



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: December 6, 2021

RE: **CSI Review – Change of Placement or Visitation Plan Prior to Journalization of Case Plan (OAC 5101:2-42-93)**

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 November 9, 2021, and the public comment period was held open through November 16, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on November 9, 2021.

Ohio Administrative Code 5101:2-42-93 establishes procedures for changing child placement or visitation plans by a public children services agency or private child placing agency. The rule is amended to remove language that requires mailing notification to parents, guardians, and custodians. The amendment was made as a result of research conducted for the CSI regulatory reform project using an artificial intelligence software tool.

During the CSI public comment period, ODJFS sent the rule to interested parties for feedback. No stakeholder comments were received during that time.

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The business community impacted by the rule includes 23 private child placing agencies operating in Ohio. The adverse impact created by the rule includes the time and effort for businesses to comply with the requirements of the rule, including documenting changes in plans, providing notice to families, and filing motions through the juvenile court. ODJFS states that the rule is necessary to ensure the safety of children in substitute care.

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