

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-49-13

Rule Type: Amendment

Rule Title/Tagline: Termination of adoption assistance.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: OFC- 4200 E. 5th Ave., 2nd fl. L2-01 P.O. Box 183204 Columbus OH 43218-3204

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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? 3/5/2019
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 review.

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

This rule outlines the circumstances that result in the termination of an Adoption Assistance (AA) agreement. Changes were made to the rule to provide clarification. Paragraph (A)(2) was amended to provide clarification when an adoptive parent(s) is not providing support to the child. Any support includes various forms of financial

support. The Title IV-E agency shall take into consideration other forms of support that may be provided to the child by the adoptive parent(s) that may not be financial. Additional termination circumstances were added to the rule in paragraphs (A)(6), (A)(7) and (A)(8). The JFS 01958 "Referral for Medicaid Continuing Eligibility Review" and JFS 07236 "Your Rights & Responsibilities as a Consumer of Medicaid Health Coverage" are no longer available on the JFS Forms Central website. The forms are 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 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).

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

3/20/19- Revision was made to the rule due to language being erroneously omitted when the language in paragraph (C) was moved to paragraph (A).

03/15/2019 A grammatical error was corrected in paragraph (A)(2).

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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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? 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