

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-42-66

**Rule Type:** Amendment

**Rule Title/Tagline:** Administrative procedures for comprehensive health care for children in placement.

**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?** 3/27/2024
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?** 5153.166, 5103.03
5. **What statute(s) does the rule implement or amplify?** 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?**

Five year rule review.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule provides the requirements to agencies for the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program. EPSDT is a federally mandated program of comprehensive preventive services available to Medicaid-eligible individuals from birth through age twenty. The rule has been amended to remove the revision date from the form referenced in rule.

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 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).

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.

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This will have no impact on revenues or expenditures

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? Yes

18. 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

It is required for any private child placing agency to be licensed and follow the requirements set forth by this rule in order to conduct business.

- 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

If the agency were to fail to comply with the requirements set forth in rule, the action against the agency would be license forfeiture resulting in close of business.

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

Expenditures related to the agency complying with the requirement of the rule to proceed with a revocation or denial of foster care certificate.

- 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 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? 3**

5101:2-42-66 (B) The public children services agency (PCSA), private child placing agency (PCPA) or private noncustodial agency (PNA) shall develop written interagency procedures to implement comprehensive health care for children in placement between the CDJFS and custody holding agency, if applicable.

5101:2-42-66 (B) Interagency procedures shall include a tracking to document the substitute caregiver has been informed of healthchek services and transportation services and the substitute caregiver has been provided a copy of the ODM 03528 "Healthchek and Pregnancy Related Services Information Sheet".

5101:2-42-66 (C) The PCSA, PCPA or PNA shall review and amend the interagency procedures developed pursuant to paragraph (B) of this rule, as needed

**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