

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: Tuesday, June 17, 2008
TIME: 10:00 a.m.
LOCATION: Room 2925, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 5103.03, 5103.0316, 5153.16 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 adoption, amendment or rescission of the rule or rules identified below and of a public hearing thereon. Hearings on these rules were held in September, 2007. A second public hearing has been scheduled for the updated (refiled) rules.

OAC 5101:2-47-12 entitled **Foster care maintenance: Initial determination of program eligibility and reimbursability.** The rule is being revised to explain that foster care maintenance (FCM) eligibility determinations will be completed in the statewide automated child welfare information system (SACWIS) instead of the JFS 01452 form once SACWIS is implemented in each agency.

June 2008 refile: This rule was revised for formatting purposes only.

OAC 5101:2-47-13 entitled **Foster care maintenance program eligibility: Legal responsibility requirements.** The timeframe for obtaining a judicial determination to the effect that continuation in the home is contrary to the best interest of the child or that the placement is in the best interest of the child was changed from 181 days to 180 days if the child enters care as the result of a JFS 01666 "Permanent Surrender of Child". New language has been added to this rule to clarify that affidavits, amendments and nunc pro tunc orders will not be acceptable verification documentation to meet the judicial determinations of contrary to the welfare and reasonable efforts.

June 2008 refile: No additional revisions were made to this rule.

OAC 5101:2-47-14 entitled **Foster care maintenance program eligibility: ADC-relatedness.** This rule is being revised to clarify that each ADC eligibility criteria, including deprivation, need and resources criteria must be met in the eligibility month **but prior to**, the child's removal from the home.

June 2008 refile: This rule was revised to clarify that children who are in receipt of adoption assistance (AA) must have their income and resources counted in the need standard for foster care maintenance eligibility. Minor grammatical changes were made for formatting purposes.

OAC 5101:2-47-16 entitled **Foster care maintenance program reimbursability: Reimbursable placement facilities.** This rule is being amended for formatting purposes.

June 2008 refile: This rule was revised for formatting purposes and to retract language that was added on the original filing.

OAC 5101:2-47-17 entitled **Foster care maintenance program reimbursability:**

Reimbursements for FCM and child care for public foster homes, relative homes, and pre-finalized adoptive homes. The word "payment" was changed to "reimbursement" throughout this rule to clarify that foster care maintenance is not a payment but rather a reimbursement to Title IV-E agencies for services they have provided on behalf of a FCM eligible child.

June 2008 refile: No additional revisions were made to this rule.

OAC 5101:2-47-18 entitled **Foster care maintenance program reimbursability: Reimbursements related to difficulty of care needs of a child placed in a foster home, relative home, or pre-finalized adoptive home.** The word "payment" was changed to "reimbursement" throughout this rule to clarify that foster care maintenance is not a payment but rather a reimbursement to Title IV-E agencies for services they have provided on behalf of a FCM eligible child.

June 2008 refile: This rule was revised for formatting purposes only.

OAC 5101:2-47-20 entitled **Foster care maintenance program reimbursability: Supplemental reimbursements for the cost of care for the child of a title IV-E recipient parent.** The word "payment" was changed to "reimbursement" throughout this rule.

June 2008 refile: This rule was revised to correct the revision date on the JFS 04281 "Children Services Quarterly Statistical Report".

OAC 5101:2-47-21 entitled **Foster care maintenance: Redetermination of program eligibility and reimbursability.** Minor changes were made to this rule to identify that FCM eligibility redeterminations will be completed in the statewide automated child welfare information system (SACWIS) instead of the JFS 01452A once SACWIS is implemented in each agency.

June 2008 refile: This rule was revised for formatting purposes and to retract language that was added on the original filing.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules 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 rules or comments on the rules 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, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.