

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-16-06

Rule Type: New

Rule Title/Tagline: Authorizations for publicly funded child care services.

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?** 5104.30, 5104.34, 5104.38
5. **What statute(s) does the rule implement or amplify?** 5104.01, 5104.30, 5104.32, 5104.34, 5104.38, 5104.382, 5104.42
6. **What are the reasons for proposing the rule?**

This new rule is proposed to replace in part rescinded rules 5101:2-16-30 and 5101:2-16-35.1 to group regulations according to topic and to renumber the rules consecutively as part of the five year rule review.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 rule clarifies what child care authorizations are and how they are used in the publicly funded child care program. The following changes were made:

- 1) Grouped all policies and procedures on child care authorizations into one rule to improve clarity and organization of the chapter.
- 2) Clarified that the application received date is the date the county receives a valid application pursuant to rule 5101:2-16-02 of the Administrative Code.
- 3) Added wording to clarify that authorizations are per child and authorize payment to a provider for a specific number of hours of care.
- 4) Clarified what child care categories of authorization are and how they are determined.
- 5) Removed the requirement that an authorization not utilized for thirty-one days shall be ended.
- 6) Added that child care shall not exceed forty-eight consecutive hours for each child.

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.

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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