



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: January 28, 2022

RE: CSI Review – Adoption Inquiry (OAC 5101:2-48-08 and 5101:2-48-22)

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 two amended rules proposed by the Ohio Department of Job and Family Services (ODJFS). This rule package was submitted to the CSI Office on December 13, 2021, and the public comment period was held open through December 20, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on December 13, 2021.

Ohio Administrative Code (OAC) 5101:2-48-08 establishes requirements for handling inquiries about becoming adoptive parents. The rule requires public children services agencies, private child placing agencies, and private noncustodial agencies to maintain a log of inquiries, provide information, and maintain referral procedures. The rule is amended to update requirements for an agency to give prospective adoptive parents the contact information of the custodial agency. OAC 5101:2-48-22 requires agencies to prepare and maintain adoptive family case records and is amended to update contact information language. These changes were 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 rules to interested parties for feedback. No

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comments were received during that time.

The business community impacted by the rules includes 88 public agencies and over 100 private agencies. The adverse impacts created by the rules include requirements for agencies to enter information into statewide systems, maintaining adoption family case records, and relaying information to prospective adoptive parents. ODJFS states that the adverse impacts are necessary to ensure the safety and well-being of children in foster and adoptive placements.

Recommendations

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

Conclusion

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