

Rule Summary and Fiscal Analysis (Part A)**Department Of Job And Family Services**

Agency Name

Division Of Social Services

Division

Beth Vogel

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5101:2-44-06

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

**Eligibility of adoptive family and adoptive child for the state
adoption maintenance subsidy program.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB95**General Assembly: **125**Sponsor: **Representative
Calvert**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **5153.163**

5. Statute(s) the rule, as filed, amplifies or implements: **5153.16, 5153.163**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being proposed for adoption to replace a rule of the same number and implement the provisions of HB 95 of the 125th General Assembly related to state adoption special service subsidies.

7. If the rule is an AMENDMENT, then summarize the changes and the content

of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule sets forth the eligibility requirements which must be met in order to be approved for a state adoption maintenance subsidy. This rule is different from the rule that it is replacing in that the special service subsidy component of the program is eliminated as required by HB 95. This new rule now incorporates the definition of "a child with special needs" contained in 5101:2-1-01 for ease of reference and clarifies the eligibility requirements for adoptees between the ages of 18 and 21 and the Title IV-E verification requirements. This rule also clarifies the Ohio Department of Job and Family Services contribution that is currently in place for the state adoption maintenance subsidy.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Rule authority and amplification citations updated to current revised code language. In addition, Paragraph (E) was removed from this rule to maintain clarity and consistency. This rule pertains only to the state adoption maintenance subsidy

program, however, Paragraph (E) referred to the state adoption special services subsidy program.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

Not Applicable.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

600-528

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

After the effective date of this rule, new children will not be enrolled in the state special service subsidy program because that component of the program has been eliminated by HB 95. Children currently eligible for these services will only be eligible if the PCSA continues the program at county option.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**