



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: October 31, 2022

RE: **CSI Review – Admissions and Admissions Logs (OAC 5101:2-9-11)**

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 13, 2022, and the public comment period was held open through October 22, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on October 13, 2022.

Ohio Administrative Code 5101:2-9-11 establishes requirements for admitting a child into a residential facility and maintaining a log of all admissions. The rule includes requirements to maintain a written admissions policy and individual child care agreements, admit children according to age-based guidelines, and document child information. The rule is amended to allow a residential facility to admit a child under the age of six if the child is admitted to a residential infant care center in accordance with Qualified Residential Treatment Program guidelines.

During early stakeholder outreach, ODJFS sent the rule to industry stakeholders for feedback, including the Public Children Services Association of Ohio and current providers. No comments were received during that time or during the CSI public comment process.

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The business community impacted by the rule includes residential facilities currently operating in the state. The adverse impacts created by the rule include the cost of compliance with requirements to properly admit children and to maintain admissions logs. ODJFS states that the adverse impact is necessary to ensure that children are properly admitted to residential facilities.

Recommendations

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

Conclusion

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