

**Rule Summary and Fiscal Analysis (Part A)****Department Of Job And Family Services**

Agency Name

**Division Of Public Assistance**

Division

**Beth Vogel**

Contact

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**5101:1-23-70**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**OWF: erroneous payments.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **5107.05, 5107.76**

5. Statute(s) the rule, as filed, amplifies or implements: **5107.05, 5107.76**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being proposed due to the five-year rule review requirement provided by Section 119.03 of the Revised Code. The rule is being proposed to replace, in part, rescinded rule 5101:1-23-70. The rescission of former rule 5101:1-23-70 and its replacement with new rules 5101:1-23-70, 5101:1-23-70.1 and 5101:1-23-70.2 are being proposed for formatting and clarifying purposes only. There are no substantive changes being made to the policies regarding the identification, computation and collection of erroneous payments and/or overpayments in the TANF/OWF program.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule sets forth policy for the identification, computation and collection of erroneous TANF/OWF and/or AFDC overpayments that occurred and were discovered on or after July 1, 1998.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

This rule is being revised to replace all references to "TANF" with "TANF cash assistance" throughout the body of the rule. There are no substantive changes being made to the rule with this revision.

12. 119.032 Rule Review Date:

(If you answered NO to question No. 1, provide the scheduled review date. If you

answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: At time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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The proposal of this rule should have no fiscal impact on the department's biennial budget. The changes in the new rule are formatting changes only and do not reflect any changes in policy.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

The proposal of this rule should have no fiscal impact on the agency's biennial budget.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There should be no costs of compliance with the proposal of this rule.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**