

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: June 15, 2011
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 5103.02, 5103.03 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment and rescission of the rules as identified below and of a public hearing thereon. The rules are proposed for amendment as a result of the five year review process.

OAC rule 5101:2-5-18, entitled "Waivers" provides guidance for agencies requesting to waive a rule located in chapters 5101:2-1, 5101:2-5, 5101:2-7, 5101:2-9, 5101:2-39, and 5101:2-42 of the Administrative Code. The title of the rule was changed to "Waivers and Variances."

As a result of the Fostering Connections and Increasing Adoptions Act, paragraph (A) was amended to limit waiver requests to fingerprint requirements pursuant to section 2151.86 (H) of the Revised Code, authorize a certified crisis care facility to provide residential care to a preteen for up to fourteen consecutive days, and for relative foster homes only.

A new paragraph (E) was added to require agencies to request a foster home waiver through the statewide automated child welfare information system (SACWIS) if the agency has access to the system. If an agency does not have access to the system, the agency must request a waiver on the JFS 01317 form.

Paragraph (G) was added to allow previously approved waiver requests to remain in effect as long as the parameters surrounding the original approved waiver have not changed.

Paragraph (H) eliminates variances. Paragraph (I) was added to allow previously approved variances to still be valid as long as the parameters surrounding the original approval have not changed.

OAC rule 5101:2-5-19, entitled "Variances" provides guidance for variance requests from foster care agencies. This rule is being rescinded.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral

testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.