

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-47-21

Rule Type: Amendment

Rule Title/Tagline: Title IV-E foster care maintenance (FCM) reimbursement for a child placed into a qualified residential treatment program (QRTP).

Agency Name: Department of Job and Family Services

Division: Division of Social Services

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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?** 10/1/2026
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?** 5153.166, 5101.141
5. **What statute(s) does the rule implement or amplify?** 5153.166, 5101.141
6. **What are the reasons for proposing the rule?**

The rule is being amended to update policy relating to the administration of the Title IV-E program.

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

This rule outlines the reimbursement requirements for a child placed into a QRTP. The rule is being amended to remove paragraphs (B)(2) and (C). Paragraph (G) was added

to clarify that a child is eligible for reimbursement in a non-QRTP for the first fourteen (14) days. However, for a child placed in a QRTP, if the assessment is not completed within 30 days, the Title IV-E agency cannot claim Title IV-E FCM for the entirety of the QRTP placement (this exclusion applies to the first 14 days) but may claim title IV-E administrative costs during the placement in the QRTP. Paragraphs (H) and (I) were added to provide clarity for when a child is eligible for reimbursement when a non-Qualified Residential Treatment Program (QRTP) becomes QRTP compliant. The reference to the Statewide Automated Child Welfare Information System (SACWIS) in paragraph (M) has been changed to say Ohio Statewide Automated Child Welfare Information System (SACWIS). Retroactive reimbursement was explained in the new paragraph (S).

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 dated references to the Code of Federal Regulations (CFR). This question is not applicable to any dated incorporation by reference to the CFR because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(d).

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.**

The rule is being revised to add language in paragraphs (H), (I) and (S) from recent guidance from the Administration for Children and Families. The new language explains how a child placed into a non-QRTP becomes eligible for reimbursement when the setting becomes QRTP compliant.

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?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable