

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-46-01

**Rule Type:** New

**Rule Title/Tagline:** Administration of the Title IV-E kinship guardianship assistance program (KGAP).

**Agency Name:** Department of Job and Family Services

**Division:** Division of Social Services

**Address:** OFC- 4200 E. 5th Ave., 2nd fl. L2-01 P.O. Box 183204 Columbus OH 43218-3204

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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?**
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 110 - 134  
- Scott Oelslager
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5153.163, 5101.1417
5. **What statute(s) does the rule implement or amplify?** 5153.163, 5153.16
6. **What are the reasons for proposing the rule?**

The reason for proposing the rule is to implement a statewide federal kinship guardianship assistance program (KGAP) pursuant to Ohio revised code 5153.163.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Ohio Administrative Code (OAC) rule 5101:2-46-01 entitled "Administration of the Title IV-E Kinship Guardianship Assistance Program (KGAP)" outlines the primary objectives of the KGAP program and the administrative responsibility.

- 8. Does the rule incorporate material by reference? Yes**
- 9. 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.**

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

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 121.75(A)(1)(a).

- 10. 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**

- 11. 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.

0.00

Not Applicable.

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

No new costs.

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

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

15. 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

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? No

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? No

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 Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

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

Not Applicable

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

Not Applicable

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

Not Applicable

Ohio Department of Job and Family Services  
**TITLE IV-E KINSHIP GUARDIANSHIP ASSISTANCE PROGRAM (KGAP)**  
**APPLICATION FOR INITIAL ELIGIBILITY**

Ohio Administrative Code Chapter 5101:2-46 requires that an application be completed for each child who is placed in the certified foster home of a kinship caregiver in accordance with rule 5101:2-46-01 and 5101:2-46-02 of the Administrative Code. Note: If kinship guardianship assistance is provided on behalf of a child who is receiving SSI it will be the responsibility of the kinship caregiver(s) to advise the Social Security Administration regarding the child's receipt of Title IV-E Kinship Guardianship assistance. This application must be completed by the kinship caregiver(s).

<b>SECTION I: KINSHIP CAREGIVER(S) INFORMATION</b>			
Name of Kinship Caregiver ( <i>first and last</i> )	Name of Kinship Caregiver ( <i>first and last</i> )	Phone Number	
Address			
City, State, Zip			
<b>SECTION II: ODJFS INFORMATION</b>			
Ohio Department of Job and Family Services (ODJFS) Representative			
Address			
City, State, Zip			Phone Number
<b>SECTION III: CHILD'S INFORMATION</b>			
Name of Child ( <i>First, Middle, Last</i> )		Date of Birth ( <i>mm/dd/yyyy</i> )	
<b>COMPLETE IF CHILD WILL BE ATTENDING SCHOOL</b>			
Name of School	School District	Grade	
<b>SECTION IV: STATEMENT TO WAIVE KINSHIP GUARDIANSHIP ASSISTANCE</b>			
<i>I affirm that I understand that my child may be eligible for Title IV-E Kinship Guardianship Assistance, but I do not wish to receive any payment or benefits as it relates to the legal custody/guardianship of the above-named child. By signing my name in the signature box in this section, I understand that I am waiving my right to kinship guardianship assistance for my child now or in the future. If waiving kinship guardianship assistance, do not complete sections V and section VI of this form.</i>			
(Kinship Caregiver Signature)	Date	(Kinship Caregiver Signature)	Date
<b>SECTION V: HEALTH INSURANCE</b>			
If the child is or will be covered by health, accident, or hospital insurance, complete the following			
Policy Holder		Policy Number	
Name of Insurance Company		Effective Date	
Benefits to be paid <input type="checkbox"/> Hospital <input type="checkbox"/> Doctor <input type="checkbox"/> Person Insured			
Identify any limitations/riders affecting the coverage for the child.			
<b>SECTION VI: SIGNATURE(S)</b>			
Kinship Caregiver Signature	Date	Kinship Caregiver Signature	Date
<b>AGENCY USE ONLY</b>			
Successor Guardian background check in accordance with rules 5101:2-5-20; 5101:2-5-24, 5101:2-5-30 and 5101:2-5-09.1 of the Ohio Administrative Code as applicable. If the kinship caregiver(s) resides in another state, ODJFS is to ensure the family complies with all requirements of that state for licensure and background checks. Please indicate date background checks completed.			

