

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-49-02

Rule Type: New

Rule Title/Tagline: Title IV-E adoption assistance (AA) eligibility criteria for children age two and older.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: OFC- 4200 E. 5th Ave., 2nd fl. J6-06 P.O. Box 183204 Columbus OH 43218-3204

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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?**
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, 5101.11
5. **What statute(s) does the rule implement or amplify?** 5101.11, 5101.141
6. **What are the reasons for proposing the rule?**

The rule is being proposed to replace the current rule which is being rescinded because more than fifty percent of the language has been updated.

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

The proposed rule outlines the eligibility criteria for a child older than age two for Title IV-E Adoption Assistance. Public Law 115-123, changed the de-linking of the ADC-

relatedness requirements beginning on October 1, 2017 for children under age two. Beginning in January 1, 2018, children under age two must meet the ADC-relatedness requirements from 1996 to be eligible for adoption assistance.

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 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 references to a federal law. This question is not applicable to those references in this rule because such references are exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(B)(2).

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.

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This will have no impact on revenues or expenditures.

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

No new costs are anticipated.

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? No

16. Does this rule have an adverse impact on business? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
- 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? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No