

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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5101:2-44-10

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Suspension of a state adoption subsidy.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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:

Five year review. This rule is being proposed for amendment to clarify and update program requirements.

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 requirements for the suspension of a state adoption subsidy.

The rule is being amended to clarify language and to specify the terms under which a subsidy should be suspended. To be consistent with current practices, paragraph (A)(3) has been stricken because when the adoptive parent's current financial situation does not warrant continuation of the subsidy, the subsidy must be terminated per 5101:2-44-11 "Termination of a state adoption subsidy." Paragraph (B)(3) has been stricken and part of the sentence has been placed in 5101:2-44-11 because the subsidy must be terminated when the terms of the subsidy has been fulfilled. Paragraph (B)(5) has been stricken because when the child no longer has a special need or the parent's current financial situation does not warrant continued subsidy, the subsidy must be terminated per 5101:2-44-11.

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 "Suspension of a state adoption maintenance subsidy" to clarify the rule refers to suspended state adoption maintenance subsidies only. Other minor changes include adding "adoptive" in front of the word

"child" in paragraphs (B)(2) and (B)(4). State adoption subsidy has been changed to "state adoption maintenance subsidy" throughout the rule for clarity and consistency.

12. 119.032 Rule Review Date: **4/9/2004**

(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:

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:

No new costs.

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**