

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-16-08

**Rule Type:** Amendment

**Rule Title/Tagline:** County agency responsibilities for the administration and determination of eligibility for publicly funded child care.

**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

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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? 10/20/2024
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, 5104.30
5. What statute(s) does the rule implement or amplify? 5104.01, 5104.38, 5104.341, 5104.34, 5104.32, 5104.30
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 clarify county processes regarding PFCC application and qualification procedures, and to remove revision dates from form citations.

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

5101:2-16-08 "County agency responsibilities for the administration and determination of eligibility for publicly funded child care" outlines the county agency responsibilities for administering and determining eligibility for PFCC. The following changes were made:

- Clarified responsibilities, processes and procedures for counties utilizing CCIDS for child care determinations;
- Added responsibilities, processes and procedures for counties utilizing OB for child care determinations;
- Clarified payment after denial procedures;
- Made wording changes to reflect language used in OB;
- Removed revision dates from form citations.

- 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 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 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 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

Not Applicable.

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

County agencies will have costs associated with the administration of the publicly funded child care program, including accepting applications and verifications and making determinations of eligibility for the program.. The costs will vary depending on the size of the agency and the number of applicants. .

- 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? 2

(E)(5) The county agency shall deny or terminate a caretaker's eligibility for child care benefits, after providing hearing notice rights as required by applicable rules in division 5101:6 of the Administrative Code, if the caretaker does any of the following:

(H)(2)(c) The county agency shall propose termination of benefits using the JFS 04065 or its computer-generated equivalent if the caretaker fails to submit a JFS 01124 and all required supporting documentation fifteen calendar days prior to the end of the current eligibility period.