

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

Completion of adoption homestudy updates and amendments.**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: **Neihaus**

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, 5153.166**

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

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

This rule is being proposed to implement Section 3107.031 of Sub SB 238.

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 outlines the procedures the public children services agency (PCSA), child placing agency (PCPA) and noncustodial agency (PNA) shall follow when

updating or amending an adoption homestudy. In addition, the rule defines the term "amendment."

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 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 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).

This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and generally available to persons affected by this rule via the "Info Center" link on the ODJFS website (<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:

This section is not applicable to this rule.

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 RFSA has been revised to correct reference to authorizing statute. ORC 5153.16 has been deleted and ORC 5153.166 has been added.

Old paragraphs (A) and (B) have been combined into a new paragraph (A) and clarifies when an adoption homestudy update must be completed and identifies which forms must be used.

Language has been added to paragraph (E) requiring that the notification to the adoptive parents regarding the expiration of their adoption homestudy or update shall also include the procedures for completing a new homestudy.

Language in paragraph (G) has been changed from "Prior to the expiration of the adoption homestudy" to "Prior to the two year update of the adoption homestudy."

New (G)(8) has been added requiring families to provide a child abuse and neglect summary report prior to the two year update of the adoption homestudy.

Paragraph (H) has been revised to require assessors conduct face to face interviews with each member of the household instead of "members of the household over the age of four."

The word "significant" has been removed from paragraph (L)(2).

Paragraph (L)(4) has been changed to "birth, kinship or foster care children who have not reached the age of majority."

Language has been added to paragraph (L)(7) requiring a background check and, if applicable, an FBI check for new adult household members.

Language has been added to paragraph (L)(8) requiring a safety audit be completed at time of homestudy amendment if family's address is different from address listed on most recent homestudy or homestudy update.

Paragraph (L)(9) requires an amendment to homestudy if there has been a change in financial status/income of family.

New paragraph (M) has been added and requires an amendment be completed within sixty days of an agency becoming aware of changes to family's composition or life circumstances.

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

The proposed rule will not change the agencies projected budget during the current biennium.

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

This section is not applicable to this rule.

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:

There is no new cost associated with 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**