

### ODJFS Coronavirus (COVID-19) Response Frequently Asked Questions

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## SNAP/TANF

### **Q1. Will TANF work participation and other requirements be relaxed in light of the social distancing measures?**

**A.** HHS-ACF has released the following guidance: “We are facing a national public health and economic emergency of unprecedented proportions. We want grantees to keep their focus on addressing the crisis and protecting the health and safety of the people they serve and the public at large. To help states and tribes do this, we have looked closely at our authority to grant reasonable cause exceptions to grantees that face a penalty for failing the FY 2020 work participation rates due to the COVID-19 emergency. A reasonable cause exception means the grantee would not face a financial penalty. While ACF has no authority to waive the work participation rate requirement itself, it does have authority to grant relief from the resulting penalty in the face of natural disasters and other calamities. ACF will exercise this authority to the maximum extent possible. For more information, grantees should refer to 45 CFR §§ 262.5 and 286.225 for the regulations on reasonable cause applicable to states and tribes, respectively.”

ACF also said that it is not expanding or changing what counts for work participation during the pandemic. They suggest providing online approaches for participants to engage in work activities virtually, such as online trainings and job search and work readiness activities to keep them engaged without needing to go to a training site.

Additionally, good cause should be granted to participants who cannot go to work or training activities because, for example, they are ill, caring for a child whose school or day care is closed due to the pandemic, or because the work or training site is closed.

Please note that any potential reasonable cause relief would likely be applied only to months during the COVID-19 emergency, not the entire federal fiscal year 2020.

### **Q2. Is ODJFS taking steps to help food-insecure and homeless individuals – for example, by paying for food delivery for SNAP recipients?**

**A.** Federal rules prohibit SNAP benefits from being used for food delivery. However, ODJFS learned on March 30 that retailers are no longer required to submit waiver requests to offer online grocery shopping and curbside pickup for SNAP recipients. If the grocery store has a wireless mobile POS device, they can allow curbside service, and SNAP recipients can pay with their EBT card.

If the store does not have a mobile POS device, recipients still can order food online and go into the store to pay and pick up their groceries. Retailers also have the option to process manual vouchers at curbside. FNS approved these options to align with social distancing mandates during the pandemic. Grocers cannot accept the EBT card number over the phone.

We have confirmed that Giant Eagle, Walmart and some Kroger stores now allow SNAP recipients to order groceries online.

**Q3. Is there any talk of suspending SNAP recertifications or interim reports?**

A. ODJFS submitted waiver requests to FNS regarding various requirements, including recertifications, reporting requirements, and verifications. We have been approved to extend recertifications due in March, April, and May 2020 for six months. We also have been approved to adjust the interim report due dates for March, April, and May 2020. For additional information, see the Food Action Change Transmittal No. 66, which was made available in [eManuals](#) on March 24.

**Q4. Indiana has temporarily waived the State Plan requirement that prohibits pre-packaging/pre-bagging of TEFAP commodities. Is Ohio going to follow suit?**

A. Ohio already allows the pre-packaging of TEFAP commodities. We encourage choice model pantries to eliminate waste, but we don't specifically restrict this option. A waiver is not necessary for this in Ohio.

Ohio also now allows self-attestation for identity and income and verbal consent instead of signatures. The foodbanks/pantries are required to note on applications "COVID-19 2020." In addition, ODJFS received approval to waive our TEFAP income limit to 230% of the FPL.

**Q5. Will ODJFS consider providing a one-time TANF supplement for foster and kinship parents, TANF child-only cases, and food assistance groups with children in the household?**

A. We are exploring that recommendation. In addition, to ensure county agencies can address local needs, we are utilizing the \$10 million that was allocated for TANF Summer Youth Employment and broadening the scope of services that it can be used for. This funding was made available on March 20. It can be used for TANF Summer Youth Employment AND/OR any other Prevention, Retention, and Contingency service deemed necessary. For example, county agencies could provide a COVID-19 2020 Response payment to eligible families. Family Assistance Letter #183-A provides additional guidance.

**Q6. Because of school closures and the May 1 start date for the TANF Summer Youth Employment Program, some counties may have difficulty recruiting youth to participate. Recruitment also would require additional meetings between the local agencies, participants, and the employers. Would ODJFS considering permitting counties to redirect these TANF funds to services and supports related to alleviating burdens on families/caregivers as a result of school closure.**

A. County agencies may amend their PRC plans now to provide additional supports. See the response to Q5, above.

**Q7. If resources are available, can a one-time supplement be provided to all SNAP recipients?**

A. The federal Families First Coronavirus Response Act, signed into law on March 18, provides supplemental funding and/or flexibilities for several food assistance programs. The legislation requires states to submit a waiver request for additional benefits. ODJFS sought a waiver and was approved to provide households with a supplement to bring their

benefit up to the maximum allotment for their household size. Households already receiving the maximum allotment will not receive a supplement.

On April 8, the Office of Family Assistance successfully issued the March mass supplements to ensure that all SNAP households received the maximum allotments. This provided an additional benefit to more than 450,000 households, totaling more than \$80 million.

On April 26, the Office of Family Assistance successfully issued mass supplements for April to ensure that all SNAP households received the maximum allotments. More than 480,000 families received more than \$82 million. In addition, we are preparing to issue mass supplements for May, as well. We expect to issue them on Friday, May 22, prior to the holiday.

### **Q8. Can the state extend hours of operation for Ohio Benefits and EDMS?**

A. Ohio Benefits, EDMS, and the IVR have been available 6 a.m. to 11 p.m. daily since March 23. Utilizing Ohio Benefits, the state is working on new approaches to help Ohio's 88 counties prepare by:

- **Enabling county workers to handle inbound and outbound County Shared Services calls for their group or metro area from any remote location.** For county workers who already have a Surface Pro or laptop and a phone, the state is working to provide them with the capability to work remotely. The state also is attempting to secure additional hardware, as well as identifying other viable options.
- **Establishing a round-robin Statewide Hub for routing calls from groups or metros significantly impacted by COVID-19.** The state is working to establish a new set of round-robin call queues to handle calls from affected groups or metros across Ohio. However, counties will not be guaranteed to receive and work cases from their county, group, or metro. Affected counties without SNAP/TANF queues can have queues established and can utilize either their own queue, the statewide hub, or their normal business processes. Affected counties with local long-term care (LTC) contact centers can re-route their LTC calls to the enterprise call center number to be handled in the CSS Medicaid queues.
- **Providing remote access to other solutions, such as IVR, EDMS, and Ohio Benefits.**

As of March 27, ODJFS and the Ohio Department of Medicaid are requiring county agencies without continuity of operations plans to participate in Shared Services and the IVR to ensure continuity of operations. The Governor has tasked us with ensuring that services can be continued for all Ohio citizens during the emergency, regardless of where they live. This change is imperative to ensure that everyone has a consistent pathway to assistance.

### **Q9. Could SNAP recipients be allowed to use their EBT cards for non-allowable items, such as cleaning supplies and at currently prohibited locations, such as restaurants and food delivery services?**

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**A.** We continue to explore all options but have not received guidance from FNS on this. At the moment, federal rules prohibit online grocery shopping, and federal rules do not allow for non-food items. PRC funds could be deployed for this purpose.

### **Q10. Is anything being done to provide more help to Ohioans through the Commodity Supplemental Food Program?**

**A.** Ohio is using an automated system to order food more quickly. Clients do not have to touch paper or sign an application form; they can verbally agree to the program's eligibility requirements. ODJFS will maintain the annual assessment and require signature only at reauthorization. Monthly pick-up confirmation can be noted by the distributing entity. Ohio amended its Commodity Supplemental Food Program State Plan to add language that allows distributing staff to note the signature of a participant or proxy through their verbal attestation during an emergency event.

### **Q11. Will the ABAWD waiver still take effect?**

**A.** Late on March 13, we received notification that there was an injunction on the April 1, 2020, ABAWD waiver changes. The state is working to ensure that Ohio-waived counties are identified correctly in Ohio Benefits as they were before the April 2020 changes. We started the update process that night, prior to the injunction. We immediately worked with the vendor to stop the process and change the counties back to waived.

We want to remind counties of flexibility articulated in the recent FNS guidance regarding how to determine whether a good cause exists for a SNAP Employment and Training or ABAWD participant to be exempted from work requirements:

“...whether it is appropriate to determine that circumstances beyond the individual’s control provide good cause for the individual to not meet the work requirements. Applying good cause would allow households that do not meet the ABAWD work requirements or mandatory employment and training (E&T) requirements to continue receiving SNAP benefits.”

The federal Families First Coronavirus Response Act, signed into law on March 18, suspends federal work and work training requirements for SNAP during the public health emergency declaration, beginning the first full month after the bill was enacted and terminated at the end of the first full month after the declaration is lifted. Receipt of SNAP benefits during the health emergency would not be counted toward time limits.

In addition, states that have issued an emergency or disaster declaration for COVID-19 may receive emergency allotments for SNAP households, up to the maximum monthly allotment. Issuance methods and application and reporting requirements may be adjusted. USDA must make state requests and USDA responses, as well as any guidance on state flexibilities, publicly available online.

### **Q12. Will ODJFS be issuing guidance on changes to verification requirements for SNAP?**

**A.** In consultation with the ODJFS Office of Fiscal and Monitoring Services, the Office of Family Assistance is providing the following guidance within the parameters of current federal rules in response to the COVID-19 pandemic:

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County agencies should maximize the use of verifications through online databases/interfaces and third-party electronic data (i.e., The Work Number). When this documentary evidence is unavailable, the county agency should attempt a collateral contact. In order to sustain a QC review and be re-verified, journal notes would need to contain specific details about the collateral contact, including date and time of contact, name of person the case worker spoke to, phone number, and information given. For example, “Spoke with Landlord, [insert name of landlord] on March 16, 2020, at 2 p.m. [insert landlord name], [insert phone number] confirmed rent in the amount of \$500 for the [insert name] family for the duration of the lease, which ends June 30, 2020.”

Lastly, when collateral contact verification is unavailable, a county agency may accept a client statement. When using a client statement, journal notes will need to reflect that documentary and collateral contacts were unavailable.

Further, FNS recently issued a policy clarification regarding the use of income and employment information from third-party payroll sources, such as The Work Number. For employment reported by the household, county agencies may use the information obtained through The Work Number without further verification if it matches the household’s statement and is not questionable. If questionable, county agencies should attempt a collateral contact. If the collateral contact is unsuccessful, county agencies can accept a client statement.

**Q13. Will ODJFS be issuing guidance on changes to verification requirements for SNAP?**

A. A communication was sent on March 23. We will continue to communicate as other approvals come in.

**Q14. Will the message about SNAP recertifications be recorded on the statewide IVR?**

A. Yes, we worked with the vendor to get the message uploaded by March 24.

**Q15. When will the SNAP recertification waivers be approved so we can stop taking those calls on Shared Services?**

A. We worked with the vendor to get the message uploaded by March 24.

**Q16. If we expend all of our TANF Summer Youth Allocations, can the ceiling excess be covered with TANF Regular?**

A. Agencies can move their TANF Summer Youth ceiling excess to TANF Regular. However, additional funding for TANF Summer Youth will be coming soon. Because of this, agencies should delay making decisions regarding the TANF Summer Youth ceiling excess at the moment.

**Q17. Can we use other funding sources, specifically Title XX, to provide assistance to non-TANF eligible clients?**

A. Yes, as long as it is in your Title XX plan.

**Q18. May we use verbal self-attestation or electronic signature to determine eligibility for Title XX?**

**A.** Verbal or electronic self-attestation is allowable for Title XX services instead of a signed form to verify eligibility for the duration of this pandemic emergency.

- If verbal attestation is used, the grantee/provider must ask each question on the form and indicate the answer, initial each section of the form, and sign the forms to record the information. If an applicant is not eligible, the grantee/provider must indicate such on the form.
- If electronic verification is used, the grantee/provider must ask each question on the form and indicate the answer, initial each section of the form, and sign the forms to record the information. If an applicant is not eligible, the grantee/provider must indicate that on the form.

Mailed applications/verifications will remain allowable. The grantee/provider may mail the form to the applicant, and the applicant can return the form by mail.

When the emergency period ends, all grantees will have 60 days to revise all verbal and electronic applications and get signed signatures for applicants who were served during this emergency. ODJFS will reserve the right to withhold future payments if these forms are not properly completed after the crisis has ended. Grantees/providers must inform applicants of this process and, therefore, must agree to sign the eligibility verification documents after the emergency.

During the COVID-19 pandemic:

- If verbal attestation is used, the county agency must ask each question on the form and indicate the answer, initial each section of the form, and sign the form to record the information.
- If an online application is used, the county agency may accept a client's signature through electronic means.

**Q19. Will the SNAP supplements be issued directly by the state to recipients' accounts?**

**A.** Yes. If the recipient did not receive the maximum allotment for their assistance group for March or April, they received a supplement for the difference, deposited to their SNAP accounts. If they did receive the maximum allotment for their assistance group for March or April, they did not receive any additional assistance.

Any applications approved for March or April benefits after the supplement files were run will require workers to approve a supplement (the difference between the ongoing eligibility allotment and the maximum allotment) with a manual EDBC. The supplement has to be requested on a different day than the original save and accept, preferably the next day if possible.

**Q20. Has Ohio applied to operate a Disaster Household Distribution Program?**

**A.** Yes. On April 7, ODJFS received FNS approval to operate a Disaster Household Distribution Program from April 7-30. This program will be operated through the state's network of 13 food banks and more than 2,800 distribution sites. It will provide

prepackaged boxes of food for families, in some cases through drive-by pickup. The boxes may include canned meats, vegetables, fruits, soups, and tomato sauce; dried and canned beans; rice and pasta; nuts; cereal; juice; shelf-stable milk; fresh apples, oranges, and potatoes; and eggs. Frozen meats and perishables also may be included, depending on the availability of appropriate storage facilities.

**Q21. My staff has reported that we have had some SNAP recipients whose March supplements were intercepted due to an existing overpayment in recoupment.**

**However, some recoupment cases received their supplements. It appears to be a timing issue and whether Ohio Benefits looks at it as a change or a supplement.**

A. We reviewed this and discovered no problems. We also provided a job aid explaining how county workers should process manual supplemental requests and what to do if the system forces an overpayment offset. If you have case-specific questions, please email the Ohio Benefits Help Desk at [OB-IMS\\_HELPDESK@jfs.ohio.gov](mailto:OB-IMS_HELPDESK@jfs.ohio.gov). We will be happy to review and walk you through appropriate steps.

**Q22. Will the additional \$600 in weekly federal unemployment stimulus payments count as income for SNAP recipients?**

A. Yes. The U.S. Department of Agriculture released guidance on April 11 stating that the additional \$600 payments will count as income for determining SNAP eligibility and benefits.

**Q23. Can we get an update on Pandemic EBT?**

A. Ohio is committed to implementing this program. Currently, we are working with the Ohio Department of Education to finalize how it will be implemented so we can submit our plan for FNS approval. Once Ohio receives FNS approval, we will provide an update and the expected benefit issuance date.

**Q23. We very quickly went through our \$640K in TANF funds through our addition to our PRC plan for emergency payments to eligible families negatively impacted by COVID-19. Is it possible that additional TANF funds will become available, permitting us to have a greater reach to families locally?**

A. We are evaluating the available funding.

***New:* Q24. How will family address changes be updated for the Pandemic EBT program? It would be nice for us to have a point of contact to refer families to, since they likely will be contacting their county JFS offices.**

A. We are working with the Ohio Department of Education to obtain the latest addresses from the school districts and will compare that data to SNAP records. We also will be sure to get a contact for counties to utilize.

***New:* Q25. For non-SNAP families, who will the Pandemic EBT cards be issued to? For 100% community eligible districts, we anticipate some calls for help with card activation.**

**A.** For eligible children who are not already receiving SNAP, and for entire districts that are eligible under the community eligibility provision of the Free and Reduced Price School Meals Program, families will receive EBT cards in their children's names.

***New: Q26. Is the Pandemic EBT program running in lieu of the summer meal program or in addition to the summer meal program the schools run?***

**A.** The Pandemic EBT benefits are to provide meals to students as a result of the K-12 school closures. This program does not replace the summer meals program.

## **Workforce / Unemployment**

**Q1. Could the state please consider allowing OWF applicants/CCMEP participants in some counties to be referred to their OhioMeansJobs centers or other county JFS agencies for the CCMEP application, assessment, and IOP signing, to complete the eligibility requirements for cash assistance? Currently, OWF cash eligibility requirements are not met until the CCMEP IOP is signed for TANF work-eligible individuals under the age of 24.**

**A.** ODJFS is reviewing possible alternatives, but at this time the eligibility requirements have not changed. We will provide updates as they come.

**Q2. Could the state please consider waiving CCMEP and the TANF work participation requirements attached to the program during the state of emergency, to ensure that customers are not driven to many different case management staff and to delay any adverse action?**

**A.** We understand your concerns. All states are faced with this issue, and the Governor has expressed his intention to seek broad flexibility at the federal level during this time. We are working with the administration on this and will provide updates as they come. Regarding TANF work participation requirements, please see Q1 under "SNAP/TANF."

**Q3. When work-eligible applicants under age 24 apply for OWF cash assistance, could the state consider approving them if all other eligibility requirements are met? Referrals to CCMEP case managers could be made at redetermination or at a later date, as determined by ODJFS.**

**A.** ODJFS is reviewing possible alternatives, but at this time the eligibility requirements have not changed. We will provide updates as they come.

**Q4. At some point, can ODJFS communicate plans to address the high volume of unemployment claims and related activity that is likely to occur?**

**A.** Yes. We have received a record number of initial jobless claims and a record high volume of calls. This unprecedented surge has resulted in slow processing times due to high claims activity. As a result, we have been working hard to add capacity and address performance issues. We also have transitioned many staff to claims intake, processing, and customer service, including many employees from our other offices.

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On March 20, we emailed all county agency and workforce directors a [“How to Help Unemployment Claimants”](#) document, and we are grateful for all offers of help that we have received.

We also created a single mass-layoff number – 2000180 – to speed application processing for Ohioans who were laid off as a result of COVID-19. Claimants can apply without this number, but they may receive notices that they are required to seek work. In fact, COVID-affected claimants are not required to seek work. We are advising them to ignore these notices; their benefits will not be impacted if they do not seek work.

Finally, we post frequent system updates and tips for claimants on [Facebook](#) and [Twitter](#).

Our PIN reset line is now open 7 a.m. to 7 p.m. weekdays, 9 a.m. to 5 p.m. on Saturdays, and 9 a.m. to 1 p.m. on Sundays. Those calling for other matters can receive assistance during normal business hours.

**Q5. Can ODJFS explore waiving the requirements for unemployment claimants to register with OhioMeansJobs.com within two weeks of filing an initial claim?**

A. This requirement has been waived.

**Q6. If employees are laid off as a result of COVID-19 and if remote work is not an option for them, will they be eligible for unemployment compensation?**

A. An executive order issued by Governor DeWine expands flexibility for Ohioans to receive unemployment benefits during Ohio's emergency declaration period. Unemployment benefits are available for eligible individuals who are requested by a medical professional, local health authority, or employer to be isolated or quarantined as a consequence of COVID-19, even if they are not actually diagnosed with COVID-19.

In addition, the federal Pandemic Unemployment Assistance program will provide up to 39 weeks of benefits to individuals who have been partially or totally unemployed due to COVID-19, including many who historically have not qualified for unemployment benefits, such as self-employed workers, 1099 tax filers, those who lack sufficient work history. The benefit amount will be similar to traditional unemployment benefits, plus an additional \$600 through July 25.

Ohioans can now pre-register for PUA by going to [unemployment.ohio.gov](#) and clicking on “Get Started Now.” This will allow them to get in line early so that as soon as we have the technical ability to process their claims, in mid-May, they can log in and complete their paperwork. At that time, we will send a reminder and a link letting them know that it’s time to complete the application. Benefits will be retroactive to the date individuals became eligible, as early as February 2.

**Update:** Because the full PUA system is expected to become available by May 8, the pre-registration tool will no longer be needed and will be closed on May 6.

**Q7. What exactly does the Governor’s executive order regarding unemployment authorize?**

A. Essentially, the order broadens state policy to clarify that individuals who are quarantined are considered to be unemployed. This also applies to companies that determine they need to temporarily shut down. We don’t want to penalize employers by

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increasing their future taxes so the cost of the benefits will be mutualized over time, and we will waive penalties for late filing and payment for the duration of the emergency.

### **Q8. How can Ohioans apply for unemployment benefits?**

A. Ohioans can file online 24 hours a day, seven days a week, at [unemployment.ohio.gov](http://unemployment.ohio.gov). We encourage people to file online, if possible. However, those without internet access or who need assistance may file by phone at (877) OHIO-JOB (1-877-644-6562) or TTY at (888) 642-8203, Monday through Friday 7 a.m. - 7 p.m., 9 a.m. to 5 p.m. on Saturdays and 9 a.m. to 1 p.m. on Sundays.

### **Q9. When you call in to the system, you have to enter your Social Security number, driver's license, date of birth, and listen to a recording about the debit card before you are told there is high call volume and the call is disconnected. Can you identify that there is high call volume immediately and ask the claimant to call back later?**

A. We are actively analyzing our call tree and on-hold messages to improve the customer experience.

### **Q10. Can you remove the security question from the PIN reset?**

A. We are actively evaluating that, as well.

### **Q11. When you mentioned training staff on how to respond to basic unemployment questions, did you mean state staff or county staff?**

A. Right now, we are training ODJFS staff who normally work in other areas to assist with unemployment customer service.

### **Q12. Will the jobs posted at [coronavirus.ohio.gov/jobsearch](http://coronavirus.ohio.gov/jobsearch) cross over into [OhioMeansJobs.com](http://OhioMeansJobs.com)?**

A. There will likely be some overlap, but for jobs in demand as a result of the pandemic, please encourage your clients to visit [coronavirus.ohio.gov/jobsearch](http://coronavirus.ohio.gov/jobsearch).

### **Q13. Workers who make less than \$269 a week are ineligible for unemployment benefits. After they are laid off, they apply for but are denied unemployment benefits because they earned less than \$269 a week. They cannot appeal that denial because they cannot open the Notice of Eligibility to file an appeal. Can ODJFS either amend the system to allow individuals below \$269 a week to be able to apply or correct the Notice of Eligibility so that an appeal could be filed?**

A. Because of the high claims volume, our system has sometimes generated correspondence notices before the items can actually be viewed. This is a known issue, and we are working to resolve it. We sincerely apologize for any confusion as we work to adapt our existing systems to new programs. Eventually, all notices can be opened, and claimants can appeal any decisions they disagree with.

In addition, it's possible these individuals may be eligible for the new federal Pandemic Unemployment Assistance Program, which will provide up to 39 weeks of benefits to self-employed workers, 1099 tax filers, and some other individuals who previously were not eligible for unemployment benefits. The benefit amount will be similar to traditional unemployment benefits, plus an additional \$600 through July 25.

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Ohioans can now pre-register for PUA by going to [unemployment.ohio.gov](http://unemployment.ohio.gov) and clicking on “Get Started Now.” This will allow them to get in line early so that as soon as we have the technical ability to process their claims, in mid-May, they can log in and complete their paperwork. At that time, we will send a reminder and a link letting them know that it’s time to complete the application. Benefits will be retroactive to the date individuals became eligible, as early as February 2.

**Update:** Because the full PUA system is expected to become available by May 8, the pre-registration tool will no longer be needed and will be closed on May 6.

**Q14. Is it possible to have the unemployment Q&A updated to reflect that both local libraries and OMJ centers may be closed or have reduced hours?**

A. Yes, we have made that update.

**Q15. Does the county-level unemployment data at [ohiolmi.com](http://ohiolmi.com) separate COVID-19 claimants from regular filers?**

A. No, it does not.

**Q16. If a reimbursing employer has a current full-time employee who filed for unemployment benefits based on part-time work conducted on the side, for a different employer, would that employee be eligible for unemployment benefits? If so, would the reimbursing employer be liable to pay those benefits, even if this employee continues to work for the reimbursing employer full-time?**

A. The individual may be eligible for unemployment benefits, depending on their total weekly earnings. Unemployment benefits are designed to be a partial replacement of earnings rather than a total compensation for lost wages. If earnings for the week are 20% or less of the claimant’s weekly benefit amount, then the full weekly amount may be payable. Earnings over 20% of the weekly benefit amount will reduce the payment dollar for dollar. If the weekly earnings are equal to or greater than the weekly benefit amount, then no benefit will be payable.

If the person qualifies for benefits, then yes, traditionally the reimbursing employer would be liable to pay a proportional share of them, even if the employee is still working for the reimbursing employer full-time. However, Section 2103 of the federal CARES Act authorizes federal funding/reimbursement for reimbursing employers.

**Q17. Do you have any information about Ohio’s unemployment insurance solvency?**

A. At the start of the pandemic, our Unemployment Insurance Trust Fund balance was at \$1.3 billion. Since then, because of the large volume of unemployment claims, that balance has declined significantly. Because of the magnitude of the pandemic and the fact that the impact was significantly outside the control of individual states, the federal government is considering how to support states in this area. We hope to have more information soon.

**Update:** The trust fund balance currently stands at just over \$744 million, and our latest estimate shows that depletion could occur by the end of May. To that end, we have requested \$3.1 billion in borrowing authority from the U.S. Department of Labor. That

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total exceeds what we think we will need to pay out in benefits. It is essentially a line of credit, so we asked for greater authority than we currently think that we will need. Even when the unemployment trust fund becomes insolvent, we must continue to pay required unemployment benefits.

### **Q18. Will Pandemic Unemployment Assistance be retroactive?**

**A.** Yes.

### **Q19. Will there be an application process for the OMJ Resource Room upgrade funding or will dollars be distributed by formula to the local areas?**

**A.** Each workforce area will get an allocation and will distribute it to counties in their area.

### **Q20. If a person's state taxes are in escrow, might the fact that it hasn't yet been paid count against UI or PUA approval?**

**A.** There's no eligibility requirement for a claimant to be current on his/her taxes in order to meet eligibility for these programs. Even those who are self-employed are considered claimants for purposes of the PUA program.

### **Q21. I see that under the CARES Act, there is a chance for someone who has had reduced hours at work to become eligible for the new Pandemic Unemployment Assistance (PUA) program. Is Ohio going to be including them in the new PUA system?**

**A.** Yes. To be eligible, individuals must not qualify for regular unemployment benefits and must meet one of the following circumstances:

- The individual has been diagnosed with COVID-19, or is experiencing symptoms and is seeking medical diagnosis;
- A member of the individual's household has been diagnosed with COVID-19;
- The individual is providing care for a family member or member of the household who has been diagnosed with COVID-19;
- A child or other person in the household for which the individual has primary caregiving responsibility is unable to attend school or another facility is closed as a direct result of the COVID-19 emergency, and the school or care is required for the individual to work;
- The individual is unable to reach the place of employment because of a COVID-19 quarantine;
- The individual is unable to reach the place of employment because a health care professional has advised him or her to self-quarantine due to COVID-19 concerns;
- The individual was scheduled to commence employment and does not have a job or is unable to reach the job as a direct result of COVID-19;
- The individual has become the breadwinner or major support for a household because the head of the household has died as a direct result of COVID-19;
- The individual has quit his/her job as a direct result of COVID-19;
- The individual was laid off by his/her employer as a direct result of COVID-19;

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- The individual's place of employment is closed as a direct result of COVID-19.

The benefit amount will be similar to traditional unemployment benefits, plus an additional \$600 per week through July 25. There is no minimum income requirement.

However, it's important to note that PUA is only for individuals who are not otherwise eligible for regular unemployment benefits. Individuals who work part-time may be eligible for regular unemployment benefits. If their earnings offset their base weekly benefit amount in either program, they will not be eligible for the "\$600/week add-on" that is available through July 25<sup>th</sup>.

One consideration you may wish to share with the employer community is that if they are able to retain staff – even with the reduced hours – they may be eligible to participate in the SharedWork Ohio program. In that case, their participating employees would receive a partial unemployment benefit from the state (as well as the \$600/week add-on).

**Q22. Normally, we would not request Rapid Response funding for layoffs in a seasonal industry or one with a primarily part time workforce. In Ottawa County, we have a number of restaurants that hire back or increase the hours of staff from our "off season" to the "summer season," who are not able to do so now. We are wondering if we can offer Rapid Response funding to assist those businesses with layoff aversion to bring back or retrain those individuals, or potentially hiring back people under OJT to assist with cost. Under COVID19, there is now a WARN number, so would those folks/businesses be eligible for Rapid Response activities and funding?**

A. We are researching this issue and will provide more information soon.

**Q23. We are receiving a large number of calls from people who have filed and been denied for regular unemployment. These same people now realize that they may be eligible for PUA. Will individual account information be migrated from the OJI system to the new Deloitte system? Will people need to pre-register and "reapply" by filing a new claim in the PUA system (create a new account from scratch)? Should people appeal the denial of regular unemployment and continue to certify weekly while their PUA is in process? (Will this help them or hurt them?)**

A: No, the information will not be migrated. PUA will be a stand-alone system.

Individuals with pending or denied claims for regular unemployment who think they may be eligible for PUA should pre-register at [unemployment.ohio.gov](http://unemployment.ohio.gov). We recommend that they respond to the prompts as follows:

- If they believe they are potentially eligible for PUA, they should answer "Yes" when asked if they have previously submitted an unemployment application and "Yes" when asked if the claim was denied. This will lead them directly to the PUA eligibility questions.
- If they are unsure whether they will qualify for either program, they should answer "No" when asked if they have previously submitted an unemployment application. This will take them through the regular unemployment questions first. If they don't qualify for regular unemployment, they will be prompted to respond to the PUA questions.

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The only reason to appeal a denial of regular unemployment benefits is if the individual believes the decision was made in error. If they think they might be eligible for PUA, but they have an appeal for regular unemployment in process or if they're still waiting on their determination for regular unemployment, they should go ahead and pre-register for PUA. This will not negatively impact their existing application for regular unemployment benefits.

**Update:** Because the full PUA system is expected to become available by May 8, the pre-registration tool will no longer be needed and will be closed on May 6.

### **Q24. Will the same PIN work in PUA or will they need a new PIN? Will the assignment of a PIN be easier in the new system?**

**A:** The PUA system will be password-driven, and yes, we expect the process to be easier.

### **Q25. What documents are required for me to apply for PUA benefits?**

**A:** Before you begin the PUA application process, please be sure to collect the following documents and information.

- Social Security number, date of birth, and driver's license or state ID number
- Name, address, telephone number, and valid email address
- Name, address, telephone number and dates of employment for 2019
- Reason for unemployment
- Dependent information (spouse or children), including Social Security number and date of birth
- Banking information for direct deposit

In addition, self-employed individuals must submit acceptable proof of employment. This includes, but is not limited to, W-2 forms, recent pay stubs or vouchers, earnings statements (reflecting profit and loss), recent bank records showing payroll direct deposit, or a 2019 tax return, if available.

**New:** **Q26. Normally, we would not request Rapid Response funding for layoffs in a seasonal industry or one with a primarily part-time workforce. In Ottawa County, we have a number of restaurants that hire back or increase the hours of staff from our “off season” to the “summer season,” who are not able to do so now. We are wondering if we can offer Rapid Response funding to assist those businesses with layoff aversion to bring back or retrain those individuals, or potentially hiring back people under OJT to assist with cost. Under COVID19, there is now a WARN number, so would those folks/businesses be eligible for Rapid Response activities and funding?**

A. 20 CFR 683.270 does not allow for Workforce Innovation and Opportunity Act (WIOA) funds, including Rapid Response funds, to be spent on activities that displace other employees. WIOA funds cannot be used if any individual is on layoff from the same or any substantially equivalent job or if the employer has terminated the employment of any regular, unsubsidized employee, or caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with another individual. Therefore, Rapid Response may not be used to provide layoff aversion

activities for employers who wish to re-hire or retrain staff who the employer has laid off, including the use of on-the-job training (OJT).

Businesses do have other options for assistance during this time. The U.S. Small Business Administration has several new temporary programs to address the COVID-19 outbreak, including the Paycheck Protection Program (PPP), EIDL Loan Advance, and SBA Express Bridge Loans. Their website is [sba.gov](http://sba.gov).

***New: Q27. If employees are called back to work but do not have child care, is this good cause to refuse to return to work?***

**A** – It is our expectation that in most situations employers and employees will be able to work together on the plan for individual employees returning to work. . Lack of child care does not, by itself, constitute good cause for refusal to return to work for recipients of regular state unemployment benefits. We know there are many questions around this, and we are working with the administration on plans for reopening child care centers. As soon as we have more information, we will share it.

## Child Care

**Q1. If a school is closed due to the virus, can child care providers use the “school out of session” attendance designation in the Time, Attendance, and Payment system?**

**Can county agencies adjust the maximum number of hours of a child’s PFCC authorization?**

**A.** Yes. The school-out-of-session button should be used for any child care provided to a school-age child on days when school was closed, prior to March 29. After March 29, pandemic child care programs should not use the TAP system to track attendance.

**Q2. Will children be allowed more PFCC absent days if they are quarantined? Will programs receive some type of reimbursement if a town is quarantined and they cannot operate?**

**A.** On March 13, Ohio Administrative Code (OAC) Rule 5101:2-16-10 was revised to increase the allowable absent days from 10 to 20 during each six-month period. Per Ohio Revised Code Section 5104.32, starting on March 29, all licensed programs with agreements to provide Publicly Funded Child Care (PFCC) will receive a flat weekly payment until the executive order is lifted and normal child care can resume. More details are available at [jfs.ohio.gov/cdc/CoronavirusAndChildcare](http://jfs.ohio.gov/cdc/CoronavirusAndChildcare).

**Q3. Can organizations that provide training to child care providers offer that training online or via videoconference instead of in person? If not, could the training be delayed?**

**A.** Child Care already allows online training for most courses, with the exception of CPR training.

**Q4. What bleach water guidelines should child care programs follow? The ODJFS recommendation is 1/4 cup of bleach and 1 gallon of water for a strong bleach**

**solution and 1 tablespoon bleach and 1 gallon of water for a weak bleach solution.**

**The CDC recommendation is 1/3 cup bleach and 1 gallon of water for a strong solution and 4 teaspoons of bleach and 1 gallon of water a weak bleach solution.**

A. The Ohio Administrative Code states that providers must use a commercial product registered by the U.S. Environmental Protection Agency as a sanitizer and to follow the manufacturer's instructions. Providers following the CDC guidance would be considered in compliance with the Ohio Administrative Code.

**Q5. Because of school closures, can the limits for the number of children that child care providers are allowed to care for be temporarily waived or increased?**

A. Starting on Thursday, March 26, through at least April 30, all operating child care programs in Ohio must have temporary pandemic child care licenses. Approved providers are listed at [jfs.ohio.gov.cdc](http://jfs.ohio.gov.cdc), under the "Family Pandemic Child Care Information" button. We also now have a button on this page for child care providers. The pandemic child care licenses allow no more than six children to a space at any given time. Family child care home providers can care for no more than six children, with no more than three under age 2.

**Q6. Will ODJFS consider a six-month automatic extension of eligibility for PFCC benefits?**

A. Effective March 30, per Child Care Manual Procedure Letter 139, eligibility extensions of six months will be implemented for caretakers receiving PFCC benefits that are scheduled to end in March, April, or May. ODJFS will systematically extend all applicable eligibility periods, and the Child Care Information Data System (CCIDS) will automatically send notices to caretakers and providers advising them of their new eligibility end dates. No action by county agencies is necessary regarding changing eligibility end dates, removing termination dates, or sending notices regarding eligibility extensions.

**Q7. Will ODJFS consider providing payments for up to 21 catastrophe days in the case of COVID-19-related closures (similar to holidays and professional development days)?**

A. On March 13, OAC Rule 5101:2-16-10 was revised to allow PFCC providers to bill for 21 pandemic days per fiscal year. A pandemic day means a day in which the provider would normally have provided care for enrolled children but was closed because of the COVID-19 pandemic. The value of a pandemic day is based on a child's authorized hours for care. Pandemic days can be used for days the program was closed between March 13 and 25, 2020.

**Q8. Will ODJFS consider a six-month extension of the SUTQ deadline?**

A. Per Amended Substitute House Bill 197, the deadline for programs providing PFCC to be Step Up To Quality (SUTQ) rated has been extended to September 1, 2020. This means that any program providing PFCC has until September 1, 2020, to become SUTQ rated. Unrated programs with provider agreements will be able to continue providing PFCC after July 1.

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We are making system changes to extend by six months the expiration dates for renewals and the anniversary dates for annual reports. This means that no program will have a renewal or annual report due before October. During this time, all ratings will remain what they were on March 26. We are not completing initial Step Up To Quality registrations, desk reviews, annual reports, or onsite verification visits at this time.

As of March, 91% of programs authorized to provide Publicly Funded Child Care in Ohio were participating in this system.

### **Q9. Will front-line county agency and workforce staff be considered “essential employees” and able to use the temporary pandemic child care centers?**

**A.** The following professionals without alternate care are being prioritized for enrollment in pandemic child care programs:

1. Hospital and clinic staff
2. Dentists
3. Pharmacy staff
4. Nursing home, elder care, and home health care workers
5. Psychologists
6. Psychiatrists
7. Mental health counselors
8. Developmental disability aides
9. First responders (police, fire, and EMT)
10. Direct service workers, including child care, children services, public assistance, and adult protective services professionals.

Note that the pandemic child care programs are available only for essential employees who are not working from home. For more information, please see the “Pandemic Child Care Information” buttons for families and providers at [jfs.ohio.gov.cdc](http://jfs.ohio.gov.cdc).

### **Q10. Can you clarify the responsibilities of county child care licensing staff as it relates to pandemic care? We have received differing guidance.**

**A.** County agencies should continue initial eligibility determinations for temporary pandemic licensed programs and for regular licensed programs that did not apply to be pandemic programs or that got denied for a pandemic license. County agencies also should investigate complaints for pandemic family child care homes and continue to make recommendations for revocation for currently licensed family child care providers, if appropriate.

### **Q11. When pandemic child care centers close, do they tell ODJFS, and are they taken off the list?**

**A.** Yes, they do, and we do take them off our public-facing list, which is updated once each day. Programs should email [ODJFS\\_childcare@jfs.ohio.gov](mailto:ODJFS_childcare@jfs.ohio.gov) to request closure of their pandemic license.

### **Q12. We would encourage the pandemic child care settings that have available slots for non-essential staff (first responders) to prioritize available slots for children at risk of abuse and neglect. County PCSAs often rely on daycare as a protective**

**measure to ensure safety of the child. Could available slots be prioritized for child safety related cases?**

**A:** We are exploring this issue.

## Child and Adult Protective Services

### Kinship/Foster Caregivers

**Q1. Will information be provided for foster parents, childcare providers, or other substitute caregivers?**

**A:** We encourage you to remind foster parents, child care providers, and other substitute caregivers to visit [coronavirus.ohio.gov](https://coronavirus.ohio.gov) for up-to-date information and more specific guidance. They also can call the Ohio Department of Health hotline at 1-833-4-ASK-ODH (1-833-427-5634) 7 days a week from 9 a.m. to 8 p.m. In addition, please see this [Message on COVID-19 from the Children's Bureau](#).

**Q2. In light of the crisis, can the rules for the Kinship Child Care Program and PRC programs be loosened so that counties would have the discretion to use their PRC and kinship programs to address caregivers' emergent needs, such as access to food, childcare, and other basic needs.**

**A:** To ensure county agencies can address local needs, we are going to utilize the \$10 million that was allocated for TANF Summer Youth Employment and broaden the scope of services for which it can be utilized. ODJFS will allocate the \$10 million to all county agencies as soon as possible. The funds can be used for TANF Summer Youth Employment AND/OR any other Prevention, Retention, and Contingency service deemed necessary. Examples: County agencies could provide a COVID 2020 payment to eligible families.

**Q3. What should caseworkers do if a family is referred to an agency and has someone in the home who is sick with the virus? During the initial call, can caseworkers ask if anyone in the house is exhibiting symptoms? Can county agencies get guidance from the health department about in-home visits?**

**A:** Please see the [COVID-19 Home Visiting Screening Flowchart](#).

**Q4. Should ODJFS and the custodial PCSA be notified if a youth, staff member, caregiver, or household member tests positive for COVID-19?**

**A:** Yes. Contact the OFC Help Desk via email [Help-Desk-OCF@jfs.ohio.gov](mailto:Help-Desk-OCF@jfs.ohio.gov) or telephone 1-866-886-3537, option 4. They will then notify the appropriate ODJFS staff so we can provide technical support and guidance.

We also we continue to work with PCSAO, the Children's Alliance, and private agencies to explore how we can provide additional support and assist with COVID-19 planning in the event of a positive test result from a staff person or a child to ensure we can continue to meet the needs of children, caregivers and agencies.

**Q5. There are several foster care policy recommendations pending. Will announcements be made via Q&A?**

**A:** We will get information out as quickly as we can. We also will include it in the Q&A.

**Q6. Could PCSAs issue a temporary pandemic license to prospective foster parents who may only need a few additional training hours or to complete other non-safety items in order to finalize licensure?**

**A:** As referenced in [FCASPL 348](#), released on March 30, pre-service training hours cannot be waived. However, the training methods can be flexible during this time. Trainings can be delivered via live synchronous training and/or through Foster Parent College for preservice, up to the minimum hours required for their certification type. Regardless of which training method is used, agencies are still required to ensure that all training topics and hours are met. Guidance is available from each Ohio Child Welfare Training Program (OCWTP) regional training center regarding Foster Parent College preservice hours and topics. Training for adoptive-only families may still be waived, except for the hours of culture training.

The procedure letter also addresses adjusted protocols regarding other licensure requirements.

**Q7. Given new benefits and processes available through ODJFS, can foster parents and kinship caregivers (who, of course, don't have custody of the child) be given priority for receiving various supports should they experience job loss, loss of child care, exposure/diagnosis themselves or of an extended family member, or food insecurity with more children in the home?**

**A:** We are exploring this issue.

**Q8. Could kinship caregivers without judicial custody temporarily be given power of attorney to make medical decisions for the children in their care, especially if they become exposed? Could free legal assistance be provided to assist in drafting the POAs?**

**A:** We are exploring this issue.

**Q9. Can ODJFS clarify and communicate that foster and kinship caregivers can use reasonable and prudent parenting practices to identify an unlicensed/unapproved caregiver to supervise children while they are at work if pandemic child care is not available?**

**A:** The existing reasonable and prudent parenting standards exist to allow children to participate in normalcy activities. OAC 5101:2-7-08 (B) states: "Alternative arrangements for the care of a foster child by someone other than the foster caregiver shall be approved by the recommending agency." These alternative arrangements must be in line with child care rules if the child care provider is a child care center or Type A or Type B family child care provider.

**Q10. Can foster parents implement Reasonable and Prudent Parenting Standards to use alternative child care if centers are shut down or the parent needs to continue to work?**

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**A:** The existing reasonable and prudent parenting standards exist to allow children to participate in normalcy activities. OAC 5101:2-7-08 (B) states: “Alternative arrangements for the care of a foster child by someone other than the foster caregiver shall be approved by the recommending agency.” These alternative arrangements must be in line with child care rules if the child care provider is a child care center or Type A or Type B family home provider.

**Q11. If foster parents have to pay their daycare provider to hold their daycare spots during the pandemic, would the daycare costs be reimbursable?**

**A:** The custodial agency should determine the need for child care holds and the best way to assist foster parents with maintaining child care beds for use again once the pandemic guidelines are lifted. The agency may ask the foster parent to provide documentation that the child care requires payment to hold the “beds,” the amount, and the number of days. This is an allowable cost, although a unique one, and is similar to placement bed holds. This would be considered a temporary need due to pandemic requirements.

**Q12. Should foster parents applying for unemployment benefits add their foster children as dependents?**

**A:** No, the only dependents that may be claimed for the purposes of unemployment are natural children, stepchildren, and adopted children.

**Q13: We have a foster family with two working parents who both continue to work as “essential” employees. The foster family was directly paying for child care expenses for the foster children prior to the pandemic. The children continue to be cared for by the same child care center that has been approved to provide pandemic child care. Are there any funds that can be utilized to pay the child care costs during the pandemic? Do you know if the Foster Parent Recruitment and Retention Allocation, specifically “services, supports, or goods needed by existing foster placements to maintain a placement” can be used for this purpose? Do you know of any other funds that can be used to cover the cost of child care for foster parents classified as “essential” and continuing to work during the pandemic?**

**A:** Yes, counties may use the Foster Parent Recruitment and Retention funding for this purpose. Counties also may use the Best Practice funding. If the foster child(ren) are IV-E reimbursable, these expenses also may be claimed to Title IV-E by entering the payments in SACWIS as “Employment Related Day Care” payments.

**New: Q14. We have 2 children in a private network foster home that wants to put the children in respite for 2 weeks. The foster mom plans to travel to New York to visit her parents. Typically respite is approved for a maximum of 2 weeks. However, with the out of state travel there’s a recommendation for 2 weeks of self-quarantine, which would mean these children would be in respite for 2 additional weeks upon her return, for a total of 4 weeks of respite. We would like to see that there is some flexibility in this. We are hoping we can encourage her to hold off her travel. However, I am not hopeful. Can we try to get some flexibility in this allowance for the 2 weeks respite maximum?**

**A:** There is not a licensing requirement that children cannot be in respite longer than 14 days. Our concern would be ensuring that the leave is documented appropriately to ensure child safety and that the IV-E reimbursability (or lack of it after 14 days) is calculated correctly. If the children are moving from a licensed foster home to another licensed foster home, there is a 14-day maximum on the days that can be claimed under Title IV-E. If the leave is entered in SACWIS with the type of respite, it will not be reimbursed. Respite is not allowable under Title IV-E, but it is a Title IV-B allowable expense. These costs can also be charged to the Foster Parent Recruitment and Retention Allocation, SCPA, or Best Practice funding.

## Visitation

### **Q1. Will visitation protocols be changed for child and adult protective services?**

**A:** On March 18, Dr. Jerry Milner, associate commissioner of the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) Children's Bureau, provided practice guidance to states. Here are some highlights:

- Caseworker Visits: The monthly caseworker visit requirement remains in place, but ACF is modifying its policy to permit visits to be conducted by videoconferencing in these current extraordinary circumstances.
- Child and Family Services Review Program Improvement Plans: States and ACF may jointly renegotiate the terms and conditions of the PIP in accordance with the requirements of 45 CFR 1355.35(e)(4). Ohio will be asking for an extension.
- Other Legislative and Regulatory Flexibility: Although periodic reviews and permanency hearings are important protections for children in foster care, ACF has explained that the case review requirements are not a Title IV-E eligibility requirement. Therefore, delays in conducting these activities will not adversely affect a child's eligibility for title IV-E.

This guidance pertains to both public and private entities. ODJFS recommends documenting any of the above actions that are contrary to current rule in the SACWIS Activity Log as relative to COVID-19. For more information, please see this [Message on COVID-19 from the Children's Bureau](#).

Prior to the [Stay at Home Order](#), some residential centers were already limiting visitors and offering telecommunication options. For example, one facility communicated that they were taking extra precautions for caseworker visits and requiring all visits to be scheduled in advance. That facility provided the following guidance:

*Caseworkers will also have to be checked in by our nursing department before visiting your client. They will be checking and asking the following questions:*

*Temperature greater than or equal to 100.4 (WE WILL CHECK YOUR TEMP)*

*Cough*

*Shortness of Breath*

### *Runny Nose*

#### *Any Recent Travel out of state/ country*

*If you are found to have any of these symptoms, please follow your agencies guidelines to send another representative in your place.*

*We have designated areas to accommodate your visits.*

*We apologize for the any inconvenience and thank you for your cooperation in keeping our client's health and well-being a priority.*

### **Q2. Are there any alternatives or waivers that county PCSAs can invoke regarding out-of-state visits, particularly those that involve staff flying to another state?**

**A:** When an Ohio PCSA (or PCPA) places a child in an out-of-state placement, those placements must go through the ICPC approval process. The ICPC requires authorities at either the local agency (if the child was placed in a foster home) or residential facility in the state in which the child was placed to conduct the monitoring/visiting. There is no requirement for Ohio PCSA staff to travel to other states to personally conduct monitoring, visits, or face-to-face contact with children placed out-of-state. Although many PCSAs continue to conduct their own visitation and monitoring of children out of state as a best practice, that is not required.

### **Q3: Are licensed adoption assessors able to conduct post-placement visits via video to best protect children, families, and staff from potential exposure?**

**A:** Agencies should make these decisions on a case-by-case basis after assessing immediate health and safety concerns. If the child is assessed to be safe in the adoptive home, the agency may consider reduced visits or alternatives to in-person visits, for example by using video technology. Agencies are encouraged to contact the probate court that will finalize the adoption to discuss any alternative visitation plan and its impact on finalization.

### **Q4. Does the ACF guidance saying teleconferencing is acceptable for monthly caseworker visits apply to phone calls to parents and other case plan participants? Will we be counted out on a review if we call or conference our parents during this unprecedented time?**

**A:** No, counties will not be “counted out” for required in-person visits during the emergency declaration period. While it is imperative that caseworkers continue to ensure the safety and well-being of children, this must be balanced against the health and safety of caseworkers, the children they are serving, and all individuals they come into contact with. The monthly caseworker visit requirement remains in place, but the Practice Considerations Memo sent by Director Hall on March 16 was intended to provide PCSAs with the ability to determine alternative/creative methods of contact with children, adults and/or foster care providers when the safety and well-being of children have been assessed and are not compromised.

Alternative forms of contact – including Skype, Facetime, and phone calls – are acceptable in circumstances in which face-to-face visits are not possible, despite the agency's best efforts, due to COVID-19. If an agency uses alternative methods of communication under these limited, specified circumstances, caseworkers must conduct communications in accordance with the timeframe established. They also

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must closely assess the child's safety at each conference. In addition, we encourage agencies to consider immediate plans of action if a caseworker is not able to reach a child via videoconference, or if the videoconference raises a concern about the child's safety or well-being. The contact type and reason should be well-documented in the case record (SACWIS). Scheduling conflicts are insufficient grounds for modifying this in-person requirement.

### **Q5. Can residential agencies refuse access to their facilities by PCSA staff, ODJFS staff, or a parent?**

**A:** Residential agencies can dictate restrictions but cannot prohibit access to youth. However, both agency staff and visitors can compromise to adjust visits to meet requirements and ensure safety.

### **Q6. If parents are calling into meetings instead of coming to the agency, are we able to initial for them to indicate approval?**

**A:** If possible, obtain a signature via electronic means. If not possible, another option is to email the parent/party, attaching the necessary correspondence, and asking them to respond that they agree.

### **Q7. As workers are now utilizing videoconferencing to visit children in custody, should these still be labeled as face-to-face visits in SACWIS?**

**A:** County agencies should make the determination to utilize videoconferencing on a case-by-case basis, in accordance with the [Practice Consideration Memo](#) sent in March. Caseworkers should specify the type of contact that was made in the case narrative. Below is an example of how agencies could record these visits in SACWIS:

Contact Type	Category	Sub Category	Location
Face to Face	Parties to the Case	Caregiver, Mother, Father, Child	Neutral Offsite or Other

### **Q8. If a family refuses a caseworker access to a home at the assessment/investigation level due to COVID-19 concerns, how should counties proceed?**

**A:** Counties should follow their current practices and policies. The [Practice Considerations Memo](#) that Director Hall sent on March 16 prioritizes ensuring the safety and well-being of children and instructs county agencies to consider each situation on a case-by-case basis. If counties have consulted with their local prosecutor/legal counsel and have been advised that no further efforts are needed, counties should continue to document their justification in SACWIS.

### **Q9. Can home visits be suspended and conducted by telecommunications to stop the back-and-forth movement of youth, which would risk transmission of COVID- 19?**

**A:** Agencies should review the [Practice Considerations Memo](#) sent on March 16 for guidance on home visits and visitation between youth and their family members.

**Q10. Can we assess if there are children/youth who could be sent home with their families during this crisis for extended home visits to reduce youth placement numbers?**

**A:** Children/youth may be returned to the home pursuant to normal trial home visit procedures while the agency works with their court to terminate custody orders.

**Q11. What are expectations surrounding good-faith efforts? For visits where we are unable to conduct face-to-face visits due to the provided COVID-19 home visiting flow chart, and must conduct the monthly visit by phone or Skype, what are the expectations for attempts? Would we be expected to make three separate attempts at phone contact on three separate days?**

**A:** Due to the pandemic, we understand it may not be possible to meet good-faith effort expectations. These are unprecedented times, and we ask that each agency assess the safety, risk, and needs of each child and family they are working with. We advise agencies to continue to make the necessary attempts (via alternative contact, such as phone, Skype, etc.). If the attempts are not successful and/or safety remains a concern, please consider other means (such as safety child checks) that can be done to assess immediate safety, as you normally would.

**Q12. Will the state make a formal recommendation for continuing unsupervised visitation for parents involved with child welfare who are working toward reunification?**

**A:** Agencies need to continue to balance health and safety while also taking into consideration case-specific needs, assessing permanency, and making decisions in the best interest of the child. If a family is at the point of having unsupervised visits, agencies should still conduct and document case-by-case assessments for any immediate safety and health concerns for the children, the parent(s), and the current caregiver(s) that would justify limiting outside exposure. If there are no known concerns, the unsupervised visits should continue. In order to limit additional people being involved, the caregiver should be encouraged to provide transportation to and from the visit and keep to the Ohio Department of Health's social distancing guidelines. Agencies also should re-assess whether some children/youth may be returned to the home, pursuant to normal trial home visit procedures, if the child's safety would not be jeopardized, while the agency works with its court to terminate custody orders.

If an agency determines that continuing in-person visitation is not in the best interest of the child due to COVID-19 concerns, the agency should work with the caregiver and the parent/family to set up virtual visitation. To assist you and your staff during these challenging times, the ODJFS Office of Families and Children created two resource documents that provide helpful tips to ensure the greatest success when implementing virtual visitations. One has been created for agencies and caregivers, and the other is for birth families. The documents include technology and practice considerations, as well as resources families and caregivers can use when adopting virtual visitation approaches. Agencies are encouraged to share these documents with their staff, birth

families and caregivers. They can be found at [jfs.ohio.gov/ocf/CoronavirusAndChildServices](https://jfs.ohio.gov/ocf/CoronavirusAndChildServices).

***New: Q13. Our agency has decided to start face-to-face visits this month with all children in our custody (of course, putting in place all the safety measures that we can: meeting outside, 6 feet apart, wearing a mask, etc.). We are getting significant pushback from the residential agencies. Two are refusing our workers access to the children in our custody. We are somewhat fearful that if we demand access, they will make us move our children. What is the state's position on this?***

**A:** ODJFS recommends that the residential agency and the placing agency try to work out a reasonable plan to ensure that safety and risk can be evaluated in a manner sufficient for each child. If the placing agency assesses the safety and risk and determines that it is in the best interest of the child for the placing agency to make an in-person visit, utilizing appropriate safety measures, it is the right of the agency as the legal custodian to do so. Agencies should communicate the safety precautions that they have implemented and ensure that all parties are informed of the process. At the request of placing agencies, ODJFS can follow-up with ODJFS-licensed facilities to discuss specific situations as they arise.

### Adult Protective Services

**Q1. Are there any special protections county APS workers should take to help prevent the potential spread to vulnerable adults who are potential victims of elder abuse, neglect, or exploitation? Should special protective gear (i.e. masks, gowns) be considered? Is ODJFS able to work with ODH on recommendations or should counties consult with their local health departments? Additionally, counties would likely need access to the necessary health supplies, and most retail establishments are currently sold out. Any assistance in securing these items would be appreciated.**

**A:** At this time, we are exploring all options. We also have provided guidance to county APS staff to help them prepare for and conduct home visits. In addition, we encourage county agencies and local workforce development boards to work closely with their county health departments. For local contact information, visit <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts>.

***Update:*** Please see Q18 and Q20 in the “General” section.

### Children’s Services Workforce

**Q1. What should county agencies do if staff contract COVID-19? What if staff can't come to work due to child care issues related to school closures? Can we allow staff to work from home? If so, under what circumstances?**

**A:** Staff who are ill should not report to work. County agencies should use their own executive-level discretion to make these decisions and adjust caseworker activities as necessary on a case-by-case basis and document those decisions.

**Q2. A foster or residential agency is working on completing all required employee background checks per FCASPL 347 but has an employee who is hospitalized. What should the agency do to complete the background check requirement of an alleged perpetrator search when they are not able to obtain a signed a consent form or the other required documentation?**

**A:** When the employee is out of the hospital and has returned to work, the employee can complete/sign/submit the necessary documents to return to work.

**Q3. Do PCSA staff qualify as essential service workers? If they do, are there funds available to help offset their unexpected child care expenses? Is it possible to get a list of the new temporary childcare providers in our area?**

**A:** Yes, they do qualify as essential service workers. Currently, financial assistance is available only for families in the Publicly Funded Child Care program. For information about pandemic child care options, please visit <http://jfs.ohio.gov/CDC/> and click on the “Family Pandemic Child Care Information” button.

**Q4. Will ODJFS be issuing guidance on practice expectations when agencies are impacted by staff illness due to COVID-19? Will there be rule changes allowing some leniency?**

**A:** As Director Hall stated in the [Practice Considerations Memo](#) sent on March 16, county agencies should use their own executive-level discretion to make decisions and adjust caseworker activities as necessary on a case-by-case basis and document those decisions. They also should utilize their local continuity of operations plans and emergency protocols and guidance to respond to crises and worker illness. While it is imperative that caseworkers continue to ensure the safety and well-being of children, this must be balanced with the health and safety of caseworkers and all individuals with whom they come into contact.

**Q5. Could the caseworker of record (primary worker) be more than one to allow teams to operate on different days or be available for emergencies when the caseworker of record becomes ill? We ask for this flexibility without making a case assignment in SACWIS as this need could change daily.**

**A:** Outside of caseworker visits to children in substitute care, which requires the primary caseworker to complete the majority of visits to the child, nothing in rule prevents another caseworker from completing casework activities on a case. Completion of a semiannual review does require participation by a caseworker who is familiar with the case. Activity logs can be added into SACWIS by anyone with the caseworker security. The SACWIS Help Desk may assist workers in identifying any obstacles to data entry.

**Q6. In addition, could one county PCSA caseworker who is visiting a child in a CRC be permitted to visit children in the custody of other county PCSAs placed in the same residential facility? Obviously, such a visit would count toward the monthly requirement, with the worker noting any concerns. If that is allowable, could JFS**

**assist in identifying the other counties that have children placed in the specified facility?**

**A:** ODJFS would be happy to assist in supporting these activities. If PCSAs are open to this kind of arrangement, they could notify OFC staff, and we will work to assist with coordination among/across PCSAs. SACWIS can generate a report upon request of all county children placed in a facility. Whenever possible, the primary caseworker should also reach out via virtual means to stay in contact with the youth.

**Q7. Could PCSAs access “temporary workers,” either from other JFS areas, or reactivate previous employees to assist in managing caseloads, emergencies, visits, waiving educational and training requirements, and expediting any needed background checks?**

**A:** According Ohio Revised Code (ORC) 5153.121, children services boards and JFS offices can share workers to perform job duties. With regard to reactivating past employees, ODJFS could ask the attorney general if it would expedite caseworker BCIs, but the PCSAs would still need to conduct them. Employees reactivated would need to meet the educational requirements. New employees can complete the 102 hours of in-services training in the course of a year. Rule also states that training can be waived if the rehired employee was previously employed by a PCSA within the past two years.

**Q8. Has the Rapid Response Team been hired? We are assuming that the Governor’s order freezing the hiring of new state employees may impact this team. If that assumption is correct and the fund is still available, could the workforce stabilization fund be used differently to assist PCSAs with workforce shortages due to COVID-19?**

**A:** This emergency crisis fund and the positions associated with it were already in progress prior to the Governor’s order. We hope to have all these positions filled soon so we can support those counties most in need.

**Q9. We appreciate that children services workers have been deemed essential for COVID-19. Prior to the pandemic, PCSAO drafted research on being considered first responders. Based on our understanding that you are interested in this research, we want to share it with you. Could ODJFS review our findings and advise given the potential of unintended consequences?**

**A:** Thank you for sharing the summary of your research. We will review and are happy to have continued discussion on the issue.

**Q10. Will orientation training requirements be waived to get staff in place more quickly?**

**A:** As referenced in FCASPL 348 released on March 30, prior to working alone with children, agencies must ensure the following during the emergency:

- All required background checks have been received.
- Staff have completed the initial orientation required by rule 5101:2-9-03.
- CPR and First Aid training have been completed. They may be completed online without certification at this time. Certification must be completed within 90 days after the emergency ends.

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- The additional 24 hours of first-year training is still required; however, it no longer must be completed prior to working alone with children.
- If staff CPR and first aid certifications are due to expire, the training may be completed online without certification during this time. Certification must be completed within 90 days after the emergency ends.
- One person certified in CPR and first aid must still be on duty in a living unit at all times.

Prior to staff members working alone with children during the emergency, agencies are required to ensure the following:

- All required background checks have been received.
- Staff have completed the initial orientation required by OAC 5101:2-9-03.
- CPR and first aid training have been completed. They may be completed online without certification at this time, but certifications must be completed within 90 days after the emergency ends.

The additional 20 hours of first-year training are still required; however, they no longer must be completed prior to working alone with children.

**Q11. We have a residential staff member applicant who will have direct contact with children but is unable to be seen in person by a medical professional at this time. Can we still hire them?**

**A:** New applicants must have a JFS1390, “ODJFS Medical Statement for Child Care Staff in Residential Facilities,” completed by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or certified nurse-midwife as outlined in ORC 5103.0327 and ORC 3107.02. However, the form may be completed electronically. If the medical professional is comfortable completing the form based on their current knowledge of the individual, that is permissible. If the medical professional is willing to complete an assessment via telehealth to complete the form, that is permissible, as well.

**Q12: How should we manage case-closing letters during this time? No one is working at our building so printing and signing letters is an issue.**

**A:** There seems to be county variance in sending/receiving mail correspondence. Many agencies are using Adobe Acrobat to electronically sign and send communications when possible. It is recommended that agencies verbally communicate the information in case-closure letters with families and follow up with electronic communication, such as email, if possible. The communication method should be documented in SACWIS, and formal case-closure letters should be sent as soon as possible.

**Q13: Now that caseworkers are working remotely, is there a way to quickly access rules and forms without being on the Innerweb?**

**A:** The e-manuals link, <http://emanuals.jfs.ohio.gov/index.stm>, can be accessed via the internet to obtain rules and forms.

**Q14: All vehicles used for transporting children living at residential facilities must be inspected and approved by the Ohio State Highway Patrol annually. The Highway Patrol is unable to conduct inspections, so can we waive this requirement?**

**A:** The Ohio Department of Public Safety has canceled all vehicle inspections due to the COVID-19 emergency and has published this information at [services.dps.ohio.gov/VehicleInspection](http://services.dps.ohio.gov/VehicleInspection). Please contact the Ohio Department of Public Safety within 30 days of the emergency order ending to schedule vehicle inspection appointments.

## Training

**Q1. Can training for new workers and foster parents be suspended? What if a foster parent's license is about to lapse?**

**A:** We are exploring whether training for new workers and foster parents can be suspended. For foster parents whose certificate is about to lapse, each agency should follow a good cause policy (5101:2-5-13) regarding a foster caregiver's failure to complete the required training hours. The policy must include what constitutes a good cause, including a documented illness, critical emergencies, and lack of accessible training programs. It must also include procedures for developing a scheduled corrective action plan. If the foster caregiver complies with the policy, ODJFS may renew the certificate. If an agency has questions about its policy or regarding a specific situation, they should contact their foster care licensing specialist.

**Q2. Due to foster parent training sessions being canceled, can agencies recertify foster homes that may not have required hours?**

**A:** As you know, the certification and training requirements are in statute, so we are working to find emergency solutions to adjust training requirements as a result of the exigent circumstances. As a reminder, OAC 5101:2-5-13 (A) (9) states the following regarding good cause for a foster caregiver's failure to complete the continuing training:

*Each recommending agency shall establish and implement a policy regarding good cause for a foster caregiver's failure to complete the continuing training in accordance with rule 5101:2-5-33 of the Administrative Code. If the foster caregiver complies with the policy, as determined by the agency, ODJFS may renew the foster caregiver's foster home certificate. The agency shall submit the policy to the department and provide a copy to each foster home the agency recommends for certification or renewal. The policy shall include all the following:*

*What constitutes good cause, including documented illness, critical emergencies, and lack of accessible training programs.*

*Procedures for developing a scheduled corrective action plan that provides for prompt completion of the continuing training.*

*Procedures for recommending revocation of the foster home certificate if the foster caregiver fails to comply with the corrective action plan.*

Reminder: A corrective action plan is required whenever an agency cites good cause. It

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is recommended that agencies establish flexible deadlines for when foster homes must complete required trainings. In addition, ongoing training methods can be flexible during this time. Trainings can be in-person, live synchronous, or through Foster Parent College.

### **Q3. Due to foster parent training sessions being canceled, how should agencies address pre-service training requirements?**

**A:** Pre-service training hours cannot be waived. However, the training sessions can be flexible during this time. Trainings can be in-person, live synchronous, or through Foster Parent College. Regardless of which training method is used, agencies still are required to ensure that all training topics are met.

### **Q4. Will all methods of foster parent training be eligible for stipend reimbursement?**

**A:** At this time, all instructor-led training sessions will be eligible for stipend reimbursement up to the required hours, per their certification. As you know, the certification and training requirements are in statute, so we are working to find emergency solutions to adjust training requirements as a result of the exigent circumstances.

### **Q5. Do regional training centers have discretion to close their doors?**

**A:** Regional training centers (RTCs) are individually administered by each PCSA through subgrant agreements and will operate according to their PCSAs' emergency/disaster plans. However, ODJFS encourages RTCs to explore alternative training opportunities, such as live synchronous, online, or virtual training. Here are some RTC updates (predating [Ohio's Stay at Home Order](#)):

- **SWORTC** (Clermont County) canceled all staff trainings in March.
- **NWORTC** (Lucas County) canceled all trainings through March 31.
- **WORTC** (Greene County) suspended face-to-face training through April 6.
- **NCORTC** (Cuyahoga County) suspended training through April 13, except for the current round of pre-service training; canceled caregiver and supervisor conferences and foster parent night out.
- **ECORTC** (Guernsey County) canceled all training through April 15; considering offering virtual training.
- **SEORTC** (Athens County) extended cancellations of workshops through April 15.
- **NEORTC** (Summit County) canceled all trainings through April 18; offers virtual coaching and is open to online training.
- **CORTC** (Franklin County) canceled all trainings through April 30.

### **Q6. Will orientation training requirements be waived to get staff in place more quickly?**

**A:** As referenced in [FCASPL 348](#) released on March 30, prior to working alone

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with children, agencies must ensure the following during the emergency:

- All required background checks have been received.
- Staff have completed the initial orientation required by rule 5101:2-9-03.
- CPR and First Aid training have been completed. They may be completed online without certification at this time. Certification must be completed within 90 days after the emergency ends.
- The additional 24 hours of first-year training is still required; however, it no longer must be completed prior to working alone with children.
- If staff CPR and first aid certifications are due to expire, the training may be completed online without certification during this time. Certification must be completed within 90 days after the emergency ends.
- One person certified in CPR and first aid must still be on duty in a living unit at all times.

Prior to staff members working alone with children during the emergency, agencies are required to ensure the following:

- All required background checks have been received.
- Staff have completed the initial orientation required by OAC 5101:2-9-03.
- CPR and first aid training have been completed. They may be completed online without certification at this time, but certifications must be completed within 90 days after the emergency ends.

The additional 20 hours of first-year training are still required; however, they no longer must be completed prior to working alone with children.

### **Q7. If a foster care agency feels that a foster home qualifies for the good-cause training policy, how should we capture this documentation?**

**A:** Per PL 348, foster parents can complete ongoing training requirements via live synchronous or online training up to the minimum hours required for their certification type. Regardless of which training method is used, trainings must be approved by the recommending agency in order to receive credit.

Per HB 197, all recertifications and updates due in March, April, May, and June will be extended to September 30. If an agency wants to continue with a recertification/update at this time, they may do so but are not required to. If an agency decides to proceed with recertification of the home, and the training hours cannot be completed in time, here are the steps for documenting good cause:

**Step 1:** Document in the recertification (1385) how the home qualifies and the agency's requirements under the CAP (training topics, number of hours, time to complete the training). In the corrective action plan, we recommend all agencies give the foster parents the entire next certification period to complete the required training, in addition to that certification period's training requirements.

**Step 2:** Ensure that the foster family's ITNA is updated accordingly.

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**Step 3:** Once the family completes the required training as identified in the CAP, the agency should record this information in an activity log on the foster home provider record. Use the following fields in the activity log:

Contact Type: Meetings

Category: (whatever type of home this is...i.e. Foster Home applicant, Foster/Adoptive Applicant, etc.)

Sub-Category: Trainings

**Step 4:** When the agency completes the subsequent JFS1385, it should document all of the training that the home completed during the past two years, including topics, hours, and dates.

**Q8: What are my options if I hire a new staff member who has an LSW, but can't complete Assessor Tier One training due to COVID-19? Is she able to complete some tasks under my supervision?**

**A:** ORC 3107.014 (A)(3) requires individuals to begin Accessor Tier One training prior to performing assessor duties, as outlined in OAC 5101:2-48-06 (A). However, the regional training centers are actively working to convert their assessor training sessions to virtual live synchronous training. Agencies can reach out to them for more information.

**Q9: Can training for new workers be suspended?**

**A:** The current OAC requirements for caseworker and supervisor CORE training allow for one year to complete the required courses. The emergency period is not expected to last for a year. However, if an employee cannot complete the training in a year because of the pandemic, we recommend that you document this in their file, along with the plan to address the issue once the emergency is over.

In addition, IHS and the RTCs have identified the development of virtual CORE 2 (engagement), CORE 4 (safety and risk), and CORE 6 (case planning) training as priorities. This work has already begun, and OFC has emphasized the importance of making this training available to PCSAs as quickly as possible. OCWTP also is compiling a list of available non-CORE online trainings for PCSAs and posting it on their website.

**Q10: For homes that are not scheduled to expire until after the emergency order ends, are foster caregivers allowed to take online and live synchronous training up to the maximum amount for their license type, and have those training hours count toward recertification?**

**A:** Yes. Per PL 348, all currently certified foster parents are able to complete ongoing training requirements via live synchronous or online training up to the minimum hours required for their certification type during the emergency order. Regardless of which training method is used, trainings must be approved by the recommending agency in order to receive credit.

**Q11: If a foster parent is working on training hours to upgrade to Treatment Foster Care, are they able to take trainings online or does it have to be live synchronous training?**

**A:** Yes, foster parents upgrading to a higher level of care can participate in online or live synchronous training to meet the training requirement.

## Young Adults

**Q1. What is ODJFS doing to help emancipated young adults affected by college and university closures?**

**A:** We have reached out to the colleges to confirm that housing is still available to any student who does not have alternative housing. We are working with our Bridges vendor and regional teams to help youth in the program who have housing and other needs. We have reached out to PCSAs regarding post-emancipation services and supports. We also have been in close contact with Foster Care to Success. They are reaching out to students individually and report that all young adults contacted currently have a place to go. Another concern is wage loss for students with campus jobs. We are exploring whether the affected youth might be eligible for CCMEP.

On April 24, Governor DeWine announced that young people emancipating from foster care who are not ready to transition because of the pandemic can continue to be supported.

**Q2. What is ODJFS doing for Bridges participants who are ineligible because of the pandemic?**

**A:** We are doing everything we can to maintain all participants in the program during this time and enroll new ones, as well. It is our intention to be as flexible with programmatic requirements as we can while still adhering to the federal expectations of extended foster care. On March 25, we informed the Child and Family Health Collaborative of Ohio, which is administering Bridges, that both initial and ongoing eligibility requirements have been waived so we can maintain and continue to enroll participants in the program. Emancipated young adults who choose not to enroll can receive supports from their PCSA through post-emancipation services.

**Q3. Some foundations have expressed an interest in helping Bridges participants. What should we tell them?**

**A:** That is wonderful; we certainly welcome their assistance. It may be helpful to know that we sent COVID-19 guidance to all Bridges provider agencies on March 25 and to directors on April 6. We will continue to follow up with the providers to answer any questions.

**Q4. Does the Governor's order for children in foster care who are turning 18 include youth with developmental disabilities who will be turning 21?**

**A:** PCSAs need to continue to work with their county boards of developmental disabilities to ensure that youth with development disabilities who are aging out of the children services system at age 21 can transition to adult programs for those with

disabilities. If there is a delay in this transition, the youth can remain in PCSA custody, per Procedure Letter 349, if agreed upon and until the transition can be completed. As always, each PCSA should consult its legal counsel for further guidance.

**Q5. With regard to the governor's announcement on Friday of foster youth able to remain in custody using the MSY allocations to cover the cost of placement outside of traditional IV-E eligibility, some counties may have already expended that allocation on other MSY youth expenses. What recourse does a county have to utilize those funds to cover youth through June 30th or into next fiscal year who would otherwise leave custody?**

**A:** We know that many counties still have not fully expended the MSY funding, so this is an opportunity to provide more flexibility to meet the needs of these older youth. Ultimately, we all know that the decision-making remains with the PCSA and the court for the timing for termination of custody for children in their care. Many youth aging out now may already have a safe transition plan despite the pandemic, and many youth are still not going to agree to stay in agency custody even if they are offered the opportunity. The purpose is to elevate our focus and planning for this population of children by providing more flexibility with existing funding streams to maximize utilization when applicable. We know some of our counties have really taken advantage of the MSY funding source as initially intended, and we will continue to explore options with other allocations and/or releasing any MSY funding still not used.

### **Health/Safety/PPE**

**Q1. Does ODJFS have resources to fund and/or ship safety supplies (such as screen masks, gloves, and cleaning supplies) to licensed residential facilities?**

**A:** We are exploring all options related to safety supplies. We have provided guidance to county staff to help them prepare for and conduct home visits. In addition, we encourage county agencies to work closely with their county health departments. For local contact information, visit <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts>.

**Q2. Can ODJFS provide children services staff with personal protective gear for home visits?**

**A:** We are exploring all options related to safety supplies. We have provided guidance to county staff to help them prepare for and conduct home visits. In addition, we encourage county agencies to work closely with their county health departments. For local contact information, visit <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts>.

Last week, we issued a notification to provide maximum flexibility with some existing funding streams, to allow them to be utilized for COVID-19 supplies for staff and caregivers, such as masks, gloves, thermometers, cleaning supplies, etc. We also intend to ask communities to offer any support and assistance they can for front-line children services staff in the trenches – such as volunteer groups willing to make masks for caseworkers. We hope our statewide messaging may help raise local awareness and provide additional support during these difficult times.

**Q3. Will ODJFS be issuing guidance on practice expectations when agencies are impacted by staff illness due to COVID-19? Will there be rule changes allowing some leniency?**

**A:** As Director Hall stated in the [Practice Considerations Memo](#) sent on March 16, county agencies should use their own executive-level discretion to make decisions and adjust caseworker activities as necessary on a case-by-case basis and document those decisions. They also should utilize their local continuity of operations plans and emergency protocols and guidance to respond to crises and worker illness. While it is imperative that caseworkers continue to ensure the safety and well-being of children, this must be balanced with the health and safety of caseworkers and all individuals with whom they come into contact.

**Q4. We acknowledge that PCSAs rely on local public health officials to advise what protective measures should be taken (and that such advice is evolving). We request that ODJFS/ODH share advice specific to the work of children services investigations and visits so that there is consistent and clear instruction throughout the state. To ensure caseworkers feel safe investigating abuse and neglect allegations, caseworkers primarily need sanitizer at this time, but we anticipate a time in the future when Personal Protective Equipment (PPE) will need to be available for investigating high-risk cases, transporting infected children in personal vehicles, etc. Given the shortage of PPE, what guidance can be offered to PCSAs for when PPE is absolutely necessary to have on hand for emergencies, if a worker should enter a home where a family member is ill, if a family member is ill but a child needs to be removed, and if a worker should transport a child that is either ill or been in contact with a family member who is ill? When should PCSAs request for law enforcement to step in if they are even willing to do so? We are already hearing that, beyond being stretched thin themselves, some local law enforcement agencies are refusing to go into homes.**

**A:** We are exploring all options related to safety supplies. We have provided guidance to county staff to help them prepare for and conduct home visits. In addition, we encourage county agencies to work closely with their county health departments. For local contact information, visit <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts>.

**Q5. Will agency staff therapists be able to provide professional therapy services by teleconference/telehealth?**

**A:** The Ohio Department of Medicaid has issued guidance regarding telehealth: <https://medicaid.ohio.gov/Portals/0/For%20Ohioans/Telehealth/ODM-Telehealth-FAQs.pdf>

**Q6. Will there be issues with payment for services provided via telehealth?**

**A:** The Ohio Department of Medicaid has issued the guidance regarding billing for telehealth:

[https://medicaid.ohio.gov/Portals/0/Resources/Publications/Guidance/BillingInstruction/s\\_TelemedicineBillingGuidance.pdf](https://medicaid.ohio.gov/Portals/0/Resources/Publications/Guidance/BillingInstruction/s_TelemedicineBillingGuidance.pdf)

**Q7. Will non-emergency medical appointments be allowed to be postponed, include Health Checks?**

**A:** The [Practice Considerations Memo](#) sent on March 16 provides the following guidance regarding medical and health requirements (such as the five-day medical screen):

Gather as much health history as possible via interviews with parents, children, and others.

Assess the need for youth to be seen by medical professionals based on whether they are exhibiting symptoms of physical or mental health concerns.

Reach out to medical professionals to determine whether telehealth or other alternatives are available.

**Q8. Since there have been grocery shortages and limitations, can there be flexibility with adhering to menus of nutritionists?**

**A:** As referenced in [FCASPL 348](#) released on March 30, residential facilities must do their best to meet the current requirements of Rule 5101:2-9-20 regarding food and nutrition. If any foods are not available because of a shortage in the community, the facility still must provide a nutritious meal to all residents.

**Q9. Can a sample press release be given to promote Child Abuse and Neglect Prevention Month?**

**A:** The Ohio Children's Trust fund website includes a toolkit for Prevention Month. Just visit [octf.ohio.gov](http://octf.ohio.gov) and click on "What We Do," then "National Child Abuse Prevention Month," then "April 2020 Toolkit."

OCTF also provides COVID-19 resources and information for parents and caregivers on its website.

**Q10: I am wondering if Child Welfare agencies can be added to the Battelle list for sanitizing the N95 masks. Our agency received a small supply of N95s through our local health department, and when I checked with the Highway Patrol to see if we could drop them off to go to Battelle, I was told we are not on their transportation list. I do not want to have my caseworkers throw these away, and I am afraid that I may not be able to get more in the future.**

**A:** We are exploring this issue.

## Courts

**Q1. In light of the guidance from the federal government regarding periodic reviews and permanency hearing delays not adversely affecting a child's Title IV-E eligibility, does this also allow for delays in the judicial determination on reasonable efforts?**

**A:** No. While the guidance from the Children's Bureau clarified that delays in the permanency hearings and periodic reviews won't have an impact on eligibility, reasonable efforts still must be made to make judicial determinations within the

required timeframes in order for children to remain Title IV-E eligible. Additional guidance in the Child Welfare Policy Manual states that although the permanency hearing may serve as the mechanism for obtaining the judicial determination of reasonable efforts to finalize/achieve a permanency plan, there is no requirement that the judicial determination be made at a permanency hearing. Based on evidence provided by the Title IV-E agency, the court may make a determination without a formal hearing.

**Q2. How should workers/agencies proceed when families who are the subject of a report refuse access to the home? If this is the case and the family refusing to even answer the door, does the PCSA continue to make two more attempts or can this be waived and documented, especially if a reduced workforce becomes a reality? With the lack of a petition of access, PCSAs will discuss with the prosecutor and file in court. With the court's reducing hearings, what other option is available to PCSAs to gain access?**

**A:** Counties should proceed to follow their current practices and policies when denied access during the assessment/investigation phase of a case. The [Practice Considerations Memo](#) sent on March 16 prioritizes ensuring the safety and well-being of children and advises agencies to consider each situation on a case-by-case basis. If counties have consulted with their local prosecutor/legal counsel and have been advised that no further efforts are needed, counties should continue to document their justification in SACWIS.

**Q3. Are IV-E courts eligible for Best Practice funding?**

**A:** Unfortunately, the budget bill designated the Best Practice Allocation specifically for PCSAs. If IV-E courts have particular funding needs related to the pandemic, please notify our IV-E court coordinator, Ricardo Murph, at [Ricardo.Murph@jfs.ohio.gov](mailto:Ricardo.Murph@jfs.ohio.gov).

## Legislative/Regulatory/Audits/Reviews

**Q1. How are we supposed to conduct home study safety audits for recertifications if we are concerned about social distancing and not being in client's homes? Can we wait until after the health crisis is over to conduct safety audits on new homes?**

**A:** As Director Hall stated in the [Practice Considerations Memo](#) sent on March 16, for home Studies and assessments, agencies should conduct as much information gathering as possible via phone/email, either after or before the initial walk-through of the home.

**Q2. Does the temporary 6.2% Federal Medicaid Assistance Percentage (FMAP) increase in the Families First Coronavirus Response Act apply to Title IV-E programs?**

**A:** Yes, Ohio's FMAP rate has been retroactively increased to 69.22%, effective January 1, 2020. This rate will remain in effect until the last day of the calendar year

quarter in which the public health emergency period ends. At that time, it will revert to 63.02%.

**Q3. Some PCSAs are still conducting their own fingerprinting, which raises safety concerns. We have also heard that some law enforcement agencies have stopped providing fingerprinting services for the local PCSA, leaving the agency without the ability to fingerprint. Could there be guidance on how agencies should approach fingerprinting during this crisis, including how to proceed if fingerprints cannot be done on potential caregivers? Along those lines, we are requesting a waiver on kinship Rule 2-42-18 so that prospective kin caregivers do not need to be fingerprinted at this time.**

**A:** As referenced in the Family, Children, and Adult Services Procedure Letter 348 [FCASPL 348 (COVID-19 Pandemic Guidance)], released on March 30, criminal background checks are still required for all potential caregivers and adult household members. If families have the appropriate supplies, they may print the fingerprint form and complete their own fingerprints with an ink pad, then mail it in to BCI. The form and address can be found here:

<https://www.ohioattorneygeneral.gov/Files/Forms/Forms-for-BCI-Criminal-Records-and-Background-Chec/Background-Check-Forms/BCI-fingerprint-card.aspx>.

BCI has also stated that several locations are still completing web checks. Recommending agencies and families are urged to use the following link to locate web check services by county or zip code, if unable to complete the fingerprints manually at home: <https://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck/Webcheck-Community-Listing>.”

**Q4. PCSAs are looking for more guidance on what flexibility is available with respect to mandates that are not safety driven (e.g., paperwork compliance), particularly as staffing levels decline. Beyond documenting extraordinary situations since almost every situation will be extraordinary – can ODJFS be more clear about what leeway PCSAs will be given, especially referring to the “Other Considerations” in the ODJFS Practice Considerations Memo? If there is not a safety impact, can ODJFS waive many of those other considerations, noting that as a state, we acknowledge being out of compliance with many of those CPOE/CFSR requirements?**

**A:** As referenced in FCASPL 348, released on March 30, prior to COVID-19, ODJFS had initiated Phase 1 of the Child Protection Oversight and Evaluation 12 (CPOE-12), and technical assistance specialists had begun reaching out to counties scheduled for entrances from April through June 2020. Amid these unprecedented times, the office recognizes the need to temporarily suspend CPOE-12 activities until October 2020 to allow counties to prioritize the safety and well-being of the children and families under their jurisdiction. *The new period under review for CPOE -12 will not include the months during the pandemic.*

ODJFS further recognizes the need to offer support and provide guidance and ongoing technical assistance during this critical time. Technical assistant specialists will be in regular contact with their counties and ready to assist in various ways, and as always

counties should reach out to their technical assistant specialists directly whenever needed. As indicated in Director Hall's Practice Considerations Memo dated March 16, child protection responsibilities include responding to reports of maltreatment to our most vulnerable citizens. Agencies still must assess safety during all phases of a case, including screening, assessment/investigation, and ongoing regardless of where children reside. Agencies should review the guidance provided in the memorandum for additional information.

### **Q5. Can criminal background checks be waived during this time?**

**A:** As referenced in the Family, Children, and Adult Services Procedure Letter 348 [FCASPL 348 (COVID-19 Pandemic Guidance)] released on March 30, criminal background checks still are required for all potential caregivers and adult household members. If families have the appropriate supplies, they may print the fingerprint form and complete their own fingerprints with an ink pad, then mail it in to BCI. The form and address can be found here: <https://www.ohioattorneygeneral.gov/Files/Forms/Forms-for-BCI-Criminal-Records-and-Background-Chec/Background-Check-Forms/BCI-fingerprint-card.aspx>. BCI has also stated that several locations are still completing WebChecks. Recommending agencies and families are urged to use the following link to locate WebCheck services by county or zip code if they are unable to complete the fingerprints manually at home: <https://www.ohioattorneygeneral.gov/Business/Services-for-Business/WebCheck/Webcheck-Community-Listing>.

### **Q6. Are in-person safety audits for foster or adoptive homes still required for initial certification/approval and initial kinship home assessments, recertification/updates, and amendments for address changes?**

**A:** In-person safety audits are still required for initial certification/approvals, initial kinship home assessments, and amendments for address changes, as indicated in Procedure Letter 348, issued on March 30. The letter addresses adjusted protocols regarding licensure requirements for foster and adoptive licensure requirements.

The specific guidance regarding safety audits for initial home studies is as follows: "If a safety audit has not been conducted yet for an initial home study or kinship assessment, the worker must take appropriate precautions with social distancing, gloves, not touching household items, etc., and complete the safety audit/physical check of the home as quickly as possible and leave the home."

For address change amendments on currently certified/approved foster and adoptive homes, this is the guidance:

If a safety audit cannot be conducted in person during this time period, the recommending agency can utilize virtual technology to do a virtual walk-through safety audit of the home to ensure there are no current safety concerns as long as the questions on the safety audit can be answered.

If a virtual walk-through is conducted in lieu of an in-person safety audit, an in- person safety audit must be done in no more than 30 days after the emergency ends. Please request the fire inspection as soon as possible.

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**SACWIS TA:** Enter the date the fire inspection is scheduled. If the fire inspector will not give a definitive date at this time, enter the date the fire inspector was contacted.

For recertifications, the letter also addresses the passage of House Bill 197, which includes language to allow ODJFS to extend all certifications and approvals. ODJFS will extend all foster care recertifications and adoption updates scheduled to expire in March, April, May, and June until September 30, 2020. ODJFS and the SACWIS team will implement data fixes to extend affected foster care and adoption spans.

If an agency wants to continue with a recertification/update and the safety audit cannot be conducted in person during this time period, the recommending agency can utilize virtual technology to do a virtual walk-through safety audit of the home to ensure there are no safety concerns, as long as the questions on the safety audit can be answered. If a virtual walk-through is conducted in lieu of an in-person safety audit, an in-person safety audit must be conducted in no more than 90 days after the emergency ends.

**SACWIS TA:** Use the following fields in the activity log:

Contact Type: Meetings

Category: (whatever type of home this is – for example, Foster Home Applicant, Foster/Adoptive Applicant, etc.)

Sub-Category: Critical/Safety Issues

**Q7. Can a foster or adoptive home transfer move forward even if a homestudy assessor cannot do the safety audit in person during the emergency order?**

**A:** If a safety audit cannot be conducted in person during this time period, the new recommending agency can utilize virtual technology to do a virtual walk-through safety audit of the home to ensure there are no safety concerns, as long as the questions on the safety audit can be answered. If a virtual walk-through is conducted in lieu of an in-person safety audit, an in-person safety audit must be conducted in no more than 90 days after the emergency ends.

**Q8. We are trying to get a new facility certified, but fire inspectors are not conducting fire inspections right now. What should we do?**

**A:** Fire inspections are required prior to initial certification for any new facilities. Please request the fire inspection as soon as possible. The inspectors will complete them as they are able.

**Q9. We are required to have an annual fire inspection conducted for our facilities, but fire inspectors are not conducting fire inspections right now. What should we do?**

**A:** Document the date you made the request, as well as your steps to follow the directive provided in the fire inspector's response. The inspectors will complete the inspections as they are able.

**Q10. According to PL 348, “ODJFS and the SACWIS team will implement data fixes to extend affected foster care and adoption spans, to support HB 197 of the 133rd Ohio General Assembly, which includes language to allow ODJFS to extend**

**all certifications and approvals.” Do agencies need to contact OFC to have homes extended in SACWIS?**

**A:** No, agencies do not need to contact the Help Desk. OFC will run a weekly data fix that will identify any foster and/or adoptive spans that are scheduled to expire the following week. The spans for these homes will then be extended to September 30. These will be done weekly to allow recommending agencies the opportunity to recertify/update or close homes if they are able to complete those activities for these homes prior to expiration.

**Q11: Fire inspections are required prior to the initial certification of foster homes, group homes and children’s residential centers. When the fire inspector is willing to do a virtual inspection due to COVID-19 restrictions, are virtual inspections acceptable for licensing?**

**A:** Yes, if the home or facility has the electronic capability, and if the fire department agrees to complete the inspection in this manner, it is acceptable. The fire inspector will advise of any areas requiring correction and discuss how to provide evidence of correction before the inspection is approved. A written copy of the inspection must be provided to the facility or recommending agency upon completion.

**Q12: On April 15, the Children's Bureau issued a letter regarding Stafford Act flexibility for criminal background checks for substitute caregivers or adults working in child care institutions. This allows for agencies to conduct criminal background checks through a name-based check and then complete the fingerprint-based check as soon as it is safe to do so. Can Ohio agencies use this flexibility regarding fingerprint-based checks?**

**A:** Ohio's Bureau of Criminal Investigation (BCI), law enforcement offices, and other WebCheck locations continue to be open for business across the state to conduct fingerprinting. Therefore, BCI reports it will not conduct name-based checks at this time. As indicated in PL 348, if individuals would prefer not to complete fingerprint-based checks at a WebCheck location, or if there is no WebCheck location nearby during the pandemic, they may complete their own fingerprint check if they have the appropriate supplies at home. BCI provides instructions on its website for those interested in this option: <https://www.ohioattorneygeneral.gov/Files/Forms/Forms-forBCI-Criminal-Records-and-Background-Chec/Background-Check-Forms/BCIfingerprint-card.aspx>. If this option is used and the criminal check is unreadable or rejected, BCI will proceed with a name-based check to minimize any further delay.

Many of the WebCheck locations are helping individuals by appointment only, to allow for social distancing. They encourage individuals to call and schedule an appointment to ensure these practices can be followed. All WebCheck locations also have implemented strict safety protocols, such as limiting the number of individuals in their buildings, extra sanitizing of the fingerprint machines, and requiring masks. BCI has clarified with WebCheck locations that foster and adoptive parents, kinship providers, adult household members, and agency staff are all considered essential under the guidance they have received and should not be denied fingerprint checks. WebCheck locations can be found here: <https://www.ohioattorneygeneral.gov/Business/Services-forBusiness/WebCheck/Webcheck-Community-Listing>.

**Q13. Are PCSAs required to report identification of positive COVID-19 only if the person had an actual test? Some are assumed positive but aren't tested.**

**A:** Procedure Letter 348 requires that PCSAs and substitute care providers report to ODJFS (at [HELP-DESK-OCF@jfs.ohio.gov](mailto:HELP-DESK-OCF@jfs.ohio.gov)) any staff, caregivers, household members and children who have tested positive for COVID-19.

**Q14. What should we do if one of the counties we contract with is requiring in-person visits for all children in their care?**

**A:** Please reach out to your licensing specialist, who will partner with the specific PCSA's technical assistance specialists and managers to attempt to identify alternative methods of contact when in-person contact is deemed to be unsafe.

**Q15. Monthly caseworker visits refer to the county worker, correct? Does ODJFS have direction for counties that are requiring private agencies to have face-to-face contact with youth monthly?**

**A:** Yes, this refers to monthly visits by county PCSA caseworkers. Please reach out to your licensing specialist, who will partner with the specific PCSA's technical assistance specialists and managers to attempt to identify alternative methods of contact when in-person contact is deemed to be unsafe.

**Q15. Are we able to delay completion of CA/N dispositions due to an ACV forensic interview and/or AP interviews by law enforcement NOT occurring due to COVID-19?**

**A:** There have been no rule changes to permit agencies to deviate from assessment/investigation mandates, including case disposition. The federal Child Abuse Prevention and Treatment Act (CAPTA) outlines the rights of families and alleged perpetrators to a timely disposition and appeals process for allegations of suspected child maltreatment. PCSAs should refer to their memorandum of understanding and consult local law enforcement and child advocacy centers to develop a strategy during this time to move forward on a case-by-case basis to ensure timely interviews within the required PCSA timeframes with a focus on children's safety. Rare case circumstances allow for one-time utilization of a PCSA administrative change to a disposition if a criminal investigation later identifies pertinent information to warrant a change in the disposition after the required timeframes.

## **Residential**

**Q1. What type of emergency shelter care can the state make available so that workers do not have to provide overnight care to children? Without such shelter care, it will become more common for children to be brought to agency lobbies, which don't always have kitchen/bathing facilities and may not have staffing to supervise? What requirements can be waived under such circumstances?**

**A:** We encourage agencies to reach out to their technical assistance and licensing specialists. We do not have a mechanism to provide agencies with emergency shelter.

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We encourage agencies to access available resources within their communities to find resources. We've tried to give maximum flexibility with other rules.

### **Q2. Can ODJFS authorize flexibility in staffing ratios for congregate care facilities so that they can continue to operate with staff reductions?**

**A:** As referenced in [FCASPL 348](#), released on March 30, ratios for residential staffing may be increased from 1:10 to 1:15 during the emergency. Ratios for infants and toddlers in residential parenting facilities may increase from 1:5 to 1:7 during the emergency. If residential facilities increase staffing ratios as permitted above, the facilities must notify the OFC Helpdesk at [HELP-DESK-OCF@jfs.ohio.gov](mailto:HELP-DESK-OCF@jfs.ohio.gov).

### **Q3. What should facilities do if they do not have the staff to maintain supervision ratios due to illness and/or staff quarantine (medical or self)?**

**A:** As referenced in [FCASPL 348](#), released on March 30, the ratios for residential staffing may be increased from 1:10 to 1:15 during the emergency. Ratios for infants and toddlers in residential parenting facilities may increase from 1:5 to 1:7 during the emergency. If residential facilities increase staffing ratios as permitted above, the facilities must notify the OFC Helpdesk at [HELP-DESK-OCF@jfs.ohio.gov](mailto:HELP-DESK-OCF@jfs.ohio.gov).

### **Q4: Procedure Letter 348 states that residential agencies can increase staffing ratios from 1:10 to 1:15 during the COVID-19 crisis. Does this mean that residential agencies can increase their youth capacity up to 15 by just notifying the OFC Helpdesk?**

**A:** No. If an agency wants to increase youth capacity within its residential facility, it still must notify the licensing specialist and submit an amendment to increase capacity. This process ensures that there are adequate beds and space for the youth, that age and gender access is addressed, and that group homes do not accept more youth than allowed per rule (10 beds). Staff will prioritize addressing these amendment requests. We recognize that placement availability and decisions are high priority.

### **Q5. A residential facility recently contacted my agency to state that it was increasing our per diem by \$150 per day in order to cover the cost of the reduced number of youth it is servicing due to a decision to not accept any more placements. I forwarded this to my TAS/TAM. My child there is not IV-E eligible. We are already paying \$356/day. Is ODJFS looking into this issue?**

**A:** Yes, we are aware of the request. Placing agencies should not be increasing the per diem rate for placements during this time. Any per diem increase that exceeds the reimbursement ceiling will not be reimbursed for the amount paid that exceeds the ceiling. Provider agencies are encouraged to make use of small business pandemic relief offered through the federal CARES Act.

At the placing agency's discretion, they may provide a supplemental payment to a provider outside of the maintenance per diem. This can be funded by:

- Using the Best Practice Allocation,
- Using the Foster Parent Recruitment and Retention Allocation (foster homes only),

- Entering a supplement using the foster care miscellaneous payment functionality in SACWIS (this will be reimbursed at the FMAP rate for program-reimbursable children), and
- Using the local savings experienced by the increase in the FMAP.

Utilizing these alternative methods of providing supplements will help to maximize funding and decrease the local burden.

**Q6. We are a new agency that just received our license March 11, so from my understanding, we are on hold for any placements until this is all over? Is that correct?**

**A:** If you received an issuance letter and license from ODJFS, you are not on hold to accept placements. You can receive placements up to your licensed number of youth. Please reach out to your licensing specialist if you have specific questions.

## Placements

**Q1. Did the “Hotels.com” option in SACWIS get finalized? If not, could this go live so that agencies know where there are available beds for placement? Even if it is not real-time data, it would help to reduce the number of calls to providers seeking availabilities.**

**A:** The interactive mapping functionality requires a significant amount of development and is slated to be deployed by late 2020. The existing provider match functionality allows PCSAs to search for providers by availability characteristics and location. The SACWIS Knowledge Base article at the following link provides step-by-step instructions on how to perform this search and generate a report:

<https://jfskb.com/sacwis/index.php/administration/113-reports/310-using-provider-match- and-generating-a-report>

**Q2. How can ODJFS assist in identifying placements for JR6 referrals from the court? Can the state do more to encourage courts to limit these placements? For example, can the Stay at Home order be applied to children who are safely in a placement today (including detention) so that they remain there until the order is rescinded? (We recognize that there are legislative considerations.) How creative can PCSAs get when there are no longer traditional placements available?**

**A:** The Limited Placement Capacity Memo sent to judges on March 20 encouraged courts to partner with PCSAs when making decisions about child custody, removal, and discharges. Teens are most impacted by this concern, especially teens in juvenile detention facilities. The intent of the communication was to make courts aware of PCSAs' limited placement resources and to respectfully request their consideration when making decisions regarding child custody, removal, and discharge. There are no new applicable laws or mandates. Residential agencies should continue to accept referrals and placements.

**Q3. Can ODJFS and ODM create a process to identify or develop placement options for children in custody (as well as children who are in non-court-involved cases) who are exposed and must be quarantined or isolated?**

**A:** Agencies should follow the guidelines as dictated by the ODH and CDC for quarantining and isolation. We can have further discussion with you about this specific request.

**Q4. Would there be an opportunity to have a few ODJFS staff available and specifically on point to assist PCSAs in finding available placement options (foster homes, CRCs, GHs), especially if out-of-state placement is being considered and traveling may be impossible?**

**A:** ODJFS staff – including the technical assistance specialist, foster care licensing specialist, and multi-system youth team – have been and will be readily available to assist agencies who request assistance.

**Q5. Could respite rules be waived to allow non-licensed settings to care for children in care with foster families or kinship caregivers, especially if one becomes sick or needs assistance with the increased caregiving necessitated by the Stay At Home Order?**

**A:** ODJFS does not encourage agencies to place children in non-licensed settings. Safety is paramount, and the PCSAs should assess the setting. Agencies should identify other safe placement options, including kin, whenever possible.

**Q6. I was unable to find anything in rule regarding length of pre-placement visits. We have approved a home study for a relative of a child in our custody. However, we are unable to officially place the child with the relative without a court hearing and due to the COVID-19 pandemic, our hearings are being continued. If our agency is in agreement, are we permitted by rule to have an extended pre-placement visit with the relative, including up to 30 days or more? If so, if the child is on a pre-placement visit with the relative for a month or more, are we required to complete a monthly visit with the foster parents? We will be monitoring the pre-placement visit with the relative to ensure the child's safety.**

**A:** Since the relative has an approved home study, placing the child on a “pre-placement visit” so as not to delay permanency is appropriate. Under normal conditions, visits should occur in the placement home if there is a possibility the child may return. In these unprecedented times, please refer to the practice guidance regarding alternative forms of contact with the placement home, such as phone or video conferencing. Additionally, counties that require a court order to change placements may want to consider reaching out to their courts to discuss a temporary change in this process (until the pandemic is over) so placement changes, especially ones to less restrictive homes, are not delayed.

## Child Support

**Q1. Would it be possible to extend the hours of SETS access? Many county employees are challenged by school closures and may need to adjust their schedules.**

A. SETS is now available 6 a.m. to 8 p.m. Monday through Friday and 8 a.m. to 4 p.m. on Saturday. Please note that special maintenance or jobs may limit some Saturday hours, but notice will be provided in advance.

**Q2. With the Governor's order, will there be guidance for parents who share custody or have court-ordered visitation? How should parents with these types of agreements go forward?**

A. Unfortunately, Child Support has no jurisdiction in custody or visitation matters. Visitation is established by either by a juvenile or domestic court. If possible, parents in these situations should work together to establish visitation details that comply with health and safety guidelines. The Supreme Court of Ohio is advising parents to work with their former spouse, attorney, or Legal Aid Society and the court of jurisdiction to determine how to proceed in situations concerning shared custody arrangements.

Southeastern Ohio Legal Services issued a [press release](#) on this topic.

**Q3. What should CSEAs consider the essential child support functions to be?**

A. Each county will have to make that determination on a case-by-case basis. For guidance, see the [Practice Considerations Memo](#) sent by Director Hall on March 16.

**Q4. Will CSEAs be exempted from the 20% budget cuts?**

A. There are no proposed cuts to county allocations or the federal funding participation for county operations in the child support program.

**Q5. How will HB 917 and the tolling provision affect child support actions or proceedings?**

A. Any CSEA action or proceeding that establishes a timeframe in which a client is allowed or required to do any of the following must be tolled until the tolling period has expired if the party has failed to respond or filed an objection:

- Raise an objection to an administrative order, a default determination, or an enforcement action;
- Provide information in a support establishment, review and adjustment, or termination action;
- Appear at an administrative hearing.

**Q6. Will this cause a delay in completion of child support actions or proceedings?**

A. We anticipate that this will create many delays in child support actions being completed. However, the intent is to provide parties with assurances that they will have the opportunity to address these actions without risk to their health and well-being during this crisis. If there is voluntary cooperation with the process, the action can be completed.

If not, then the action cannot be completed until the tolling period ends and the limitation period has concluded.

### **Q7. Will federal stimulus payments be subject to the IRS offset process for child support debt?**

**A.** The federal Office of Child Support Enforcement has notified states that stimulus payments will be intercepted for child support debt. These payments will be co-mingled with existing IRS tax offset payments and will have no unique identifier.

Noncustodial parents whose arrears have been certified with the IRS as meeting the minimum requirements for offset will have their stimulus payments offset up to the amount of the child support debt. For single individuals, this will not exceed the \$1,200 payment. For joint filers in which one party may owe a child support debt, the IRS will offset the amount up to the delinquent child support amount. This could potentially include the entire stimulus check for a family.

Current spouses can file an “Injured Spouse” claim to have the IRS determine what portion of the stimulus check belongs to them. The IRS will then send a payment to the injured spouse directly and retract the funds from us. When the Office of Child Support receives an offset that involves a joint return, it is required to hold those funds for up to six months to allow for the injured spouse claim to be processed. In addition, some of these offsets will be used to pay arrearages owed to the state.

If your clients have questions about this process, you can refer them to the Office of Child Support’s home page. Please instruct them to click on the “Your Child Support and the Economic Impact Payments” button.

**Update:** The U.S. Treasury Department and Bureau of Fiscal Services created stimulus allocations for spouses who had filed injured spouse claims. However, instead of sending the checks to the obligors’ spouses, they applied them to the child support debt. The federal office is working to identify a solution. In the meantime, we are awaiting further guidance. Unfortunately, this will hold up the issuance of funds to the injured spouses.

## General Information

### **Q1. Is there information available about how best to disinfect a public facility?**

**A.** Yes. You can find guidance on the U.S. Centers for Disease Control and Prevention website at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>.

### **Q2. Will the state provide funding for cleaning and sanitation supplies, or purchase bulk quantities of supplies that could be distributed to counties?**

**A.** At this point no, but we may consider doing so in the future.

**Q3. Do public meeting laws allow virtual meetings to be held in place of in-person meetings?**

A. Yes, meetings may be conducted by electronic means, as long as the public is notified and can participate.

**Q4. If state staff are stationed in a non-state-owned building that closes because of the coronavirus, where should they report for work?**

A. The department has a Continuity of Operations Plan that determines where state employees should report for work in the event of facility closures. We will ensure all staff know their alternate work locations.

**Q5. Is the Ohio Department of Health sharing information with county health departments?**

A. Yes, they are. We encourage county agencies and local workforce development boards to work closely with their county health departments. For local contact information, visit <https://odh.ohio.gov/wps/portal/gov/odh/find-local-health-districts>.

**Q6. Can the state help with technology to allow county staff to work from home, if needed?**

A. To assist counties with some of the basics regarding technology, we built a knowledge base that is accessible on SharePoint. It includes Surface Pro basics, information about Skype, VPN set up, and other helpful tips. We will continue to add updates to this site as needs arise. Counties can access it on the County Operations User Experience (UX) Portal.

In addition, ODJFS is allowing state-issued mobile devices and desktop personal computers (PCs or towers) to be taken home to perform job functions. This will support county staff to telework as appropriate. This includes the personal computer, tower, monitor, keyboard, and other peripherals needed to perform job functions. Please note, the desktop PCs do not have the capability of connecting to a wireless network and will be required to connect directly to the employee's internet outlet with the patch cable currently utilized to connect to the desktop PC at the workstation. For more information, please see the memo that was sent to local directors on March 17.

Note that certain applications will not be accessible without Virtual Private Network (VPN) access, regardless of whether you have a Surface Pro, tablet, or desktop computer. County operations staff will be working with TPOCs to identify those in need of VPN access.

**Q7. Can the call tree for counties with shared services be amended to include an initial message asking clients to continue to utilize the phone and online systems, even if the wait times might be longer than usual, to reduce the risk of COVID-19 exposure in county agency lobbies?**

A. The tech team has added the following message to the call tree: "Please continue to utilize the phone and online systems for application, re-application, and other related activities, even if the wait times might be longer than usual. This will assist in reducing

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the risk of COVID-19 exposure and transmission in county agency lobbies. We appreciate your patience.” This message is available to callers in both English and Spanish.

### **Q8. Has ODJFS considered temporarily suspending state hearings for cases in which people are already getting benefits, to help counties focus on mission-critical activities.**

**A.** The Bureau of State Hearings intends to continue the business of state hearings but is considering all options in prioritizing scheduling. We recognize that counties are struggling to maintain staff levels and complete essential duties. We will be flexible and work with counties to schedule a reasonable number of hearings that will allow us to continue to process appeals but also not overwhelm county agencies. County agencies should reach out to the Bureau of State Hearings to discuss any scheduling concerns.

### **Q9. Can ODJFS provide assistance with telephones for remote workers?**

**A.** Under Ohio’s state-supervised, county-administered operating model, county entities are the provider for telephone technology. When considering how to adapt a work-from-home strategy for phone calls, it is recommended that counties consult their internal IT expertise or their telephone providers for best-fit solutions to best match work-from-home scenarios. The most simplistic guidance for all phones is to forward all calls from the desk phone to the end-user home phone or mobile phone. Some phone solutions have technology called “follow me” calling, which may be offered by some phone providers. This technology can deliver calls to desktop phone devices regardless of their network presence on or off the ODJFS network. Please consult your phone provider to see if this service is available.

Cisco Finesse users and shared service users will require a VPN token for Finesse functions to work successfully. We are exploring technologies that incorporate Soft Phone clients that will work in conjunction with Finesse to enable calls without a handset. However, at this time the solution is still being reviewed and engineered before we can declare this option as a feasible alternative.

### **Q10. We have heard that our allocations could be cut 20%. Is this true?**

**A.** The federal and GRF line items that support maintenance of effort for TANF, Child Care, and Medicaid will be exempt from this cut. In addition, the Governor has very clearly emphasized that we are not impacting payroll or contemplating layoffs. Guidance for SFY21 budgeting is still forthcoming. Therefore, we cannot comment on future funding.

### **Q11. Can we still enter into contracts and make purchases?**

**A.** ODJFS has received guidance from both DAS and OBM to immediately freeze new requests for contractual services, except for services that are necessary for the emergency response. In addition, fiscal year 2021 requests must be mission-critical. This applies to contracts and purchases made by ODJFS for, or on behalf of, our local partners.

**Q12. Could someone get a big internet provider to agree to provide internet services for county JFS staff to advance the telework concept?**

A. The Office of Information Services has been advising staff members needing internet services during the teleworking period to leverage the major companies that are offering free and/or discounted solutions to the public at the present time. Several leaders in the technology field are offering high broadband home internet access and/or hotspot capabilities to anyone needing them. Employees can reach out to AT&T, Comcast, Spectrum, T-Mobile, and several other major companies for additional information.

**Q13. What if county staff working from home have no access to the state system to get the RMS notifications?**

A. The RMS system is web-based so if they have access to their email to see that they have a notification, then they should be able to go into the system and complete the notification. If they can't access their email or the system, then the county RMS coordinator can complete the "hit" for the worker. However, they would have to contact the worker at home to see what they were working on.

The ODJFS Office of Fiscal and Monitoring Services established several new program activity RMS codes, to facilitate the tracking of COVID activities. Please see Q15 below.

**Q14. Counties working from home (and in the office) could use different work hours. Any consideration to RMS changes? We can't change hours with RMS remaining the same.**

A. Schedules in the RMS system cannot be changed in the middle of an RMS quarter. The system can have only one sample. However, counties can and should make any schedule changes outside the RMS system that meet their agencies' needs. The RMS does not limit this. In addition, the ODJFS Office of Fiscal and Monitoring Services established several new program activity RMS codes, to facilitate the tracking of COVID activities. Please see Q15 below.

**Q15. What RMS code should counties select if they have staff working remotely due to COVID-19?**

A. ODJFS Office of Fiscal and Monitoring Services established several new program activity RMS codes, to facilitate the tracking of COVID activities:

**For the IM & SS Cost Pools**

999/921 COVID-19 Not working – To be used when an RMS participant is not working due to the COVID-19 emergency.

997/920 COVID-19 – When an RMS participant is working remotely and does not have another valid RMS activity to use. NOT to be used when the Participant is working on a specific program or programs, for example, TANF, SNAP, Medicaid, Children Services or APS case management, or when common to several (997) is appropriate. Also NOT used when the activities such as workforce activities that would normally fall under Non-reimbursable (998). Generally used in instances when participants are working from home due to COVID-19.

**For CSEA Cost Pool**

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999/921 COVID-19 Not Working – To be used when an RMS participant is not working due to the COVID-19 emergency.

997/920 COVID-19 – When an RMS participant is working remotely and does not have another valid RMS activity to use. NOT to be used when the Participant is working on a specific IV-D or non IV-D activity or when common to several (997) is appropriate. Generally used in instances when participants are working from home due to COVID-19.

### **For CW Cost Pool**

999/921 Children Services COVID-19 Not Working – To be used when an RMS participant is not working due to the COVID-19 emergency.

997/920 Children Services COVID-19 – When an RMS participant is working remotely and does not have another valid RMS activity to use. NOT to be used when the Participant is working on a specific program, case management or when common to several (997) is appropriate. Generally used in instances when participants are working from home due to COVID-19.

### **For WIOA Cost Pool**

999/921 WIOA COVID-19 Not Working – To be used when an RMS participant is not working due to the COVID-19 emergency.

400/920 WIOA COVID-19 Working – When an RMS participant is working remotely and does not have another valid RMS activity to use. NOT to be used when the Participant is working on a specific program, for example, Adult, Dislocated, special programs or when common to several (997) is appropriate. Generally used in instances when participants are working from home due to COVID-19.

If you have questions about the RMS codes, please email  
[CFIS\\_HELP\\_DESK@jfs.ohio.gov](mailto:CFIS_HELP_DESK@jfs.ohio.gov).

**Q16. Those of us in the workforce space that are not part of the local JFS system do not have access to myOhio.gov and will not be able to access any of the Ohio Learn training materials. Are any alternatives available?**

A. We are exploring that; thank you for letting us know.

**Q17. Since working remotely is going well, what are your thoughts about counties continuing to work remotely for a longer period of time, for social distancing, versus returning to the office setting right away?**

A. As the Governor has said in his press conferences, the return to work for individual offices and businesses will be gradual, and will depend on each organization's ability to ensure social distancing and the safety of both employees and customers. The [Responsible RestartOhio](#) guidelines issued on April 27 will inform all of our return-to-work plans. For detailed information, visit [Coronavirus.Ohio.Gov/ResponsibleRestartOhio](#).

**Q18. Is there a state-level source for PPE purchasing available to counties as we move toward reopening? A state contract or a point of contact with the Ohio Manufacturers Association?**

A. The Ohio Department of Administrative Services' Office of Procurement Services has several contracts available for health, medical, and personal protective clothing and supplies. Local agencies are eligible to utilize these contracts as part of the Community Rehabilitation Program (ORC 125.60 through 125.6012) and Cooperative Purchasing Program (ORC 125.04).

For information about the Community Rehabilitation Program:

<https://das.ohio.gov/Divisions/General-Services/Procurement-Services/Community-Rehabilitation-Programs>

For information about the Cooperative Purchasing Program:

<https://das.ohio.gov/Divisions/General-Services/Procurement-Services/Cooperative-Purchasing>

**Q19. What is the Q&A website address?**

A. The Q&A can be found at [jfs.ohio.gov/covid19local](https://jfs.ohio.gov/covid19local). That web page also includes links to other ODJFS COVID-19 response information.

***New: Q20. Given that county agencies must monitor their purchase of services agreements, given that many social service providers will apply and receive “loans” through the federal Paycheck Protection Program (PPP) and that such loans, when utilized for payroll and to maintain staff, can be “forgiven,” are county agencies responsible for monitoring and auditing their contract providers to ensure that the PPP funds do not create a double payment of federal funds to that service provider? In other words, are county agencies responsible for ensuring that such providers don’t “double dip” and receive federal payments and county JFS payments for the same cost? What should our role should be in monitoring these two funding streams?***

A. The answer depends on the relationship between the county agency and the provider. Per 2 CFR 200.330 Subrecipient vs Contractor determination, if it is a contractor relationship, then the source of the funding would not matter, but the county agency should ensure that the contractor performed the services as it always does to benefit the agency program(s). If it is a subrecipient relationship, it would be subject to the Uniform Guidance and monitored as all other subgrants.

Here is some guidance regarding the programs mentioned above, which may help explain how they are intended to work:

**Paycheck Protection Program (PPP) and Economic Injury Disaster Relief Loans (EIDL)**

The PPP program provides loans to help cover payroll costs. The EIDL program provides relief for organizations that cannot meet their ordinary and necessary financial obligations.

### **Supplement not Supplant**

The PPP is intended to provide relief for payroll. However, if payroll is being reimbursed from other sources (such as another federal or state funding source), then it should not be used for those same employees' payroll. The relief should be applied toward payroll that is not already being reimbursed from other governmental sources. The same principle applies for direct costs or obligations that the EIDL program is being used for. Care must be exercised in ensuring that costs are not duplicated. During this time, internal controls, specifically controls monitoring the application of costs to each funding source, are key to ensuring future grant compliance.

### **Loans and Loan Forgiveness**

Loan forgiveness is a possibility under both the PPP and EIDL programs. If amounts are forgiven, the amounts forgiven would then be deemed [a federal grant](#). Thus, these dollars will be included in the schedule of expenditures of federal awards, whether the amounts received retain the status of a loan or are converted to a federal grant. The same accounting and compliance policies and procedures relating to internal controls should be applied for these loans and grants, just like any other loan or grant program your organization has. The expenditures being covered by the PPP and EIDL programs should be tracked in your accounting records.

***New:* Q21. If a client refuses to wear a mask, should/could we deny service?**

A. We are researching that and will provide clarification as soon as we have it.

***New:* Q22. We have been open the entire time with a small staff. We feel like we should protect the front staff with a plastic shield, but they're on back order. Could the state help with that and/or provide resources to purchase face coverings?**

A. See Q18, above. Counties can purchase PPE through the DAS Community Rehabilitation or Cooperative Purchasing Program contacts.

In addition, we recently learned of the following resources from the Society for Human Resource Management. Please email the contacts below if you would like more information about ordering the following:

**Hand Sanitizer – [jbailey@bissellmaplefarms.com](mailto:jbailey@bissellmaplefarms.com)**

Pint: \$8, Quart: \$15, Gallon: \$55 (Limited Supply)

**Disposable Masks – [droberts@agratronix.com](mailto:droberts@agratronix.com)**

Disposable masks available for \$.58 each.