

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:12-60-50

Rule Type: Amendment

Rule Title/Tagline: Termination of support.

Agency Name: Department of Job and Family Services

Division: Child Support

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I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 2/12/2024
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3119.94, 3125.25
5. What statute(s) does the rule implement or amplify? 3119.87, 3119.88
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

Five Year Rule Review.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule describes how the Child Support Enforcement Agency (CSEA) with administrative responsibility for a child support order administratively terminates the current child support obligation and the medical support provisions when a required or optional administrative termination reason exists.

Changes to the rule include: correcting a typo in paragraph (A), removing language in existing paragraph (C) as it is no longer needed; adding new language to paragraph (C) (9) for clarity and updating references in paragraph (F).

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to the Ohio Revised Code (ORC). This question is not applicable to any incorporation by reference to the ORC because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.75(A)(1)(a).

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code (OAC). This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.75(A)(1)(d).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

To correct the ORC references in the history trail.

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

- 16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

III. Common Sense Initiative (CSI) Questions

- 17. Was this rule filed with the Common Sense Initiative Office? No**

- 18. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 9

(A) The CSEA will proceed in accordance with this rule and its supplemental rules when a IV-D application as described in paragraph (A) of rule 5101:12-10-01.1 of the Administrative Code or a IV-D referral as described in paragraph (B) of rule 5101:12-10-01.1 of the Administrative Code has been completed and filed with the CSEA.

(A) The CSEA will proceed in accordance with this rule and its supplemental rules when a IV-D application as described in paragraph (A) of rule 5101:12-10-01.1 of the Administrative Code or a IV-D referral as described in paragraph (B) of rule 5101:12-10-01.1 of the Administrative Code has been completed and filed with the CSEA.

(C) In accordance with section 3119.87 of the Revised Code, the parent who is the residential parent and legal custodian of a child for whom a child support order is issued or the person who otherwise has custody of a child for whom a child support order is issued immediately will notify, and the obligor under a child support order may notify, the CSEA administering the child support order of any reason for which the child support order should terminate.

(D) The CSEA will initiate an administrative termination investigation to determine whether the child support order should terminate when there is an administrative termination reason.

(D)The CSEA will initiate an administrative termination investigation to determine whether the child support order should terminate when there is an administrative termination reason.

(D) An administrative termination reason includes all of the following:

(G) When the obligor or obligee requests the CSEA to terminate the child support order and the reason for terminating the child support order is not one

of the administrative termination reasons listed in paragraph (D)(C) of this rule or a termination reason utilized by the CSEA in paragraph (F)(E) of this rule, the CSEA will not administratively terminate the child support order.

(G)(1) Will issue a JFS 07521, "Results of Support Order Termination Investigation" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the last known address of the person who requested the termination of the child support order.

(H) In accordance with section 3119.89 of the Revised Code, the CSEA will not conduct an administrative review and adjustment of the child support order for any other children subject to the child support order until a final administrative or judicial order has been issued regarding the administrative termination investigation's findings and recommendations.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable