

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-38-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Protective supervision by PCPAs.

**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? 4/21/2020
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? 2151.33, 2151.353, 5103.03, 5153.16
5. What statute(s) does the rule implement or amplify? 2151.33, 2151.353, 5103.03, 5153.16
6. What are the reasons for proposing the rule?

This rule is being reviewed for the five year review.

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

This rule outlines the requirements that apply to the private child placing agency's (PCPA) protective supervision cases. Amendments to this rule are to remove form numbers and revision dates cited in this rule.

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 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).

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 new impact on revenues/expenditures.

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? Yes

17. Does this rule have an adverse impact on business? Yes

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

State license required.

- 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? Yes

Failure to comply with terms may result in termination of license.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Report of data required. Identifying costs as they relate to time spent completing forms or reviews depends on many different variables and cannot be approximated. A few variables are:

Family's engagement.

Number of services provided.

Family agreement, changes, or revisions.

Amendments based on progress or lack of progress.

Changes in the safety of the child.

Experience/professional ability of the case worker.

Supervisor's work load as it relates to time needed to approve.

- 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