Rule Summary and Fiscal Analysis (Part A)

Department of Job and Family Services
Agency Name

Division of Social Services   **Mike Lynch**
Division   Contact

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5101:2-44-08   **AMENDMENT**
Rule Number   TYPE of rule filing

Rule Title/Tag Line   **Redetermination and amendment of a state adoption maintenance subsidy.**

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? **No**

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: **5101.35, 5153.163**

5. Statute(s) the rule, as filed, amplifies or implements: **5101.35, 5153.16, 5153.163**

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

This rule is being amended to remove language regarding the maximum payment amount for an approved state adoption maintenance subsidy (SAMS).

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 outlines the procedures for completing a redetermination and amendment for the state adoption maintenance subsidy (SAMS) program. This rule is being amended to remove language regarding the maximum payment amount for an approved SAMS subsidy. The amount is being removed from rule and will be issued through a procedure letter annually.

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 rule incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.76(A)(1).

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 121.76(A(3).

This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and is generally available to persons affected by this rule via the "Info Center" link on the ODJFS web site (http://jfs.ohio.gov//) in accordance with RC 121.75(E).

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:

Not applicable.

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:

5/6/10 revise filing.

No revisions were made to the body of this rule. RSFA questions #13 and #15 have been changed to indicate that the proposed rule will have no impact on revenues or expenditures.

12. 119.032 Rule Review Date: **11/20/2013**

(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

This rule will have no impact on the agency's projected budget for the current biennium.

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

Not applicable.

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:

The change in the state share of the state adoption maintenance subsidy (SAMS) from $240 to $250 is budget neutral. A review of adoption cases and expenditures has identified a decrease in both statewide case loads and costs when compared to the projected case loads and expenditures for the state fiscal year (SFY) budget.

The decrease in cases and expenditures has resulted in a projected underspending for the adoption assistance line item (ALI - 600528) for SFY 2011. Due to the projected underspending for SFY 2011, our analysis indicates that Ohio's share for SAMS can be increased from $240 per month per case to $250 per month per case and not exceed the original budget allotment for SFY 2011.

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**