



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: November 24, 2020

RE: **CSI Review – Sharing or Transferring an Adoptive Home Study (OAC 5101:2-48-19)**

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 Department as provided for in ORC 107.54.

Analysis

This rule package consists of one amended rule proposed by the Ohio Department of Job and Family Services (ODJFS). This rule package was submitted to the CSI Office on October 20, 2020, and the public comment period was held open through October 27, 2020. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on October 20, 2020.

Ohio Administrative Code 5101:2-48-19 establishes requirements for sharing or transferring an adoptive home study. Home studies are conducted with potential adoptive families prior to a child being placed, and the rule provides guidelines for sharing or transferring the home study, including the assessment and procedures for completing the transfer. The rule is being amended to update personal reference requirements, require agencies to complete a new search of the national sex offender registry for applicants and household adults, and to remove outdated requirements concerning the Statewide Automated Child Welfare Information System.

During early stakeholder outreach, ODJFS met with industry stakeholders to review the proposed

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rule, including the Ohio Children's Alliance, Public Children Services Association of Ohio, and other local agencies. No comments were received during that time or during the CSI public comment period.

The business community impacted by the rule includes approximately 122 private and public adoption agencies operating in Ohio. The adverse impact created by the rule includes the cost of complying with procedures for the transfer and reception of home studies. Sending agencies must prepare adoption files and send them to the receiving agency. Upon receiving a home study, the agency must finalize the process, which includes interviewing families, conducting safety audits, and reviewing background checks and references. According to the BIA, background checks typically cost \$60 per adult. ODJFS states that the adverse impacts created by the rule are necessary to ensure the safety of children placed with adoptive families.

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.