF parent and caretaker visitation plan</p>	
<p>Requires the CCCF to develop a visitation plan, which must occur during awake hours and cannot include overnight visits, for the parent or caretaker with the parent’s or caretaker’s preteen while residential care is being provided <i>(R.C. 5103.13(E)(6))</i>.</p>	<p>Requires the CCCF to develop a visitation plan <i>for the preteen’s parent or caretaker while residential care is being provided</i>, which must occur during awake hours and cannot include overnight visits, for the parent or the caretaker with the preteen <i>(R.C. 5103.13(E)(6))</i>.</p>

H.B. 265 (As Passed by the House)	I_134_0665-4
“Residential infant care center” (RICC) definition	
<p>Defines “residential infant care center” as a facility that has as its primary purpose the provision of residential services for infants affected by <i>addiction</i> and the preservation of families through infant <i>foster care</i> diversion practices and programs (R.C. 5103.60(B)).</p>	<p>Changes (1) <i>addiction to substance use</i> and (2) <i>infant foster care diversion practices and programs</i> to <i>infant diversion practices and programs</i> (R.C. 5103.60(B)).</p> <p>Makes conforming changes (1) from <i>addiction to substance use</i> and (2) from <i>infant foster care diversion practices and programs</i> to <i>infant diversion practices and programs</i> (R.C. 5103.602(B)).</p>
RICC child-to-staff ratios	
<p>Requires an RICC to meet the child-to-staff ratio of at least one awake child care staff on duty at all times for every <i>one to five</i> infants (R.C. 5103.6010(K)).</p>	<p>Specifies that the RICC child-to-staff ratio applies for every five infants (R.C. 5103.6010(K)).</p>
RICC drug exposed vs. substance exposed	
<p>Provides that an infant is eligible to be placed in an RICC if the infant was born <i>drug</i> exposed and requires additional care (R.C. 5103.608(A)).</p> <p>Requires an RICC to develop a plan of safe care in accordance with the federal “Comprehensive Addiction and Recovery Act of 2016,” for an infant born <i>drug</i> exposed (R.C. 5103.6010(C)).</p>	<p>Changes <i>drug</i> exposed to <i>substance</i> exposed (R.C. 5103.608(A) and 5103.6010(C)).</p>
RICC parent and caregiver program	
<p>Requires that the parent and caregiver program an RICC is required to develop and implement under the bill allows for the program to be completed prior to the infant’s discharge (R.C. 5103.6010(D)(2)).</p>	<p>No provision.</p>

H.B. 265 (As Passed by the House)	I_134_0665-4
RICC peer supporter or family advocate duties	
No provision.	Requires the RICC’s peer supporter or family advocate to provide wraparound services to affected family and caregivers; coordinate and cooperate with any transferring hospital, public children services agency, and private child placing agency; refer affected families or caregivers to appropriate community agencies and services for support and aftercare; and follow up with affected families and caregivers following the infants discharge (<i>R.C. 5103.6010(H)</i>).
“Family preservation center” (FPC) definition	
Defines “family preservation center” to mean a CCCF or RICC that has as its primary purpose the preservation of families <i>through preteen foster care diversion practices and programs (R.C. 5103.61)</i> .	Removes <i>through preteen foster care diversion practices and programs</i> from definition (<i>R.C. 5103.61(A)</i>).
“Preteen” definition	
No provision.	Applies “preteen” definition, as defined under the bill’s provisions governing CCCFs, to the bill’s provisions governing FPCs (<i>R.C. 5103.61(B)</i>). “Preteen” is defined as an individual under 13 years of age (<i>R.C. 5103.13(A)(4)</i>).