

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-48-09

Rule Type: Amendment

Rule Title/Tagline: Application process and preservice training.

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?** 3/1/2026
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?** 2151.86, 3107.033, 5103.03
5. **What statute(s) does the rule implement or amplify?** 2151.86, 2152.72, 3107.033
6. **What are the reasons for proposing the rule?**

The rule was amended to update terminology and to provide the correct location for the appendix of disqualifying crimes, and to provide alignment with foster care requirements.

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

OAC 5101:2-48-09 entitled Application Process and Preservice Training provides guidance to agencies regarding the process and training required for persons seeking

adoption approval. Paragraph (D) was amended to change terminology from adoptive parent to applicant. Paragraph (F)(3) was amended to provide reference to the offense list in appendix A of rule 5101:2-7-02, and to update language to enhance clarity. Paragraphs (O)(9) and (O)(10) were topics of training that need removed. Paragraphs (O)(11) and (O)(12) were amended to remove the requirement of training for a specified time frame for cultural issues and for section 2152.72 of the Revised Code. Paragraph (P) was amended to remove the requirement to not allow the training on cultural issues to be waived, which will allow for cultural training to be a regular topic that could be subject to a waiver. In Paragraph (Q) language was updated to change terminology from handicap to disability, and sexual identity to gender identity.

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 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 121.71 to 121.74 pursuant to RC 121.75(A)(1)(a).

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).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

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(A)(2)(c).

This rule incorporates one or more dated references to the U.S. Code. This question is not applicable to any dated incorporation by reference to the U.S. Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(a).

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? Yes**

17. **Does this rule have an adverse impact on business? Yes**

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

Certification and re-certification of an agency by the Ohio Department of Job and Family Services is contingent, in part, upon compliance with this rule.

- 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**

Lack of compliance can result in revocation of an agency's certification or denial of re-certification.

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

Agencies must follow the procedures and guidelines for obtaining the required information and documentation to initiate an adoption homestudy and ensure adoptive applicants complete preservice training requirements. The rule requires the retention and documentation and reporting of information such as homestudy results and JFS forms. Some documentation would be kept in physical files and other documentation would be recorded in the SACWIS system.

- 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**

(O)(10)- A course addressing section 2152.72 of the Revised Code shall not be less than one hour long.

(P)- The three hour requirement for cultural issues shall not be waived.