MEMORANDUM

TO: Michael Lynch, Ohio Department of Job and Family Services

FROM: Sophia Papadimos, Regulatory Policy Assistant

DATE: June 4, 2015

RE: **CSI Review – Alignment of Foster Care/Adoption Home-Study Process (OAC 5101:2-5-20, 5101:2-5-21, 5101:2-5-24, 5101:2-5-30, 5101:2-5-31, 5101:2-48-11.1, 5101:2-48-12, 5101:2-48-12.1, 5101:2-48-12.2 and 5101:2-48-19)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of one rescinded rule and nine amended rules[1] being proposed by the Ohio Department of Job and Family Services (ODJFS) pursuant to the five-year review requirement in statute. The rule package was submitted to the CSI Office on April 23, 2015 and the comment period was held open through April 30, 2015. One internal comment from ODJFS was received during this time.

The proposed rules outline the foster care and home-study process. ODJFS explained that Ohio Administrative Code (OAC) 5101:2-5-21 is being rescinded because it contains requirements found in other rules. The draft rules provide guidance to agencies regarding the foster care application and home-study process. The rules explain the application and certification process,

[1]Eight rules are being amended by more than 50 percent. Therefore, the Legislative Service Commission requires that the existing rules be rescinded and replaced by new rules that have the same rule numbers.

and the necessary steps that must be taken when changes occur in a foster home. Additionally, the rules outline the process for sharing or transferring an adoptive home-study to another agency. The proposed rules also explain the steps to be taken when a single child or sibling group has been with the foster caregiver for more than six months. Lastly, the draft rules expand on anti-discrimination policies. The amendments to the rules are intended to align the foster care process with the adoption home-study process.

The BIA submitted by the Department describes the adverse impacts in detail, including the time and resources necessary for agencies to provide the appropriate information. The rules were amended based on stakeholder input from Ohio Association of Child Caring Agencies (OACCA), the Ohio Family Care Association (OFCA), representatives from county agencies and the Ohio Council of Behavioral Health and Family Services Providers, the Ohio Adoption Planning Group (OAPG), and the Institute for Human Services (IHS). Therefore, after reviewing the rules and associated BIA, the CSI Office has determined the purpose of the rules is justified.

Recommendation

For the reasons explained above this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Department should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office