

Rule Summary and Fiscal Analysis (Part A)**Department of Job and Family Services**

Agency Name

Division of Social Services

Division

Mike Lynch

Contact

**30 E. Broad St., 31st Floor ODJFS, Office of Legal
Services Columbus OH 43215-3414**

Agency Mailing Address (Plus Zip)

614-466-4605

Phone

614-752-8298

Fax

5101:2-44-14

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

State adoption assistance loan fund.**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: **HB562**General Assembly: **127**Sponsor: **Hottinger**

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: **3107.018, 5101.143**

5. Statute(s) the rule, as filed, amplifies or implements: **3107.018, 5101.143**

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

To implement the State Adoption Assistance Loan Fund program.

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 new rule sets forth the eligibility requirements for a State Adoption Assistance Loan.

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 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:

Refiled 04/29/2011.

Language has been added to paragraph (B) to indicate that the loan repayment terms, procedures for collection of loan arrearages and any monetary penalties for loan arrearages or improper use of loan funds will be set by the financial institution or institutions administering the loan.

In paragraph (K), the list of expenses for which the state adoption assistance loan shall be used has been removed and replaced with language specifying that the 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. These expenses cannot be incurred in violation of state or federal law and cannot be reimbursed from other sources or funds."

A new paragraph (L) has been added and outlines the "other expenses" as referenced in paragraph (K). These expenses include, but are not limited to, costs related to the adoption homestudy, health and psychological examinations, supervision of the placement prior to the final decree of adoption and reasonable cost of transportation, lodging and food.

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

No impact on current budget.

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

Fund 5DPO, ALI 600634

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**