

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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5101:2-5-38

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Payment of foster caregiver training stipends; reimbursement
of training allowances to recommending agencies.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB214**General Assembly: **127**Sponsor: **Wagner and
Combs**

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: **5103.0316**

5. Statute(s) the rule, as filed, amplifies or implements: **5103.0312, 5103.0313,
5103.0314**

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

This rule is being proposed for amendment to implement section 5103.0312 of Am. Sub. House Bill 214 of the 127th General Assembly. It is also being proposed for amendment as a result of the Five Year Review.

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 sets forth the criteria by which a foster caregiver shall be reimbursed for preplacement training and continuing training. The foster caregiver shall be reimbursed in a lump sum for attending a preplacement training program. This rule also provides an additional provision under which the recommending agency may decline to make a stipend payment to a foster caregiver. In addition, the rule clarifies how the Ohio Department of Job and Family Services (ODJFS) will reimburse the recommending agency for preplacement training completed by the foster caregiver.

This rule removes all language which references the stipend payment rate payable to foster caregivers and the training allowance payment for training rendered between January 1, 2001 and December 31, 2003. The rule also removes language related to the computation of preplacement and continuing training hours that will qualify for stipend reimbursements.

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 the Ohio Revised Code. This question is not applicable to any incorporation by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.76(A)(1).

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).

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:

Not applicable.

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:

Not Applicable.

12. 119.032 Rule Review Date: **2/28/2008**

(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 increase expenditures.

\$243,480

The Ohio Department of Job and Family Services (ODJFS) will incur additional costs due to the increase in preplacement training hours from twenty-four hours to thirty-six hours. ODJFS will absorb this cost and no additional appropriation is needed.

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

600523

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:

Foster caregivers will be reimbursed for their increased time spent in preplacement training and continuing training programs. Although PCSAs, PCPAs and PNAs will incur upfront costs by reimbursing the foster caregiver for attending the preplacement training and continuing training programs, ODJFS will reimburse the agency for costs incurred up to the minimum amount of training hours required by rule 5101:2-5-33 of the Administrative Code.

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**