

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-5-38

**Rule Type:** Amendment

**Rule Title/Tagline:** Payment of foster caregiver training stipends; reimbursement of training allowances to recommending agencies.

**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?** 8/26/2022
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?** 5103.0316
5. **What statute(s) does the rule implement or amplify?** 5103.0312, 5103.0313, 5103.0314
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment due to the five year review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

OAC 5101:2-5-38 entitled Payment of Foster Caregiver Training Stipends; Reimbursement of Training Allowances to Recommending Agencies provides guidance

to agencies on the payment of training allowances and reimbursement of stipend payments regarding training of foster caregivers. Paragraph (B)(1) was amended to increase the amount of foster caregiver stipends from ten dollars per training hour to fifteen dollars per hour. Paragraphs (C)(2)(a)(ii) and (iii) were amended to reduce the number of reimbursable training hours for both family and treatment foster care to twenty-four. Paragraph (C)(3)(b) was amended to reduce the reimbursable family foster caregiver continuing hours to thirty. Paragraph (C)(3)(c) was amended to reduce the reimbursable specialized foster caregiver continuing hours to forty-five. Paragraph (D) was amended to increase the agency training allowance from fifteen dollars per training hour to twenty dollars per hour.

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 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 121.75(A)(1)(a).

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 121.75(A)(1)(d).

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. **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. Even though the number of training hours were reduced, the reimbursable amount was raised which makes a zero net impact.

**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 record training of foster caregivers in order to receive reimbursement for stipend expenditures and for receipt of training allowances for private agencies.

- 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 to this rule?**

Not Applicable

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

Not Applicable

- C. **If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable