

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-18-03.1

Rule Type: New

Rule Title/Tagline: Transitional pandemic requirements for approved child day camps.

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
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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?** 5104.21, 5104.22
5. **What statute(s) does the rule implement or amplify?** 5104.21, 5104.22
6. **What are the reasons for proposing the rule?**

This rule is being proposed to establish operating guidelines as well as health and safety guidelines during the COVID-19 pandemic for approved child day camps.

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

5101:2-18-03.1 "Transitional Pandemic Requirements for Approved Child Day Camps" is a new rule that is being proposed with the following guidelines: The approved day camp is to follow all of the day camp requirements of Chapter 5101:2-18. The child

day camp is to follow updated handwashing procedures for administrators, child day camp staff members, employees, and children. The child day camp may use non-permanent sinks to meet the handwashing requirements of this chapter. The child day camp is to also assess for temperature and the COVID-19 symptoms listed in appendix A to the rule and follow all isolation or quarantine protocols. Isolation or quarantine protocols will be completed in coordination with the local health department or in compliance with the Ohio department of health (ODH) and United States centers for disease control and prevention (CDC) guidelines. The child day camp will ensure that all administrators, child day camp staff members, employees, and children wear a face covering that covers the individual's nose and mouth while indoors, unless not medically or developmentally appropriate. The child day camp provider will report all COVID-19 positive tests to their local health department and to ODJFS. There are new procedures if the day camp needs to divide a room into smaller spaces to serve multiple groups of children. The transitional pandemic rule is valid until the governor of Ohio rescinds the state of emergency and/or directs ODJFS to return to full child day camp requirements.

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 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).

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.

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Not Applicable.

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

The costs associated with this rule can vary based on the number of children enrolled in the program and the costs of handwashing, cleaning and sanitizing supplies each provider chooses to use.

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? Yes

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

An approved child day camp is accredited by the American Camp Association (ACA) or a similar and comparable nationally recognized accrediting organization and approved by the Ohio Department of Job and Family Services (ODJFS). This accreditation must be maintained in order for the day camp to be approved by ODJFS to provide publicly funded child care.

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? Yes

Failure to comply can result in removal of the child day camp's approval.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

The existing costs of a provider to come into compliance with the requirements of the rule can vary greatly based on a number of factors and variables,

including, but not limited to facility size, business model, and number of children enrolled in the program. For example, an approved day camp may experience an increase in expenditures for the purchase of personal protective equipment (PPE), staffing resources if staff are exposed to COVID-19, if the program chooses to divide classroom spaces into smaller spaces, or if the program chooses to install additional handwashing locations.

- 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? Yes**

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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? No**

- A. How many new regulatory restrictions do you propose adding?**

Not Applicable

- B. How many existing regulatory restrictions do you propose removing?**

Not Applicable