

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: June 2, 2009
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 2151.86, 5103.03, 5103.0316, 5153.166 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 rescission, adoption and amendment of the rules identified below and of a public hearing thereon.

OAC 5101:2-47-01 entitled **Administration of the Title IV-E Foster Care Maintenance Program**. This rule is being proposed as a result of a Five Year Review. It incorporates requirements previously contained in 5101:2-47-01 and 5101:2-47-02, both of which are being rescinded. This rule outlines the objectives, goals and responsibilities for the administration of the Title IV-E Foster Care Maintenance (FCM) Program. The rule is being rescinded and filed as new. Language from rule 5101:2-47-02 is being incorporated into the new rule.

OAC 5101:2-47-02 entitled **Foster Care Maintenance Program**. This rule is being rescinded and the necessary language is being incorporated into the new rule 5101:2-47-01 of the Administrative Code as a result of a Five Year Review. This rule outlined the responsibilities of a Title IV-E agency and the guidelines that must be followed to seek reimbursement for children eligible for the Title IV-E Foster Care Maintenance Program.

OAC 5101:2-47-11 entitled **Reimbursement for Foster Care Maintenance Costs for Children's Residential Centers, Group Homes, Maternity Homes, Residential Parenting Facilities, and Purchased Foster Care Homes**. This rule is being proposed for amendment as a result of a Five Year Review. This rule outlines the reimbursement criteria for Title IV-E Foster Care Maintenance (FCM) eligible children. The word "payment" has been 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.

OAC 5101:2-47-19 entitled **Foster Care Maintenance Program Reimbursability: Reimbursements, Graduation Expenses and Personal Incidentals**. This rule is being proposed for amendment as a result of a Five Year Review. This rule outlines the requirements for reimbursements for graduation expenses and personal incidentals for Title IV-E Foster Care Maintenance eligible children. The reimbursement ceilings for personal incidentals will be added to the Family, Children and Adult Services Procedure Letter that publishes the results of the JFS 01975 "Annual foster care maintenance and adoption assistance survey". Funeral expenses have been removed from the list of allowable personal incidentals.

OAC 5101:2-47-23 entitled **Beginning Date of Reimbursability for Foster Care Maintenance**. This rule is being proposed for amendment as a result of a Five Year Review. This rule sets forth the criteria that must be met before reimbursement back to the actual date of placement can be sought. The rule, as amended, allows reimbursement retroactive to the date of actual placement provided that all other Foster Care Maintenance eligibility and reimbursability criteria are met.

OAC 5101:2-47-24 entitled **ODJFS Title IV-E Reimbursement Ceiling Amount- Approval System**. This rule is being proposed for rescission as a result of a Five Year Review. This rule outlines the approval system for Title IV-E Foster Care Maintenance reimbursement ceiling amounts.

OAC 5101:2-47-26 entitled **Title IV-E Agencies, Private Child Placing Agencies (PCPA), Private Noncustodial Agencies (PNA): Penalties for Failure to Comply with Fiscal Accountability Procedures**. This rule is being proposed for amendment as a result of a Five Year Review. This rule outlines the penalties for failure to comply with fiscal accountability procedures set forth in Chapter 5101:2-47 of the Administrative Code. Formatting changes were made to this rule.

OAC 5101:2-47-26.1 entitled **Public Children Services Agencies (PCSA), Private Child Placing Agencies (PCPA), Private Noncustodial Agencies (PNA): Title IV-E Cost Report Filing Requirements, Record Retention Requirements and Related Party Disclosure Requirements**. This rule is being proposed for amendment as a result of a Five Year Review. This rule clarifies the cost report filing requirements, the deadlines for filing the cost report, and record retention requirements. Formatting changes were made.

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 for 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.