

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-38-05.1

**Rule Type:** New

**Rule Title/Tagline:** PCSA requirements for completing a family case plan and review when a child is placed in a qualified residential treatment program (QRTP).

**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? No
  - A. What is the rule's five year review date?
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? 2151.416, 5153.166
5. What statute(s) does the rule implement or amplify? 2151.416, 5153.16
6. What are the reasons for proposing the rule?

Specific language is required in rule to notate what a public children services agency is to document within the family case plan and reviews when a child is placed in a qualified residential treatment program. This language must be active in rule for Ohio to submit the IV-E plan to federal partners.

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

This rule identifies the requirements for a PCSA when completing a family case plan and reviews when a child is placed in a QRTP. Language in the rule has been included to meet federal requirements related to the Family First Prevention Services Act.

- 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).

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

A rule was incorrectly cited in the prior version. The referenced rule was changed from 2-35-05 to 2-38-05.

The phrase "and may use an existing team" was added to Paragraph (A) for further clarification.

*07/19/2021 In paragraph B(3) the language "including meetings related to the assessment" was added.*

## **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?**

The new requirements notate what a public children services agency is to document within the statewide automated child welfare information system, specifically the family case plan, when a child is placed into a qualified residential treatment facility.

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