

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

Agency Name

**Division of Social Services**

Division

**Mike Lynch**

Contact

**30 E. Broad St., 31st Floor Office of Legal Services****466-4605****752-8298****Columbus OH 43215-3414**

Agency Mailing Address (Plus Zip)

Phone

Fax

**5101:2-16-30**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Program eligibility requirements 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: **5104.34, 5104.38**

5. Statute(s) the rule, as filed, amplifies or implements: **5104.01, 5104.30, 5104.34, 5104.38, 5104.381, 5104.382, 5104.41**

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

To implement new income eligibiity standards for publicly funded child care benefits.

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 sets forth the requirements for a caretaker's eligibility for child care benefits, including Appendix material that shows the maximum monthly income standards per household size. It is replacing a rule of the same number.

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 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 ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(3).

This rule incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the ORC because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(1).

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:

Language was added to paragraph (B) to clarify the relationship of caretaker and child. Paragraph (C) (8) was changed to add the word "education". Clarified language in paragraph (E)(2) in order to reference the income level for transitional benefits. Language in paragraph (G) and subparagraphs (1) through (5) has been changed for clarification. Added language to paragraph (P) to specify that a child in placement is not eligible for protective child care. Added language to paragraph (Q)

to clarify that child care may continue for a child who is in a federally-funded Head Start partnership program for the remainder of the Head Start program year. Added a column to the Appendix labeled "Eligibility for Transitional Child Care" and renamed column three. Corrected several of the amounts in the Appendix that were wrong due to rounding errors. Question 13 of the RSFA has been changed because this rule is being filed in the current biennium.

12. 119.032 Rule Review Date:

(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 increase expenditures.

\$42,000,000.00

The fiscal impact of the proposed rule to increase eligibility to 185% of the federal poverty levels will increase child care service expenditures by \$42 million during the SFY 2006 - 2007 biennium due to a projected increase in the child care caseload.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

The appropriation line items affected by the proposed rule are ALI's: 600-617 Day Care Federal, and 600-689 TANF Block Grant.

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:

Any additional administrative cost associated with the proposed rule should be minimal and will be absorbed within the department's operational budget.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

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