



# Common Sense Initiative

Mike DeWine, *Governor*  
Jon Husted, *Lt. Governor*

Joseph Baker, *Director*

## MEMORANDUM

**TO:** Mike Lynch, Ohio Department of Job and Family Services

**FROM:** Jacob Ritzenthaler, Business Advocate

**DATE:** January 3, 2024

**RE:** CSI Review – Supportive Services (OAC 5101:2-40-02)

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This rule package consists of a new rule that replaces a rescinded rule proposed by the Ohio Department of Job and Family Services (ODJFS) as part of the statutorily required five-year review process. This rule package was submitted to the CSI Office on November 30, 2023, and the public comment period was held open through December 7, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on November 30, 2023.

Ohio Administrative Code 5101:2-40-02 establishes requirements for supportive services provided by public children services agencies (PCSAs) and private child placing agencies (PCPAs). The rule is proposed for rescission and is replaced by a new rule. Supportive services are provided to protect youths' health, safety and welfare, respect and support the integrity of the youth family unit, maintain or reunify the child with family or caretakers, and assist children with the transition to self-sufficiency. The rule establishes when supportive services will be made available, criteria for the availability of services, and funding sources.

During early stakeholder outreach, ODJFS sent the proposed rule to industry stakeholders for feedback. In response to one stakeholder comment, ODJFS made amendments to improve the

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accuracy and clarity of rule language. No comments were received during the CSI public comment period.

The business community impacted by the rule includes nineteen PCPAs, which provide supportive services to children. The adverse impacts created by the rule include requirements for the reporting of information and time spent obtaining information from youths and their families or caregivers. ODJFS estimates that case workers could spend up to several hours completing the tasks necessary for collecting information. ODJFS states that the adverse impacts created by the rules are necessary to protect, strengthen, or assist children and families or caregivers.

### **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.