

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

Agency Name

Division of Social Services

Division

Mike Lynch

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5101:2-16-07

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**County department of job and family services administrative
responsibilities for determining eligibility for publicly funded
child care benefits.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **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: **5104.30, 5104.35, 5104.38, 5104.39**

5. Statute(s) the rule, as filed, amplifies or implements: **5104.30, 5104.32, 5104.33, 5104.34, 5104.35, 5104.37, 5104.38, 5104.39**

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

This rule is being proposed for amendment to implement the statewide automated child care eligibility, authorization and payment system.

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 responsibilities for county departments of job and family services for determining eligibility for publicly funded child care. This rule is being amended to add a new form, the JFS 01144 "Provider Agreement for Publicly Funded Child Care Services" and to add language regarding security of the new statewide automated child care eligibility, authorization and payment system. Language regarding contracting with child care providers, the issuance of the JFS 01140 "Certificate of Authorization for Payment of Publicly Funded Child Care Services (COAP)," and the completion of the JFS 01139 "Child Care Application Status and Summary" has been removed and language regarding submission of invoices by child care providers has been clarified.

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 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 121.76(A)(1).

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).

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 "Info Center" link on the ODJFS web site (<http://jfs.ohio.gov/>) in accordance with RC 121.75(E).

This rule incorporates one or more dated references to the U.S. Code. This question is not applicable to any dated incorporation by reference to the U.S. Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)

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(C).

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:

Not Applicable.

12. 119.032 Rule Review Date: **9/1/2011**

(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.

0.00

This proposed rule will not impact 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:

There may be costs to implement this rule for county departments of Job and Family Services related to staff participation in the training and technical assistance sessions that will be provided for the new system, as well as possible expenses to adjust county processes related to eligibility determination and for reporting data to ODJFS. Some county costs will be relieved when ODJFS assumes responsibility for current county processes.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

Rule Summary and Fiscal Analysis (Part B)

5101:2-16-07

1. Does the proposed rule have a fiscal effect on any of the following (please check each that applies)?

(a) School Districts _____ (b) Counties ☒ (c) Townships _____ (c) Municipal Corporations _____

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

- The cost to counties cannot be quantified. Some current county functions for family eligibility determination, child authorization and provider payments will be moved to an automated system at ODJFS and some functions will remain at the county. Because each county department of job and family services operates with a different business model, it is not possible to estimate how a county will utilize staff or change processes to implement these changes. Costs could include: changes to county automated systems and staff training.

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement?

Yes

☒ No

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

- Not applicable

5. Please provide a comprehensive cost estimate for the proposed rule that includes the procedure and method used for calculating the costs of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

- These costs cannot be quantified. Because each county department of job and family services operates with a different business model, it is not possible to estimate how a county will utilize staff or change processes to accommodate these changes. There may be new costs for changes to county automated systems and staff training. Also, ODJFS will be assuming costs the county now has for some of the expenses of printing and mailing notices related to the eligibility determination process and for most of the staff functions and printing/mailing procedures related to provider contracts and provider payments.

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

- ODJFS has funds appropriated for the requirements of this rule change.

7. Please provide a statement on the proposed rule's impact on economic development.

- None