

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

Agency Name

**Division of Social Services**

Division

**Michael Lynch**

Contact

**OFC- 4200 E. 5th Ave., 2nd fl. J6-02 P.O. Box  
183204 Columbus OH 43218-3204**

Agency Mailing Address (Plus Zip)

**614-466-4605**

Phone

**614-752-8298**

Fax

**Michael.Lynch@jfs.ohio.gov**

Email

**5101:2-13-10**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Training and professional development requirements for a  
licensed family child care provider and child care staff  
members.****RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **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: **5104.017, 5104.018**5. Statute(s) the rule, as filed, amplifies  
or implements: **5104.017, 5104.018**

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

This rule is being updated to clarify policy as it pertains to the administration of the  
Child Care 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 outlines the initial and on-going training and professional development requirements for providers, staff and substitutes. This rule is being amended to remove paragraph (A)(3) that requires providers that are already licensed to meet the health training requirements and paragraph (C)(2) that requires child care staff members already employed to complete the one hour child abuse and neglect overview by June 30, 2017. This rule is also being amended to clarify that the training documentation only has to be given to employees if it is not stored in the Ohio Professional Registry (OPR) and to clarify language for substitute child care staff members and their training requirements.

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 rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and is generally available to persons affected by this rule via the inner-web at <http://innerapp.odjfs.state.oh.us/forms/inner.asp> or on the inter-net at <http://www.odjfs.state.oh.us/forms/inter.asp> in accordance with RC 121.75(E).

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:

Not Applicable.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. Five Year Review (FYR) Date: **12/31/2021**

(If the rule is not exempt and 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: If the rule is not exempt at the 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 proposed rule will not have an impact on the agency's projected budget during the current biennium.

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

Not Applicable.

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:

Training costs will vary depending on the number of staff the program employs and the trainer selected. The ODJFS created one-hour child abuse training is free but does take an hour of time to complete.

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**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **Yes**

Type A home providers must be licensed because they serve seven or more children. Type B home providers must be licensed if they want to serve children who are publicly funded or they can voluntarily be regulated.

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? **Yes**

Failure to comply can result in revocation of a license.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**