

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:1-23-10

Rule Type: Amendment

Rule Title/Tagline: Ohio works first: assistance group determination.

Agency Name: Department of Job and Family Services

Division: Division of Public Assistance

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 4/21/2022
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5107.05
5. **What statute(s) does the rule implement or amplify?** 5107.05, 5101.884
6. **What are the reasons for proposing the rule?**

Five year rule review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule describes the process for determining assistance group composition for Ohio Works First (OWF). The Department of Job and Family Services proposes to amend this rule. The changes to the rule include: the title to paragraph (A) has been amended to "Which section of the Revised Code applies to the assistance group determination?";

language in paragraph (A)(1) was removed and replaced with "Section 5107.05 of the Revised Code authorizes the director of job and family services to adopt rules as necessary to comply with Title IV-A, Title IV-D, federal regulations, state law, and the state plan"; paragraph (A)(3) was stricken as language under paragraph (A)(2) references that the county agencies will follow requirements contained in this rule and not in accordance with section 5107.36 of the Revised Code; and minor language changes were made to improve clarity.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(a).

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

No expected fiscal effects on current or future budgets.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

No new costs.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? No

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

- A. **How many new regulatory restrictions do you propose adding?** 0
- B. **How many existing regulatory restrictions do you propose removing?** 4

(A)(1) Section (5) of Amended Substitute Senate Bill 238 Of the 126th General Assembly (9/2006) sets forth the following provision: Not later than September 30, 2006, the director of job and family services shall adopt rules as necessary for the state to comply with 42 U.S.C. 607(i)(2) (8/1996).

(A)(1) Rules adopted under this section that govern financial and other administrative requirements applicable to the department of job and family services and county departments of job and family services shall be adopted in accordance with section 111.15 of the Revised Code as if they were internal management rules.

(A)(1) All other rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(A)(2) The county agency shall administer the penalty provisions under the Ohio works first (OWF) program in accordance with the requirements contained in this rule and not in accordance with section 5107.36 of the Revised Code.