

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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Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Requirements for the state adoption special services 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
Carey**

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:

The rule is being proposed for adoption to implement the provisions of HB 95 of the 125th General Assembly as it relates to the state adoption special services subsidy.

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:

The rule addresses the component of HB 95 which requires the elimination of the state adoption special services program effective July 1, 2004. The rule is also consistent with HB 95 in that the rule sets forth the eligibility requirements which must be met in order to continue all state adoption special services agreements entered into prior to July 1, 2004.

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.

The tagline has been changed to "Requirements for the state adoption special services subsidy program" because the rule now addresses more than just the redetermination process. The rule provides further clarification and procedures for PCSAs electing to continue or discontinue the state adoption special services subsidies for those special services subsidies in effect prior to July 1, 2004.

Paragraph (A) clarifies as of July 1, 2004, new state adoption special services applications will not be approved. Paragraph (B) notifies the agency that the PCSA may, at its option, continue the state adoption services subsidy program for approvals in effect prior to July 1, 2004. Paragraph (C) mandates the agency to indicate in its adoption policy whether the agency will or will not continue providing the state adoption special services subsidy program for existing approvals. Paragraph (D) outlines the procedures for PCSAs electing to continue the state adoption special services subsidy program. Paragraph (E) outlines the procedures for PCSAs electing to discontinue the state adoption special services subsidy program. Paragraph (F) outlines under what circumstances the PCSA can suspend the state adoption special services subsidy. Paragraph (G) addresses hearing rights when the redetermination results in a decrease, suspension or termination of the state adoption special services subsidy.

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:

No new costs.

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, children will not be eligible for SSS unless there is a SSS agreement in effect prior to July 1, 2004 and the child continues to meet the eligibility criteria outlined in this rule and the policy established by the PCSA. Costs for some PCSAs will be reduced as continuing the services after redeterminations will be a 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**