

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-52-04

Rule Type: Amendment

Rule Title/Tagline: PCSA responsibilities for the interstate compact on the placement of children.

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?** Yes
 - A. **What is the rule's five year review date?** 4/17/2019
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?** 5103.23
5. **What statute(s) does the rule implement or amplify?** 2151.39, 5103.23
6. **What are the reasons for proposing the rule?**

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

OAC rule 5101: 2-52-04, entitled "PCSA responsibilities for the interstate compact on the placement of children" provides guidance regarding the requirements of the PCSA and designated Assistant Deputy Compact Administrator (ADCA) when considering

placing a child across state lines or receiving a request from another state for approval of a placement into Ohio. Paragraph (A) was amended to clarify the role of the ADCA. Paragraph (D)(2)(j) was amended to add new language from the compact regulations regarding qualifications for making a priority placement request. Paragraph (J)(d) was amended to provide guidance regarding the completion of parent home studies for Interstate Compact on the Placement of Children (ICPC) purposes. Various parts of the rule were amended for clarification.

- 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 dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(C).

This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and is generally available to persons affected by this rule via the inner-web at <http://innerapp.odjfs.state.oh.us/forms/inner.asp> or on the inter-net at <http://www.odjfs.state.oh.us/forms/inter.asp> in accordance with RC 121.75(E).

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).

This rule incorporates one or more dated references to to the regulations of the interstate compact, which are generally accepted industry standards. Each reference is dated and is generally available to persons affected by this rule via the website listed in paragraph (A) of this rule, in accordance with RC 121.75(E).

- 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 expected impact 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**

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**

This rule requires private entities complete and send progress reports to the Ohio ICPC office and send other documentation regarding the placement resource to the Ohio ICPC office. There could be postage costs involved if the agency chooses to mail, rather than e-mail, documents.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**