



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: November 9, 2021

RE: **CSI Review – Application Process and Preservice Training (OAC 5101-2-48-09)**

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 26, 2021, and the public comment period was held open through November 2, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on October 26, 2021.

Ohio Administrative Code 5101:2-48-09 establishes the requirements for public children's services agencies, private child placing agencies, and private noncustodial agencies to conduct the application process and preservice training for individuals seeking adoption approval. The rule is amended to clarify terms, update approval processes in instances where an applicant or household member has been convicted of a crime, and update training topics.

During early stakeholder outreach, ODJFS reviewed the rule at meetings of the Ohio Adoption Planning group. ODJFS also received comments from Ohio's University Consortium for Child and Adult Services. In response to stakeholder feedback, ODJFS made changes to the rule that included removing training topics and specific training hour requirements, allowing training topics

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to be waived, and updating rule language and terminology. No comments were received during the CSI public comment period.

The business community impacted by the rule includes 88 public and over 100 private agencies. The adverse impact created by the rules includes the time and effort to obtain the information required for the application and to complete preservice training. ODJFS states that the rule is necessary to ensure the safety of children in adoptive placements.

Recommendations

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

Conclusion

The CSI Office concludes that the Department should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review