

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-42-19.2

Rule Type: Amendment

Rule Title/Tagline: Requirements for provision of independent living services to young adults who have emancipated.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: 30 E Broad Street Columbus OH 43215

Contact: Michael Lynch **Phone:** 614-466-4605

Email: Michael.Lynch@jfs.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 11/27/2023
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?** 5103.03, 5101.141, 5153.166
5. **What statute(s) does the rule implement or amplify?** 5101.141, 5103.03, 5153.16
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This is being amended for a five year rule review
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule outlines after care services provided to young adults who have emancipated from PCSA or PCPA custody. Language changes have been made to simplify the explanation of who may be served under this rule. Lists have been removed from (B) and (E) to allow the county flexibility in servicing the young adults who participate in post emancipation services. Letter (J) language changes were made to support Federal requirements for the National youth in Transition Database survey.

9. **Does the rule incorporate material by reference? Yes**
10. **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 dated references to the Code of Federal Regulations (CFR). This question is not applicable to any dated incorporation by reference to the CFR because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(d).

11. **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

12. **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

Not applicable

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

No new costs

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. 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

17. Was this rule filed with the Common Sense Initiative Office? No
18. 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
Not applicable
 - 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
Not applicable
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
Not applicable
 - 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
Not applicable

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. 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 to this rule? 0**
- B. How many existing regulatory restrictions do you propose removing from this rule? 17**

(A) Upon request, each public children services agency (PCSA) is to shall, when requested, provide services and support to former foster care recipients, who have emancipated from PCSA custody on or after the age of eighteen from a substitute care placement, until their twenty-first birthday pursuant to 45 CFR 1355.20.

(A) A PCSA shall evaluate the strengths and needs of the young adult to determine the services to be offered

(A) The services and supports shall be available until the young adult's twenty-first birthday.

(B) Before a PCSA provides services to a young adult between the ages of eighteen and twenty-one, the PCSA shall explore and coordinate services with other community resources.

(B) The PCSA shall coordinate with ODJFS programs and other community resources including, but not limited to the following:

(C) Based on the evaluation required by paragraph (B)(A) of this rule, the PCSA and the young adult is to shall develop a mutually agreed upon plan in Ohio Statewide Automated Child Welfare Information System (Ohio SACWIS) SACWIS for the provision of services.

(C) The plan shall clearly outline the responsibilities of the young adult and the PCSA.

(C) A copy of the young adult services plan is to shall be signed by the young adult and a representative of the agency.

(D) The PCSA is to shall include or update contact information in the plan in Ohio SACWIS on any of the young adult's youth's connections with significant others, such as former resource families foster parents, friends, adult supporters, mentors and extended family members.

(D) The contact information shall include names, addresses and phone numbers, whenever known and is to to be documented in Ohio SACWIS.

(D) shall be documented in the state automated child welfare information system (SACWIS).

(E) The PCSA is to shall make available the following independent living services to young adults aged eighteen to twenty-one including, but not limited to:

(G) The Under no circumstances shall the PCSA is not permitted to use any of its independent living allocation for room and board for youth under the age of eighteen or past the young adult's twenty-first birthday.

(H) The PCSA is to PCSAs shall report applicable independent living services provided to information for young adults as required in rule 5101:2-33-70 of the Administrative Code, according to Ohio SACWIS the statewide automated child welfare information system (SACWIS) reporting requirements.

(I) The PCSA is to shall provide a copy of the agency's grievance policy as required by rule

5101:2-33-20 of the Administrative Code to each young adult requesting independent living services from the agency.

(J) shall ensure that youth who have reached age nineteen or twenty-one are participating in state and federal studies in accordance with the Ohio department of job and family services (ODJFS).

(J) The PCSA shall inform the youth:

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable