



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Carrie Kuruc, Director

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Regulatory Policy Advocate

DATE: April 8, 2019

RE: **CSI Review – State Adoption Funds (OAC 5101:02-44-06 and 5101:02-44-14)**

On behalf of Lt. Governor Jon Husted, 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 two amended rules proposed by the Ohio Department of Job and Family Services (ODJFS). ODJFS submitted the rule package to the CSI Office on February 12, 2019 and held the public comment period open through February 19, 2019.

The rules in this package set forth certain requirements for the State Adoption Maintenance Subsidy (SAMS) and the State Adoption Assistance Loan Fund (Fund). Ohio Administrative Code (OAC) 5101:2-44-06 establishes eligibility requirements for SAMS, including application status, child adoption barriers, and adoptive parent approval. OAC 5101:2-44-14 establishes the eligibility and disbursement procedures for the Fund. The rules are being amended to update the terminology and dates used throughout the rules.

During early stakeholder outreach, ODJFS sent the rules to relevant industry stakeholders for feedback, including professional associations and government agencies. No comments were received during this time or during the CSI public comment period. ODJFS received comments on

77 South High Street | 30th Floor | Columbus, Ohio 43215-6117
CSIOhio@governor.ohio.gov

a separate rule package which prompted amendments to OAC 5101:2-44-06 that clarified language regarding adoptive family eligibility.

The business community impacted by these rules includes all private child-placing agencies and private non-custodial agencies. The adverse costs created by these rules includes the time and effort to complete application paperwork, as well as penalties for violations of the rules. Penalties may include suspension or revocation of an agency's license. ODJFS states in the BIA that these rules benefit children and adoptive families by providing families with uniform guidelines for the distribution of funding.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Ohio Department of Job and Family Services should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.