

Rule Summary and Fiscal Analysis (Part A)**Department of Job and Family Services**

Agency Name

ODJFS Practices

Division

Nancy Van Kirk

Contact

**30 E Broad St 31st Floor ODJFS Office of Legal
Services Columbus OH 43215-3414**

Agency Mailing Address (Plus Zip)

614-466-4605

Phone

614-752-8298

Fax

5101:9-6-37

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Title IV-B allocation.**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? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **5103.07**

5. Statute(s) the rule, as filed, amplifies or implements: **5103.07**

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

Five year rule 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 defines the Title IV-B allocation issued by the Ohio Department of Job and Family Services (ODJFS) to public children services agencies (PCSAs), outlines the methodology ODJFS uses to issue the allocation, and sets forth

requirements for reporting expenditures charged against the Title IV-B allocation. Changes to the rule include adding references to the Ohio Child and Family Services Plan and the Catalog of Federal Domestic Assistance and, in regard to the maximum allowable reimbursement amount being the amount claimed to the federal government, the federal fiscal year is changed from 1978 to 2005.

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 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 references to the Catalog of Federal Domestic Assistance (CFDA). This question is not applicable to those references in this rule because such references are exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(B)(2).

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 "Info Center" link on the ODJFS web site (<http://jfs.ohio.gov/>) in accordance with RC 121.75(E).

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: **6/18/2009**

(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 have no impact on revenues or expenditures.

0.00

This proposed rule will not impact the agency's projected budget during the current biennium.

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

Not applicable.

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:

No new costs.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

Page B-1

Rule Number: 5101:9-6-37

Rule Summary and Fiscal Analysis (Part B)

1. Does the Proposed rule have a fiscal effect on any of the following?

(a) School Districts	(b) Counties	(c) Townships	(d) Municipal Corporations
No	Yes	No	No

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

When the nonfederal share includes donated funds, rule 5101:9-7-50 of the Administrative Code must be followed. The allocation is issued for the state fiscal year, July first through June thirtieth. A July through September quarter control amount, which is approximately one-fourth of the total allocation, is included in the allocation letter. Expenditures in excess of the control amount may be the responsibility of the county agency.

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement? **No**

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

Not Applicable.

5. Please provide a comprehensive cost estimate for the proposed rule that includes the procedure and method used for calculating the cost of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

There are none.

(a) Personnel Costs

\$0

(b) New Equipment or Other Capital Costs

\$0

(c) Operating Costs

\$0

(d) Any Indirect Central Service Costs

\$0

(e) Other Costs

\$0

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

The Title IV-B allocation consists of federal funds and reimburses the county for delivery of children services as described in the Ohio Child and Family Services Plan. The county must provide local funds at a twenty-five per cent match rate for the nonfederal share.

7. Please provide a statement on the proposed rule's impact on economic development.

Current period Title IV-B expenditures cannot exceed the amount claimed to the federal government in FFY 2005. Therefore, the reimbursement for foster care maintenance and adoption assistance payments are limited to the county claim for FFY 2005.