

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-47-16

Rule Type: Amendment

Rule Title/Tagline: Title IV-E foster care maintenance (FCM) program: Reimbursable placement settings.

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? Yes
 - A. What is the rule's five year review date? 4/9/2021
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 5103.03, 5101.141
5. What statute(s) does the rule implement or amplify? 5103.03, 5101.141
6. What are the reasons for proposing the rule?

This rule is being amended in order to accommodate policy changes in the federal Family First Prevention Services Act of 2018 and the streamline policy and language in related rules.

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

This rule outlines the requirements for placement settings that are eligible for foster care maintenance reimbursement. The rule is being amended to include a Qualified Residential Treatment Program (Q RTP) as defined in rule 5101:2-9-42 of the Administrative Code. Paragraph (B) was amended to add clarity when a child is on a temporary leave from a foster home.

- 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 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).

- 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? Yes

- A. How many new regulatory restrictions do you propose adding? 0
- B. How many existing regulatory restrictions do you propose removing? 2

(A)(7)Residential parenting facility. If the residential parenting facility is a public facility, the facility shall accommodate no more than twenty-five children.

(A)(11) On leave from a family foster home; when a child is temporarily placed into another family foster home at the same level of care as the current family foster home for more than twenty-four hours but for no more than fourteen

days, and the child returns to the original family foster home by the end of the fourteenth day. For each leave from a family foster home, the child shall return to the original family foster home prior to beginning another leave to be eligible for FCM reimbursement.