

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-5-33

Rule Type: Amendment

Rule Title/Tagline: Foster caregiver preplacement and continuing 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?** 6/15/2025
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 8 - 133 - Rep. Manchester, Rep. Galonski
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5103.03, 5103.0316
5. **What statute(s) does the rule implement or amplify?** 5101.14, 5153.16, 5103.031 , 5103.032, 5103.033, 5103.034, 5103.035, 5103.036, 5103.038, 5103.039, 5103.0311
6. **What are the reasons for proposing the rule?**

This rule is being amended as a result of the passage of House Bill 8 of the 133rd General Assembly.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule provides guidance on the training requirements of a foster caregiver. The training topics of culture and 2152.72 were reworded throughout the rule to remove the hours tied to those training topics. Paragraph (C)(2)(a) was amended to reduce the number of preplacement training hours for a family foster caregiver to twenty-four. The paragraph was also amended to allow up to thirty-six hours to be reimbursed. Childhood trauma was added as a new topic through the rule. Independent living was reworded to clarify that it is a required training topic for foster parents who are willing to care for a child at least fourteen years of age.

A new paragraph (C)(2)(b) was added to provide guidance on the limited topics required if a caregiver takes only twenty-four hours of preplacement training. Paragraph (C)(2)(c) was amended to reduce the number of continuing training hours for a caregiver from forty hours to thirty hours. The paragraph was also amended to add the required training topics if a caregiver has chosen to complete the limited topics of preplacement training in (C)(2)(b) and did not complete all topics. These topics must be completed during the first certification period and will count toward ongoing training requirements.

Paragraph (C)(3)(a) was amended to reduce the number of preplacement training hours for a family foster caregiver to twenty-four. The paragraph was also amended to allow up to thirty-six hours to be reimbursed. A new paragraph (C)(3)(b) was added to provide guidance on the limited topics required if a caregiver takes only twenty-four hours of preplacement training. Paragraph (C)(3)(c) was amended to reduce the number of continuing training hours for a caregiver from sixty hours to forty-five hours. The paragraph was also amended to add the required training topics if a caregiver has chosen to complete the limited topics of preplacement training in (C)(3)(b) and did not complete all topics. These topics must be completed during the first certification period and will count toward ongoing training requirements.

Paragraph (H) was amended to allow a caregiver and an agency to agree on up to fifteen hours of ongoing training that is provided outside of an approved training program.

- 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 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 121.75(A)(1)(d).

This rule incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the ORC because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.75 (A) (1)(a).

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

This rule was revised in paragraph (C)(1)(b) to remove language specific to the previous effective date of the rule. Paragraph (C)(3)(c) was revised to remove the word "certification." Paragraph (F)(3)(a) was revised to remove the word "continuing."

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

No expected fiscal effects 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 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 ensure foster caregivers obtain the necessary training to be certified in order to comply with this rule.

- 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?** No

- A. **How many new regulatory restrictions do you propose adding?**

Not Applicable

- B. **How many existing regulatory restrictions do you propose removing?**

Not Applicable