

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-1-01

Rule Type: Amendment

Rule Title/Tagline: Children services definitions of terms.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: OFC- 4200 E. 5th Ave., 2nd fl. L2-01 P.O. Box 183204 Columbus OH 43218-3204

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 6/1/2024
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?** 2151.412, 2151.421, 5103.03, 5153.166
5. **What statute(s) does the rule implement or amplify?** 2151.01, 2151.011, 2151.031, 2151.421, 5103.03, 5153.16
6. **What are the reasons for proposing the rule?**

To address the implementation of the Family First Prevention Services Act (FFPSA) of 2018 and to align with Ohio Revised Code (ORC) amendments and current practice and procedure language in Chapters 5101:2-5, 5101:2-7, 5101:2-9, 5101:2-33, 5101:2-36, 5101:2-37, 5151:2-38, 5101:2-39, 5101:2-40, 5101:2-42, 5101:2-44, 5101:2-45, 5101:2-47, 5101:2-48, 5101:2-49, 5101:2-50, 5101:2-52 and 5101:2-53 of the Administrative Code.

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

This rule identifies terminology and definitions utilized in Ohio's child welfare system. The following terms have been added, defined and/or amended: "Adoption disruption, Adoption dissolution, Aftercare services, Aftercare support, Applicant, Approved adoptive home, Approved kinship home, At risk of institutionalization, Child, Criminal records check, Cultural competency, Disabled infant, Employee, Habilitation, Handicapped person, Intern, Interstate placement, Kin or Kinship caregiver, Mentally ill person subject to hospitalization by court order, Person responsible for a child's care in out-of-home care, Physically impaired, Plan for practice advancement, Pre-adoptive family, Protective day-care services, Putative father, Quality assurance review, Resource Caregiver, Resource Family, State institution, Subcontractor, Transfer, Treatment foster home, Treatment team leader, Volunteer and Waiting child" to the definitions rule. The terms "Final Report, Hold status, Ohio adoption photo listing (OAPL), OAPL matches and Quality improvement plan" have been stricken from the rule due to the termination of the OAPL and other obsolete terms no longer used in Ohio Administrative Code rules.

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).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act

because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(c).

This rule incorporates one or more dated references to the U.S. Code. This question is not applicable to any dated incorporation by reference to the U.S. Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(a).

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

Minor language changes to "aftercare services" and "aftercare supports" definitions to provide further clarification. Changes to "Qualified Alien" definition to update outdated terminology and mirror federal language.

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.

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Not Applicable

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? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable