

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-20-04

Rule Type: Amendment

Rule Title/Tagline: Adult protective services case records.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

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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?** 12/7/2017
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 64 - 131 - Representative Ryan Smith
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 5101.61
5. **What statute(s) does the rule implement or amplify?** 5101.60 to 5101.71
6. **What are the reasons for proposing the rule?**

To make policy updates under ODJFS statutory authority to administer APS programming provided in HB64, 131st General Assembly, and to explain new APS case record required contents and require that all information be contained in the Ohio database for adult protective services (ODAPS).

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

This rule requires the development of a permanent care record for each adult who is the subject of a referral related to abuse, neglect, or exploitation. This rule has been amended to require a CDJFS, or its designated agency, to record all referrals of abuse, neglect, and exploitation received by an agency, including the screening decision for each referral. Amendments to the rule direct the CDJFS, or its designated agency, to document all case activity in the case record which is maintained in the ODAPS system.

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. 121.71 to 121.76, 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 (RC). This question is not applicable to any information by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.76 (A) (1).

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code (OAC). 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 121.76 (A) (3).

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. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

This rule has no expected fiscal impact on current or future budgets.

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

There are no costs of compliance.

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

III. Common Sense Initiative (CSI) Questions

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

16. 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