

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

Agency Name

Division Of Social Services

Division

Beth Vogel

Contact

30 East Broad St. 31st Floor Columbus OH 43215 - 614-466-4605 752-8298
0423

Agency Mailing Address (Plus Zip)

Phone

Fax

5101:2-47-26.2

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Public children services agencies, Title IV-E agencies, private child placing agencies (PCPA), private noncustodial agencies (PNA): audit of cost reports .**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: **HB448**General Assembly: **123**Sponsor: **Representative Metzger**

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: **5101.145, 5101.141**

5. Statute(s) the rule, as filed, amplifies or implements: **5101.145**

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

To comply with the fiscal accountability provisions of House Bill 448 regarding procedures to monitor cost reports for the Title IV-E 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 rule sets forth the requirements for audits of cost reports for the Title IV-E program. It specifies that public and private agencies must have annual audits of their cost reports. ODJFS will audit the public agencies. Private agencies must have audits conducted in accordance with the Generally Accepted Government Auditing Standards that will be performed by Certified Public Accountants. ODJFS will also conduct quality control reviews of the certified audit reports.

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:

Paragraph B(2) requires that the Generally Accepted Government Auditing Standards be applied to the audits required by this rule and Paragraph D(2)(a) requires that the attestation standards of the American Institute of Certified Public Accountants be applied to these audits. Certified Public Accountants who will be performing the required audits would be reasonably expected to be familiar with these standards as a condition of their certification, however, the rule includes the web sites for accessing these two standards.

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:

The Generally Accepted Government Auditing Standards and the attestation standards of the American Institute of Certified Public Accountants are not available to be filed electronically because they are voluminous.

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:

Not Applicable.

12. 119.032 Rule Review Date:

(If 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: At 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.

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Not Applicable.

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

Not Applicable.

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:

The cost of compliance is estimated to be in the range of \$5000 to \$8,000 a year for Private Child Placing Agencies (PCPA) and Private Non-custodial Agencies (PNA) for conducting the audits required by this rule.

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**

