



## 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:** Michael Bender, Business Advocate

**DATE:** May 19, 2023

**RE:** **CSI Review – Ohio Adoption Grant (OAC 5101:2-44-06)**

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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) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on May 5, 2023, and the public comment period was held open through May 12, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on May 5, 2023.

Ohio Administrative Code (OAC) 5101:2-44-06 outlines the eligibility criteria for adoptive parents to receive State Adoption Maintenance Subsidy payments. Private child placing agencies (PCPAs) that have approved applications from parents for adoptive placement of children with special needs in their custody are required to provide certain forms and information to the appropriate public children services agencies. The rule is amended to update language, restructure existing content, remove revision dates for ODJFS forms, and state that income received through the Ohio Adoption Grant Program is not to be considered when verifying an adoptive family's annual gross income.

During early stakeholder outreach, the rule went through the ODJFS clearance process from March 21, 2023, through March 27, 2023. ODJFS also presented the proposed rule in April 2023 to the Ohio

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

[CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov)

Adoption Planning Group and the Ohio Children's Alliance Foster Care & Adoption Committee. No feedback was provided by stakeholders with respect to the rule itself, although one comment was received during the clearance process from an individual affiliated with Summit County Children Services concerning a portion of the application that is referenced in the rule. No comments were received during the CSI public comment period.

The business community impacted by the rule includes PCPAs. The adverse impacts created by the rule include reporting information, filling out forms, and revocation of certification due to non-compliance. According to ODJFS, the costs of filling out the forms will vary from county to county, depending on their business model, and could take an estimated fifteen minutes to one half-hour. ODJFS states that the adverse impacts to business are justified to ensure the safety and well-being of children with special needs who are being prepared for adoption.

### **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.