

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-49-01

Rule Type: Amendment

Rule Title/Tagline: Administration of the adoption assistance program.

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?** Yes
 - A. **What is the rule's five year review date?** 4/16/2019
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?** 5101.141
5. **What statute(s) does the rule implement or amplify?** 5101.11
6. **What are the reasons for proposing the rule?**

This rule is proposed for amendment as a result of the five-year rule review.

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

This rule sets forth the administrative requirements for the adoption assistance program for public children services agencies (PCSA). This rule also contains requirements for Private child placing agencies (PCPAs). Changes include updates to revision dates in paragraph (B), (F) and (I); correction to form name in paragraph

(F)(2)(b)(i); clarification in paragraph (E)(2)(c) regarding agency responsibility has been amended to placement and care/custody; approval or denial of an eligibility determination application request has been changed from thirty working days to thirty calendar days; and language has been stricken in (H)(1) referencing CRIS-E as a source of verification and information to determine eligibility. This can now be done by launching the Ohio Integrated Eligibility System (OIES) interface in the Statewide Automated Child Welfare Information System (SACWIS). The JFS 06612 "Health Insurance Information Sheet" is no longer available on the JFS Form Central website. The form is available through the Ohio Department of Medicaid, Medicaid Forms Listing website which can be accessed through JFS Forms Central. The title to the rule has been amended.

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. 121.71 to 121.76, 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 Social Security Act. This question is not applicable to those references in this rule because such references are exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.76 (B)(2).

This 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 RC 121.71 to 121.74 pursuant to RC 121.76(A)(3).

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 inner-web at <http://innerapp.odjfs.state.oh.us/forms/inner.asp> or on the inter-net at <http://www.odjfs.state.oh.us/forms/inter.asp> in accordance with RC 121.75(E).

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. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

No fiscal effects expected on current or future budgets.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No costs of compliance.

- 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**

III. Common Sense Initiative (CSI) Questions

- 15. Was this rule filed with the Common Sense Initiative Office? Yes**

- 16. 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**

A Public Child Placing Agency (PCPA) must have a license in order to place children for adoption.

- 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**

A PCPA must have a license to operate as a child placing agency in Ohio.

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

This proposed rule requires the Public Children Service Agency (PCSA) to inform all adoptive parents about the adoption assistance program and provide the JFS 01616 "Social and Medical History" (rev. 6/2009), JFS 01673 "Assessment for Child Placement" (rev. 12/2014), the JFS 01692 "Application for Adoption of a Foster Child or Sibling Group" (rev. 12/2014) and out of state

approved home study forms for children that they have placed for adoption that have applied for the adoption assistance program.