

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

Agency Name

Division of Social Services

Division

Mike Lynch

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Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Assessor roles and responsibilities.**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: **SB238**General Assembly: **126**Sponsor: **Niehaus**

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: **5103.03**

5. Statute(s) the rule, as filed, amplifies or implements: **3107.014, 3107.015**

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

This new rule is being proposed to implement Sections 3107.014 and 3107.015 of Sub. SB 238. It replaces a rescinded rule of the same name and number.

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 completion of Tier 1 and Tier 2 training

and requires that an individual supervising a student must be an assessor. This new rule clarifies the duties of an assessor as well as the training requirements of an assessor, which were not included in the rescinded rule.

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:

The rule incorporates one or more references to another rule or rules of the Ohio Administrative Code (OAC). This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(3).

The rule incorporates one or more references to another rule or rules of the United States Code (USC). This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.75(A).

The rule incorporates one or more 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 ORC 121.75 (E).

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:

The RSFA has been revised to correct reference to statute. ORC 5103.03 has been

added as the Statute authorizing agency to adopt the rule.

The tagline for this rule has been changed to "Assessor Roles and Responsibilities".

In paragraph (A) removed the word "an," changed "assessor" to "assessors" and changed "shall be" to "are."

Paragraph (A)(4) has been revised to remove the first reference of "the adoptive placement" from this sentence.

Paragraph (B)(4) has been revised to read that Tier 2 classes should be completed within 3 years of the date of completion of Tier 1 classes.

Language has been added in paragraph B(2) that the student must be supervised by an assessor who meets all of the assessor requirements, effective July 1, 2009.

Paragraph (B)(7)(b)(i) has been deleted.

Language has been added to paragraph (B)(8) that states a copy of the JFS 01680 will be provided to the assessor along with a copy in the personnel file and to the state of Ohio. The wording "director or court" has been changed to state, "director, designee, or court."

Language in (B)(8)(f) was removed because it was duplicative of language in (B)(8)(b).

Paragraph (B)(9) language has been added that the agency will notify ODJFS when an assessor who is employed or under contract with an agency terminates employment or contract with the agency. The notification shall be made within three days. ODJFS will maintain that the assessor shall notify ODJFS in three days as well.

12. 119.032 Rule Review Date:

(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.

0.00

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:

Expenses may be incurred by public children services agencies (PCSAs), private child placing agencies (PCPAs), private non-custodial agencies (PNAs) or the assessor when the person is obtaining additional training to maintain their assessor status. Expenses may be incurred if the person elects to obtain training outside of training that is provided by the Ohio Department of Job and Family Services through the Ohio Child Welfare Training Program.

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**