

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-16-02

Rule Type: Amendment

Rule Title/Tagline: Application and qualification process for receipt of publicly funded child care benefits.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

Address: OFC- 4200 E. 5th Ave., 2nd fl. L2-01 P.O. Box 183204 Columbus OH 43218-3204

Contact: Michael Lynch **Phone:** 614-466-4605

Email: Michael.Lynch@jfs.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 10/20/2024
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 110 - 134 - Oelslager
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5104.38, 5104.34
5. **What statute(s) does the rule implement or amplify?** 5104.01, 5104.42, 5104.38, 5104.382, 5104.34, 5104.30, 5104.32
6. **What are the reasons for proposing the rule?**

This rule is being amended to integrate Publicly Funded Child Care (PFCC) into the Ohio Benefits (OB) statewide automated eligibility system, to implement changes as a result of the passage of Amended Substitute House Bill 110 of the 134th General Assembly, and to provide clarifications regarding PFCC application and qualification processes.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

5101:2-16-02 "Application and qualification process for receipt of publicly funded child care benefits" outlines the application and qualification process for Ohioans applying and reapplying for PFCC benefits. It is being amended with the following changes:

- Clarified procedures for applicants residing in counties utilizing the Child Care Information Data System (CCIDS) for child care determinations;
- Added procedures for applicants residing in counties utilizing OB for child care determinations;
- Clarified eligibility requirements for applicants;
- Clarified family verification requirements;
- Updated wording for consistency and to match language used in OB;
- Clarified caretaker application processes.

Appendix A to rule 5101:2-16-02 is being rescinded and replaced to remove the requirement that basic education classes occur onsite, and to remove credit hour and degree requirements.

Appendix B to rule 5101:2-16-02 is being rescinded and replaced to clarify citizen and qualified alien requirements for children in need of care.

8. Does the rule incorporate material by reference? Yes

9. 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. This question is not applicable to any incorporation by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(a).

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).

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

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(c).

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

Not Applicable

II. Fiscal Analysis

- 11. 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

While the increase in income eligibility will result in more expenditures for the agency, these costs were considered in the budget framework and will not have any unanticipated impact on the budget.

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

Caretakers applying and re-applying for PFCC will need to fill out the application and gather verifications for some information. They will need to send this information to their county agency. There will be time costs associated with these actions, which will vary depending on caretaker preparedness. Caretakers will need to inform the county agency if they move from the state of Ohio, or if they wish to withdraw their application, or discontinue receiving benefits. These actions should take approximately 15 minutes to complete.

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

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

- 15. 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

16. Was this rule filed with the Common Sense Initiative Office? No

17. 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 Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. 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? 0
- B. How many existing regulatory restrictions do you propose removing? 5

(A)(1) The caretaker shall complete a PFCC application and submit the application to the county agency that serves the caretaker's county of residence.

(A)(3) The caretaker shall complete the application process within thirty calendar days from the date the county agency receives a valid PFCC application as described in paragraph (A)(1) of this rule.

(B)(1) The family shall meet the income requirements:

(L) Annually, a caretaker receiving publicly funded child care benefits shall submit the JFS 01124 "Re-determination Application for Child Care Benefits", household income verification and supporting documentation to their county agency if they wish to continue receiving benefits.

(M) Forty-five days prior to the end of the current eligibility period , a JFS 01124 shall be mailed to the caretaker.