

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-44-14

Rule Type: Rescission

Rule Title/Tagline: State adoption assistance loan fund.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: 30 E Broad Street Columbus OH 43215

Contact: Michael Lynch **Phone:** 614-466-4605

Email: Michael.Lynch@jfs.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 1/17/2024
2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 33 - 135
- Jay Edwards
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3107.018, 5101.143
5. What statute(s) does the rule implement or amplify? 3107.018, 5101.143
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

As part of House Bill 33, Ohio Revised Codes 3107.018 and 5101.143 were repealed. These laws governed the administration of adoption assistance loans from the State Adoption Assistance Loan Fund.

8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule outlined the administration and eligibility requirements of the State Adoption Assistance Loan Fund program. The rule also provided guidance on the utilization of these funds.

9. Does the rule incorporate material by reference? No
10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

\$0

Not Applicable

13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

No new costs.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? Yes

18. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Private child placing agencies are to provide prospective adoptive parents with needed documentation to support the application for the loan.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 8

(B) The financial institution or institutions shall set the loan repayment terms, the procedures for collection of loan arrearages, and any monetary penalties for loan arrearages or improper use of loan funds.

(E) The public children services agency (PCSA), private child placing agency (PCPA) or private non-custodial agency (PNA) shall inform prospective adoptive parents who inquire about adoption services through the agency that the state adoption assistance loan is available.

(F) In order to be eligible for a state adoption assistance loan, a prospective adoptive parent shall meet the following requirements at the time of application:

(G) In addition to the requirements outlined in paragraph (F) of this rule, a prospective adoptive parent shall also meet the requirements of the financial institution administering the state adoption assistance loan fund.

(H) If a prospective adoptive parent is interested in applying for a state adoption assistance loan, the PCSA, PCPA or PNA shall provide the prospective adoptive parent with documentation, on agency letterhead, indicating the requirements outlined in paragraph (F) of this rule have been met.

(I) In the case of a private or an international adoption, the prospective adoptive parent shall obtain the documentation outlined in paragraph (F) of this rule from the agency which completed their homestudy.

(J) Once the prospective adoptive parent has obtained the required documentation from the PCSA, PCPA or PNA, the prospective adoptive parent shall:

(K) The state adoption assistance loan shall be used for adoption services which are reasonable and necessary such as adoption fees, court costs, attorney fees, and other expenses directly related to the legal adoption of a child as defined in paragraph (L) of this rule.

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable