

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-7-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Site and safety requirements for a foster home.

**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

**Contact:** Michael Lynch **Phone:** 614-466-4605

**Email:** Michael.Lynch@jfs.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 3/19/2020
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? 5103.03
5. What statute(s) does the rule implement or amplify? 5103.02, 5103.03
6. What are the reasons for proposing the rule?

This rule is proposed for amendment due to the five year review and rule updates as a result of the Family First Prevention Services Act.

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

This rule provides guidance to agencies, foster care applicants and existing caregivers on the safety requirements in and around a foster home. Paragraph (A) was amended to define a home. New paragraphs (B) and (C) were created to describe safety

precautions for swimming pools and hot tubs according to the Family First Prevention Services Act. Paragraph (G) was amended to add alcoholic beverages to the list of items that must be stored in a safe manner. New paragraphs (Q) and (R) were added to require carbon monoxide detectors and first aid supplies in foster homes. A new paragraph (X) was added to ensure a foster home is free from rodent and insect infestation. Paragraph (BB) was amended to prohibit smoking in a foster home or vehicle used to transport a foster child. All changes to this rule were made to bring them into compliance with the Family First Prevention Services Act.

- 8. Does the rule incorporate material by reference? No**
- 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.**

*Not Applicable*

- 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.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

New costs involving the required carbon monoxide detectors and first aid supplies would be incurred by the foster caregiver.

- 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? No

17. 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
- 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