

**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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**5101:2-44-13**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Public children services agency (PCSA) administration of the  
post adoption special services subsidy (PASSS) 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: **Rep Calvert, Sen Harris**

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: **5153.163**

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

This rule is being proposed for adoption to implement the provisions for the Post Adoption Special Services Subsidy (PASSS) program established by HB 95 of the 125th General Assembly.

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 replaces 5101:2-44-07.1 and outlines the procedures that the PCSA must follow when issuing a Post Adoption Special Services Subsidy. The application and approval process remain the same. Agencies will be required to review each application quarterly to determine if approved funds are being used. If approved funds are not being used, the funds may be released and returned to ODJFS. Consistent with the requirements of HB 95, applicants are required to pay at least a 5% co-payment for services, therefore, ODJFS will only reimburse agencies up to ninety-five percent of the total for each invoice received by the agency.

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:

*Not Applicable.*

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.

\$3.7 million

Expenditures will be staying within the appropriated amount of \$3.7 million as determined by the HB 95 for this service for the beinnium contemplated and allocated for this program cost.

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

600-528 bears the GRF share (25%) and 600-606 bears the federal share (75%).

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 aspect of the proposed rule and 5101:2-44-13.1 that implements the statutory requirement of a 5% co-pay will have the effect of shifting some portion of the program's cost to recipients of the program's services. If the program is fully subscribed and all services delivered were subject to the co-payment requirement, the total cost would be \$3.885 million of which \$185,000 would be unreimbursed costs to be borne by recipients. Providers may be responsible for collecting the required copayment.

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**