

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-16-04

Rule Type: New

Rule Title/Tagline: Caretaker responsibilities to maintain eligibility in the publicly funded child care program.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

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I. Rule Summary

1. Is this a five year rule review? No

A. What is the rule's five year review date?

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? 5104.38, 5104.34

5. What statute(s) does the rule implement or amplify? 5104.01, 5104.38, 5104.34, 5104.32

6. What are the reasons for proposing the rule?

This new rule is proposed to replace in part rescinded rule 5101:2-16-35.1 to group regulations according to topic and to renumber the rules consecutively as part of the five year rule review.

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

This proposed rule sets forth the caretaker responsibilities to maintain eligibility for the publicly funded child care program. The following changes were made:

- 1) Changed to question and answer format.
- 2) Added the requirement that a caretaker shall review attendance changes made by a provider in the automated system and approve appropriate changes.
- 3) Clarified caretaker requirements for co-payments and payment agreements.
- 4) Added the requirement that a caretaker must notify the county agency when a preschool child begins attending elementary school and when a child stops attending an authorized child care program.
- 5) Clarified caretaker reporting requirements regarding child care programs, including when a child stops attending a program or wishes to switch programs.
- 6) Clarified caretaker reporting requirements when there are changes in the number of hours needed for child care services.
- 7) Clarified caretaker requirements around program integrity review requests.

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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

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 121.76(A)(3).

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. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

This rule has no expected fiscal impact on current or future budgets.

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

No new costs.

- 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**

III. Common Sense Initiative (CSI) Questions

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

- 16. 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**