

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

Agency Name

Division of Social Services

Division

Michael Lynch

Contact

**OFC- 4200 E. 5th Ave., 2nd fl. J6-02 P.O. Box
183204 Columbus OH 43218-3204**

Agency Mailing Address (Plus Zip)

614-466-4605

Phone

614-752-8298

Fax

Michael.Lynch@jfs.ohio.gov

Email

5101:2-48-05

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Agency adoption and recruitment plan.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **3107.032, 5153.166**

5. Statute(s) the rule, as filed, amplifies or implements: **3107.031, 3107.032**

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

This rule is being revised to comply with the five year rule process pursuant to RC 119.032, in addition to policy updates resulting from MCWIC/PFOF revisions and recommendations.

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:

Changes made include: the rewording of paragraph (B)(8) that states: "A requirement that the custodial PCSA or PCPA for the adoptable child hold the initial matching conference within ninety days of the execution of the permanent surrender or the file stamp date of the permanent custody order, unless the order is under appeal as outlined in rule 5101:2-48-16 of the Administrative Code."

For clarification, the sentence in paragraph (9)(a) "The agency shall give preference to this family in the placement selection." was deleted.

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 121.7 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).

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 121.76(A)(3).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(C).

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Uploaded the BIA to ERF.

5/14/14

Changed the effective date from 1/2014 to 2/2014.

12. 119.032 Rule Review Date: **4/24/2014**

(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:

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:

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **Yes**

PCPA's require a license to engage in business.

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? **Yes**

The penalty for failure to comply with this rule results in a loss of licensure.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

This rule requires expenditures for criminal records check requirement and costs to fill out forms.

Ohio Department Of Job and Family Services
DOCUMENTATION OF THE PRE-ADOPTIVE STAFFING AND UPDATES

The JFS 01690 is to be completed at the Pre-adoptive Staffing and 14 days prior to each of the required 90 day matching conferences. A separate JFS 01690 shall be completed for each child being considered for matching with a family.

Child's Name		Child's Birth Date	Date of PC
Initial Pre-adoptive Staffing		Update/Review	Date Review Form Completed
Name of person completing this form			Title
Agency			Telephone Number
Does the child have siblings who should be considered in the placement discussion? <input type="checkbox"/> NA <input type="checkbox"/> No <input type="checkbox"/> Yes Specify Number of Siblings including child			

List siblings who should be placed with this child

Explain why all siblings are not being considered for placement together, if applicable

Explain why all siblings are not being considered for placement together, if applicable.

Provide a summary of the child's needs, including medical and/or mental health diagnosis(es) and educational/academic issues and current treatment modalities. Include information regarding child's placement history, strengths and limitations. Note: The child-specific needs must guide the assessment of the placement decision-making process.

Child has a JFS 01688 "Individualized Child Assessment?" If "no," go to next section. No Yes

Date the JFS 01688 was sent to ODJFS

RCNO to be a considered as one of the factors considered in the placement decision for this child? No Yes

(Completed at Pre-Adoptive Staffing only)

Summarize the outcomes of the pre-adoptive staffing: (Including, but not limited to, the recruitment or placement plan, potential families interested in adopting the child, significant relationships that should be maintained, status of Child's lifebook, child's understanding and acceptance of adoption.

Ohio Department of Job and Family Services

ADOPTIVE PLACEMENT AGREEMENT

I/we, _____, prospective adoptive parent(s) of _____
(Child's Name)

born _____, understand that _____ is accepting my home
(Date of Birth) (Custodial Agency)

as the adoptive placement of the child. I/we further understand that, until the adoption is finalized through court action, _____ shall hold permanent custody of the child and
(Custodial Agency)

_____ shall supervise the placement of the child including at least monthly contacts with
(Supervising Agency)

the child and our family. The date of the adoptive placement is _____. Such placement has been approved by the custodial agency to be in the best interest of the child.

Prior to adoption legalization, as the adoptive parent, I/we agree to:

- 1 Provide day-to-day care of the child and any additional care necessary to meet the special needs of the child.
- 2 Assume financial responsibility for the child's care with additional financial assistance to be provided by the agency as follows:

- 3 Notify the supervising agency within twenty-four (24) hours of any change in my address or telephone number or any serious illness or injury of the child. The agency emergency telephone number to which such changes must be reported is: _____
- 4 Enter into no other foster care or adoptive agreement prior to the adoption finalization of this child without written consent of the custodial agency.
- 5 Notify the supervising agency if I/we plan to take the child outside the state of Ohio for a period of five days or more.
- 6 I/we understand that if I/we am currently receiving foster care payments, they may continue until subsidy payments start or until an adoption decree is issued, whichever comes first.*

* Prior to finalization, adoptive parents have a right to apply for federal and state subsidies. Contact your supervising agency for more information.

Adoptive Parent	Date	Custodial Agency Representative	Date
Adoptive Parent	Date	Supervising Agency Representative	Date

COMPLETION OF THIS FORM IS REQUIRED FOR EACH CHILD PLACED FOR ADOPTION.